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RECORDED ON
10/27/2009 02:01:20PM

CHAMPAIGN COUNTY
RECORDER

BARBARA A. FRASCA

REC FEE: 25.00

RHSPS Fee:

REV FEE:

PAGES 3

PIAT ACT; 0

PIAT PAGE:

ORDINANCE NO. 294

VILLAGE OF GIFFORD, ILLINOIS

ORDINANCE VACATING ALLEYWAY
BETWEEN PARK AVENUE AND EAST STREET
IN BLOCK ONE OF WILLARD'S
SUBDIVISION TO GIFFORD

Return to:
Brian T. Schurter
TUMMELSON BRYAN & KNOX, LLP
115 N. Broadway Avenue
Urbana, IL 61801

ORDINANCE NO. 294

AN ORDINANCE VACATING AN ALLEYWAY

Adopted by the

President and Board of Trustees

of

The Village of Gifford

this 1st day of October, 2009

WHEREAS, although all owners of property in Block One of Willard's Subdivision to Gifford believe an alleyway between Park Avenue and East Street was vacated by the Village at some time in the past and the alleyway referred to no longer exists as a way for vehicle traffic and has not so existed for many years; and

WHEREAS, the Supervisor of Assessment's Office of Champaign County has noted that the alleyway in Block One of Willard's Subdivision to Gifford between Park Avenue and East Street is vacated, although no record of a vacation ordinance can be found and none has been recorded in the Champaign County Recorder's Office; and

WHEREAS, the Board of Trustees of the Village of Gifford have determined that it is in the best interests of the Village and its citizens to confirm what everyone believes is the case, that the alleyway in Block One of Willard's Subdivision to Gifford between Park Avenue and East Street has been vacated at some time in the past, and pass a new ordinance again vacating the alleyway so that the public record properly reflects reality.

BE IT ORDAINED BY THE MAYOR AND THE VILLAGE BOARD OF THE VILLAGE OF GIFFORD, ILLINOIS, as follows:

Section 1. That the following described alleyway in Block One of Willard's Subdivision to Gifford is hereby vacated, such having been determined to be no longer required by the Village of Gifford for right-of-way purposes and thus, the public interest shall be subserved by vacating the same:

Alleyway in Block One of Willard's Subdivision to Gifford between Park Avenue and East Street.

Section 2. The vesting of title in the portion of the alleyway so vacated in the abutting property owner or owners shall be subject to an easement to all public utilities,

their successors and assigns to operate, maintain, renew and reconstruct their facilities affected by this vacation as now operated and maintained in, over and under the portion of the alleyway vacated unless the said abutting property owner or owners shall compensate the said utilities for such reasonable expense as shall be incurred by said utilities in connection with the rearrangement, removal or relocation of said facilities.

Section 3. The alleyway herein vacated shall attach to and become a part of the following parcels identified by permanent index numbers as indicated:

06-10-01-302-001	301 S. Park	Farmers Ag Service
06-10-01-302-003	201 E. Willard	Randy A. Mullins
06-10-01-302-004	205 E. Willard	William R. Claxon
06-10-01-302-006	211 E. Willard	Brooke Billings
06-10-01-302-007	303 S. Park	Justin Fullenkamp
06-10-01-302-008	305 S. Park	Dana M. Reynolds
06-10-01-302-009	307 S. Park	Justin Fullenkamp

Section 4. The Trustees of the Village of Gifford find and determine that under the circumstances, the abutting owners should not be charged anything.

Section 5. The Village Clerk is directed to record a certified copy of this Ordinance in the Office of the Recorder.

This Ordinance is hereby passed by the affirmative vote, the "ayes" and "nays" being called, of a three-fourth's (3/4th's) vote of the Trustees of the Village of Gifford, Illinois, at a regular meeting of said Board of Trustees.

YEAS: 6

NAYS: 0

ABSENT: 0

PASSED by the Village Board this 1st day of October, 2009.


Cynthia Duder
Village Clerk

APPROVED by the President of the Village Board this 1st day of October, 2009.

John Fauce
President

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of
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WHEREAS, the Supervisor of Assessment's Office of Champaign County has noted that the alleyway in Block One of Willard's Subdivision to Gifford between Park Avenue and East Street is vacated, although no record of a vacation ordinance can be found and none has been recorded in the Champaign County Recorder's Office; and

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YEAS:

NAYS:

ABSENT:

PASSED by the Village Board this 1st day of October, 2009.


Village Clerk

APPROVED by the President of the Village Board this 1st day of October, 2009.


President