

VILLAGE OF BELLEVUE, ILLINOIS

AN ORDINANCE VACATING PUBLIC RIGHT OF WAY

WHEREAS, the public right of way described on the attached Exhibit A is no longer of value to the public; and

WHEREAS, in the opinion of the Village Board of Trustees, the public interest will be served by vacating said right of way as hereinafter described; and

WHEREAS, Section 11-91-1 of the Illinois Municipal Code (65 ILCS 5/11-91-1) authorizes the corporate authorities to vacate any street or alley within their jurisdiction in any incorporated area by a 3/4 vote; and

WHEREAS, Section 11-91-1 of the Illinois Municipal Code authorizes municipalities to make a vacation conditional upon the payment by an adjoining property owner or owners of compensation and further provides that if the owner of only one adjoining parcel pays compensation, that owner shall receive title to the entire vacated right of way;

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF BELLEVUE, PEORIA COUNTY, ILLINOIS AS FOLLOWS:

Section 1: That the public right of way described on Exhibit A attached hereto and made a part hereof is no longer required for public use and that said public right of way is hereby vacated and closed, with the exception of the reservations contained in Section 2 hereof.

Section 2: The Village of Bellevue hereby reserves unto all public utility companies presently operating in, upon, over and under said public right of way, all rights and privileges heretofore granted to said companies with respect to said public right of way, 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 had not been adopted and passed; such rights and privileges with respect to said public utility companies and are to remain in effect until, and to terminated upon, the abandonment or release of such use or the relocation of such use outside the public right of way herein vacated.

Section 3: This Ordinance shall take effect from and after its passage as provided by law.

Section 4: This Ordinance shall not become effective until P&W Builders, Inc. shall pay compensation to the Village in the amount of \$1,000 for said vacated property. P&W Builders, Inc. shall, accordingly, receive title to the entire vacated parcel. Said amount shall be set off against amounts due to P&W Builders, Inc. from the Village under the Annexation Agreement between the parties of even date herewith.

PASSED AND APPROVED THIS 22ND DAY OF APRIL, 2002.

AYES	<u>5</u>
NAYS	<u>0</u>
ABSENT	<u>1</u>

VILLAGE OF BELLEVUE, ILLINOIS

By: Ralph E. Wilson
Ralph E. Wilson, President

Attest: Carol A. Payne
Carol A. Payne, Clerk

EXHIBIT A

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In general, the land in question may be described as being part of the North Half of the Northeast Quarter of Section Fifteen, Township Eight North, Range Seven East of the 4th P.M. Said tract being referenced to centerline of survey as shown by plat recorded in Plat Book R, Page 59 in the records of the Recorder of Peoria County. A more detailed description is as follows:

Beginning at a stone at the northeast corner of aforesaid Section Fifteen, running thence south to the Southeast Quarter of the North Half of the Northeast Quarter of Section Fifteen, thence west 75 feet, thence north parallel to the east line of the Northeast Quarter of Section 15 to a point on the north line of Section 15, thence east 75 feet to the point of beginning. Excluding however the right of way of the M & St. L Railroad, and any previously vacated portions of said property.

PIN: 17-15-228-011

302-434

AS SHOWN ON ATTACHED PLAT