

Prepared by:
City of Peoria
419 Fulton St.
Peoria, IL 61602

After recording return to:
Public Works Department
3505 N. Dries Lane
Peoria, IL 61604

AN ORDINANCE VACATING SIXTY-THREE HUNDREDTHS ACRES (0.063 ACRES) OF PORTIONS OF W MOSS AVENUE AND UNION STREET, ADJACENT TO LOTS 7 & 8, MOSS ADDITION, PEORIA, IL;

WHEREAS, the rights of way more particularly hereinafter described are no longer of value to the public; and

WHEREAS, in the opinion of the City Council of the City of Peoria, the public interest will be served by vacating said rights of way as hereinafter described and shown on Exhibit 1.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PEORIA:

Section 1. All of the rights of way described below and shown on the attached vacation plat, Exhibit 1, which Exhibits for greater certainty are made a part of this ordinance, is hereby vacated and closed, with the exception of reservations contained in Section 2 hereof. Said right of way is no longer required for public use, and the public interest will be served by such vacation as is hereinafter provided for.

Description of Right-of-Way to be vacated:

LEGAL DESCRIPTION:

PART OF LOTS 7 AND 8 IN RANGE 1 OF MOSS ADDITION IN PART OF THE SOUTHEAST QUARTER OF SECTION 5 AND PART OF THE NORTHEAST QUARTER OF SECTION 8 ALL IN TOWNSHIP 8 NORTH, RANGE 8 EAST OF THE FOURTH PRINCIPAL MERIDIAN, PEORIA COUNTY, ILLINOIS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWESTERLY CORNER OF SAID LOT 8, THENCE NORTH 65 DEGREES 30 MINUTES 00 SECONDS EAST, (BEARINGS ASSUMED FOR DESCRIPTIVE PURPOSES ONLY), ALONG THE NORTHWESTERLY LINE OF SAID LOT 8, A DISTANCE OF 2.48 FEET TO THE POINT OF BEGINNING OF THE VACATION TO BE DESCRIBED: FROM THE POINT OF BEGINNING, THENCE CONTINUING NORTH 65 DEGREES 30 MINUTES 00 SECONDS EAST, ALONG THE NORTHWESTERLY LINE OF SAID LOTS 8 AND 7, A DISTANCE OF 105.07 FEET; THENCE SOUTHEASTERLY ON A CURVE TO THE RIGHT, HAVING A RADIUS OF 10.00 FEET AND AN ARC LENGTH OF 15.04 FEET, SAID CURVE BEING SUBTENDED BY A CHORD HAVING A BEARING OF SOUTH 71 DEGREES 25 MINUTES 00 SECONDS EAST AND A DISTANCE OF 13.66 FEET; THENCE SOUTH 28 DEGREES 20 MINUTES 00 SECONDS EAST, A DISTANCE OF 105.07 FEET; THENCE NORTHWESTERLY, ALONG THE EXISTING RIGHT OF WAY LINE OF UNION STREET, ON A CURVE TO THE LEFT, HAVING A RADIUS OF 122.35 FEET AND AN ARC LENGTH OF 184.00 FEET, SAID CURVE BEING SUBTENDED BY A CHORD HAVING A BEARING OF NORTH 71 DEGREES 25 MINUTES 00 SECONDS WEST, A DISTANCE OF 167.15 FEET TO THE POINT OF BEGINNING, SAID VACATION CONTAINS

0.063 ACRE, MORE OR LESS. SUBJECT TO ANY EASEMENTS, RESTRICTIONS OR RESERVATIONS OF RECORD.

Note to County Recorder: Index to the Parcel I.D. Numbers shown in Exhibit 1:

18-08-226-030

Section 2. The City of Peoria hereby reserves unto all public utility companies presently operating in, upon, over and under said rights of way, all rights and privileges heretofore granted by City ordinances, including but not limited to, rights under franchises and agreements, which said rights and privileges shall continue in full force and effect the same as if this Ordinance otherwise vacating said rights of way had not been adopted and passed; such rights and privileges with respect to said public utility companies are to remain in effect until, and to terminate upon, the abandonment or release of such use or the relocation of such use outside the public rights of way herein vacated.

It is further provided that no building or other structures shall be erected on the said rights of way herein set forth, or other said reservations be made of such area which would interfere with use, maintenance, renewal or reconstruction of the facilities of said public utilities until such time that all said utilities are terminated as described above.

Section 3. This Ordinance shall take effect and be enforced from and after its passage and approval, subject, however, to the conditions of Section 2 hereof.

Adopted by the City Council of the City of Peoria, Illinois this ___ day of _____, 2017.

APPROVED:

Mayor

ATTEST:

City Clerk

EXAMINED AND APPROVED:

Corporation Counsel

Legal Description

(Roadway Vacation – portions of W Moss Avenue and Union Street, Lots 7 & 8 Moss Addition)

(0.063 Acres)

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