

CITY OF VILLA GROVE
DOUGLAS COUNTY, ILLINOIS

ORDINANCE NO. 2017-MC04

**AN ORDINANCE VACATING A PORTION OF
SOUTH ELM STREET OF THE CITY OF VILLA GROVE**

PASSED BY THE CITY COUNCIL AND
APPROVED BY THE MAYOR OF THE
CITY OF VILLA GROVE, ILLINOIS
THIS EIGHTH DAY OF MAY 2017

PUBLISHED IN PAMPHLET FORM BY AUTHORITY OF THE MAYOR AND CITY COUNCIL OF THE CITY
OF VILLA GROVE, DOUGLAS COUNTY, ILLINOIS THIS NINTH DAY OF MAY 2017.

CITY OF VILLA GROVE
DOUGLAS COUNTY, ILLINOIS

ORDINANCE NO. 2017-MC04

May 8, 2017

**AN ORDINANCE VACATING A PORTION OF
SOUTH ELM STREET OF THE CITY OF VILLA GROVE**

WHEREAS, the City of Villa Grove, Douglas County, Illinois, (the "City") is a duly organized and existing Municipality created under the provisions of the laws of the State of Illinois, and is now operating under the provisions of the Illinois Municipal Code, and all laws amendatory thereof and supplementary thereto with full powers to enact ordinances for the benefit of the residents of the City and the City previously enacted its Code of Ordinances; and

WHEREAS, the City has heretofore approved the platting of various streets and alleys within the City of Villa Grove, Illinois, including South Elm Street, which has a width of 60 feet; and

WHEREAS, Ryan P. and Crystal M. Garrett, the owners of the property abutting a portion of South Elm Street which has never been used for or improved for public street purposes, have requested that such portion of South Elm Street be vacated, pursuant to Illinois Compiled Statutes, Chapter 65, Section 5/11-91-1, et seq.; and

WHEREAS, the City Council of the City of Villa Grove, pursuant to the Statutes of the State of Illinois, may vacate a street or alley, or part thereof, by Ordinance, if it determines that the public interest is subserved by vacating the street or alley, or part thereof; and

WHEREAS, the City of Villa Grove Planning Commission has held a properly noticed public hearing regarding said vacation of South Elm Street as required by State Statute of the State of Illinois; and

WHEREAS, the City Council of the City of Villa Grove finds that, by vacating South Elm Street, the relief to the public from the burden and responsibility of maintaining South Elm Street constitutes a public use and subserves the public interest; and

WHEREAS, the affected utility companies have been contacted regarding the relocation and/or abandonment of their utilities with the reservation of all necessary utility easements.

NOW, THEREFORE BE IT ORDAINED BY THE MAYOR AND COUNCIL, CITY OF VILLA GROVE, DOUGLAS COUNTY, ILLINOIS, as follows:

SECTION 1: The requested vacation will subserve the public interest.

SECTION 2: The portion of South Elm Street in the City of Villa Grove commencing seventy (70) feet south of the northeast corner of Lot 1 in Block 8 of Riverside Addition (approximately the intersection of South Elm Street and Arthur Street) and extending south one hundred thirty (130) feet is hereby vacated upon the terms and conditions set forth in this Ordinance.

SECTION 3: The City of Villa Grove reserves unto itself, and to all public utilities having facilities in said street, such right-of-ways and easements as are necessary or desirable for continuing public services by means of these facilities and for the maintenance, renewal or construction thereof, including potable water mains and sanitary sewers, and provided that the owner shall not construct or permit to be constructed thereon any improvements, structures or obstructions that will interfere with the construction, reconstruction, maintenance and operation of said public utilities thereunder; and together will full rights of ingress and egress thereto for the purposes set forth therein.

SECTION 4: Title to the portion of the sixty (60) foot wide street vacated hereby shall vest equally in the abutting land owners, reportedly Ryan P. and Crystal M. Garrett, on the east and west of the vacated street as foresaid, in accordance with Illinois Law.

SECTION 5: Said owners shall furnish or reimburse the City for the cost of preparation of a Vacation Plat, if such a Vacation Plat is required, as well as any document recording fees by the Douglas County Clerk and Recorder's Office.

SECTION 6: All code provisions, ordinances, resolutions and order, or parts thereof, in conflict herewith, are to the extent of such conflict hereby superseded.

SECTION 7: This Ordinance shall be in full force and effect from and after its passage and approval as provided by law, and shall be published in pamphlet form pursuant to law.

PRESENTED, PASSED, APPROVED AND ADOPTED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF VILLA GROVE, ILLINOIS, at its regular meeting on this eighth day of May, A.D., 2017, by a roll call vote as follows:

Griffith, Darrel M. yea

Harbin, Terrance L. yea

Hunt, Ronald H. yea

Leon, Michael S. yea

Nelson, Sarintha A. yea

Stipp, Robert L. yea

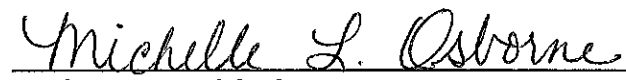
Wright, Darren R. yea

APPROVED:



TERRANCE L. HARBIN
Mayor

ATTEST:



MICHELLE L. OSBORNE
City Clerk

SEAL

