

**ORDINANCE NO. 3844**

AN ORDINANCE TO VACATE A PUBLIC ALLEY RUNNING NORTH-SOUTH IN THE CITY BLOCK BOUNDED BY ROSS STREET, NORTH GROVE STREET, FOURTH STREET, AND FIFTH STREET, AND DECLARING THAT THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT AS PROVIDED HEREIN

- WHEREAS, The City Council has received a petition from the abutting property owners. circulated by Jeff Daniel, to vacate the north-south running alley located in the City block bounded by Ross Street, North Grove Street, Fourth Street, and Fifth Street; and,
- WHEREAS, City Staff has advised Council that there are no existing public utilities located within the alley proposed to be vacated; and.
- WHEREAS, The City Council has determined that there is no current or future public use for the north-south running alley located in the City block bounded by Ross Street, North Grove Street, Fourth Street, and Fifth Street; and,
- WHEREAS, The City Council has determined that abutting land owners desire the land of said vacated alley; and,
- WHEREAS, The City Council has determined that there is no value to the land, and vacating said alley will relieve the public of the burden of maintaining said alley in the future.

THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF KEWANEE, ILLINOIS, IN COUNCIL ASSEMBLED AS FOLLOWS.

**SECTION ONE:** The City Council finds that public interest is best served by relief to the public from further burden and responsibility of maintaining the alley described in Section Two hereof, by vacating said alley.

**SECTION TWO:** Legal for alley description purposes only, not surveyed is:

An alley running North to South in the City block bounded by Ross Street, North Grove Street, 4<sup>th</sup> Street, and 5<sup>th</sup> Street more particularly described for identification purposes hereunder:

Commencing at the Northeast corner of parcel #20-33-104-001 thence East 16 feet more or less thence South 400 feet more or less, thence West 16 feet more or less, thence North 400 feet more or less to the place of beginning.

**Note:** description is for identification purposes only. The description is not a sufficient legal description to use to convey title. Petitioners are encouraged to have a survey conducted creating a legal description and partitioning the vacated land to the contiguous land owners set forth herein.

**SECTION THREE:** The City Council find that all contiguous land owners per Henry County title records are:

20-33-104-001 430 Ross Street – Timothy Shoop  
 20-33-104-002 424 Ross Street – Fred Buswell  
 20-33-104-003 422 Ross Street – Karen Burrows  
 20-33-104-004 414 Ross Street – Michael and Irene Majeske  
 20-33-104-005 410 Ross Street – Jeffrey Milnes and Gypsie Bower  
 20-33-104-006 410 Ross Street (empty lot south) – Jeffrey Milnes and Gypsie Bower  
 20-33-104-010 700 W. 4<sup>th</sup> Street - Harold and Sharon Moats  
 20-33-104-009 419 Grove Street – Jeff and Lorene Daniel  
 20-33-104-012 421 Grove Street – Myrtle Ainley  
 20-33-104-011 701 W. 5<sup>th</sup> Street – Martin Moore

**SECTION FOUR:** The City Council finds that the land being vacated has no value.

**SECTION FIVE:** The City Council hereby directs that title to the vacated alley described in Section Two hereof, shall go to the abutting property owners, in Kewanee, owners of parcels as set forth in Section Three herein all of which abut said vacated alley, all in compliance with 65 ILCS 5/11-91-1.


**SECTION SIX:** Jeff Daniel shall be responsible for reimbursing the City of Kewanee for any recording fees related to recording this ordinance and a survey necessary to establish legal descriptions for the partitioning of the parcel of land should the petitioners request the city to do so.

**SECTION SEVEN:** This Ordinance shall be in full force and effect immediately upon its passage and approval as provided by law.

PASSED by the Council of the City of Kewanee, Illinois this 25<sup>th</sup> day of July 2016.

ATTEST:

  
 Melinda Edwards, City Clerk

  
 Steve Looney, Mayor

RECORD OF THE VOTE	Yes	No	Abstain	Absent
Mayor Steve Looney	X			
Council Member Deann Schweitzer	X			
Council Member Andrew Koehler	X			
Council Member Kellie Wallace-McKenna	X			
Council Member Michael Yaklich	X			