

CITY OF BELVIDERE, ILLINOIS

ORDINANCE #679H

AN ORDINANCE VACATING AN ALLEY GENERALLY LOCATED SOUTH OF EAST LINCOLN AVE. CONNECTING
NORTH STATE STREET TO PARKING LOT 7 IN THE CITY OF BELVIDERE

PASSED AND ADOPTED

BY THE CITY COUNCIL

OF THE CITY OF

BELVIDERE, ILLINOIS

ON THE 3rd DAY OF JUNE 2024.

APPROVED BY THE

MAYOR OF THE CITY OF

BELVIDERE, ILLINOIS

ON THE 4th DAY OF JUNE, 2024

Published in Pamphlet Form this 4th day of June, 2024.

ORDINANCE #679H

AN ORDINANCE VACATING AN ALLEY GENERALLY LOCATED SOUTH OF EAST LINCOLN AVE. CONNECTING NORTH STATE STREET TO PARKING LOT 7 IN THE CITY OF BELVIDERE

WHEREAS, a remnant alley exists, lying south of East Lincoln Avenue and connecting North State Street to Parking Lot 7 as legally described (consisting of four different legal descriptions) in the attached Exhibit A (the Vacated Parcel) which is incorporated herein by this reference; and

WHEREAS, the City of Belvidere is a home rule unit of government within the meaning of Section 6 of Article VII of the 1970 Constitution of the State of Illinois; and

WHEREAS, after proper notice, a public hearing was held on June 3, 2024 pursuant to Section 11-91-1 of the Illinois Municipal Code; and

WHEREAS, the Corporate Authorities of the City of Belvidere find that it is in the public interest to vacate the Vacated Parcel as it no longer serves any public and the City will be relieved of any maintenance obligations.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Belvidere, Boone County, Illinois as follows:

SECTION 1: The foregoing recitals are incorporated herein as if fully set forth. For purposes of this Ordinance, Division 91, of Article 11 of the Illinois Municipal Code (65 ILCS 5/11-91-1 et seq.) shall not apply to this Ordinance and is expressly abrogated and waived. This ordinance is specifically adopted pursuant to home rule authority.

SECTION 2: The Vacated Parcel is hereby vacated under the City's home rule authority and all easement rights of the public to use the Vacated Parcel as right-of-way or other purposes are similarly vacated and abolished. This ordinance shall not vacate any easement of any other public utility. The Mayor is authorized to execute and the Clerk to Attest any documents necessary or convenient to transfer title to the Vacated Parcel to the adjoining properties, if necessary, and extinguish any public right to use the Vacated Parcel as right-of-way.

SECTION 3: The Parcels acquiring title to the Vacated Parcel are set forth in the attached Exhibit A which further defines which portion of the Vacated Parcel each parcel shall receive. The Vacated Parcels include:

PIN 05-26-434-013
PIN 05-26-434-012
PIN 05-26-434-004
PIN 05-26-434-005

SECTION 4: That all maps, journals and other records of the City be changed accordingly.

SECTION 5: If any section, paragraph, subdivision, clause, sentence or provision of this Ordinance shall be adjudged by any Court of competent jurisdiction to be invalid, such judgment shall not affect, impair, invalidate or nullify the remainder thereof, which remainder shall remain and continue in full force and effect.

SECTION 6: All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

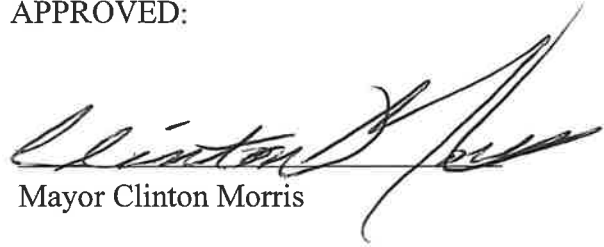
SECTION 7: This Ordinance shall be in full force and effect upon its passage, approval and publication in pamphlet form (which publication is hereby authorized) as provided by law.

Ayes: Frank, Freeman, McGee, Mulhall, Stevens, Albertini and Fleury.

Nays: Brereton.

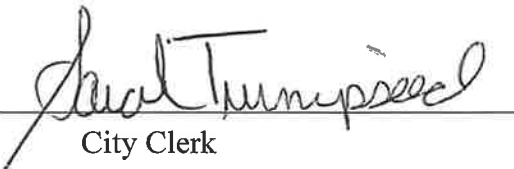
Absentees: Gramkowski and Snow.

APPROVED:



Clinton Morris

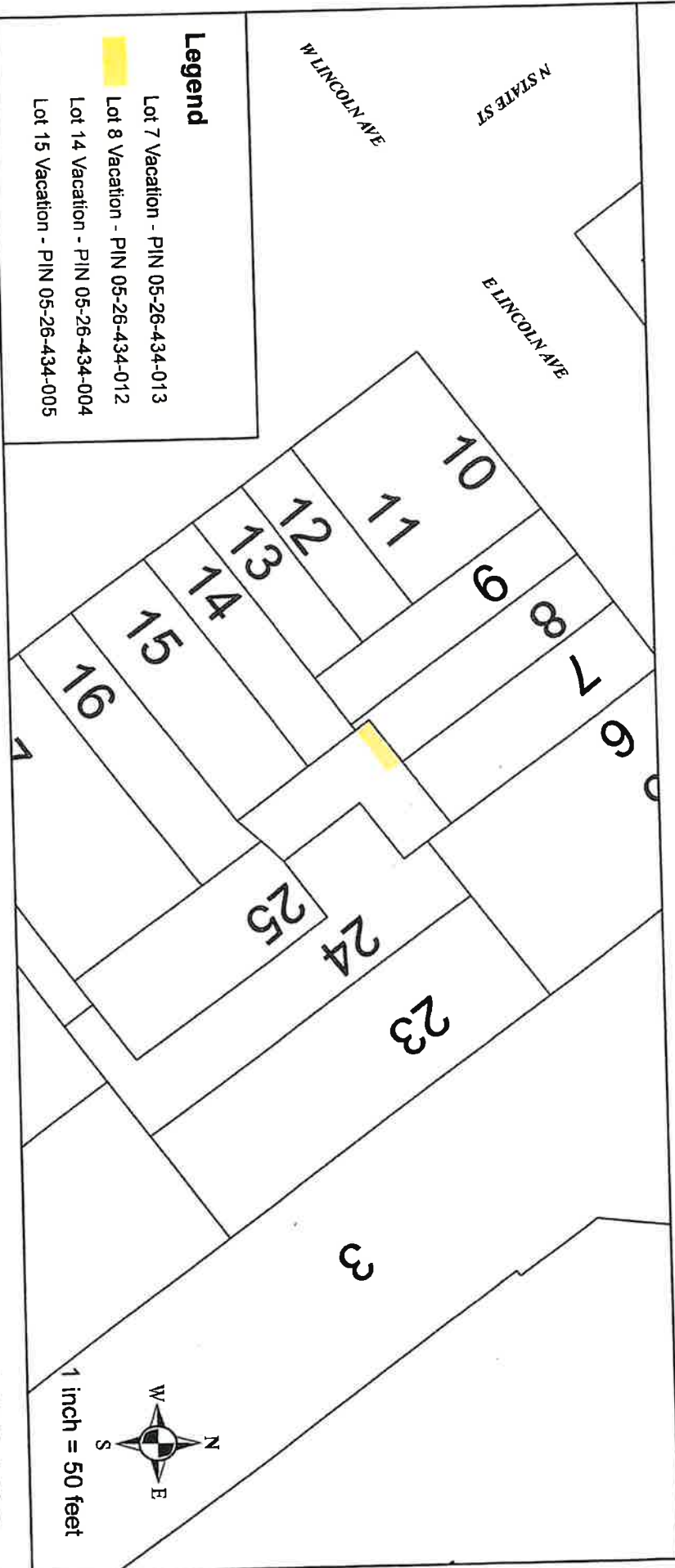
(SEAL)

ATTEST: 
City Clerk

Passed: June 3, 2024
Approved: June 4, 2024
Published: June 4, 2024

EXHIBIT A

Plat of Vacation



Legend

- Lot 7 Vacation - PIN 05-26-434-013
- Lot 8 Vacation - PIN 05-26-434-012
- Lot 14 Vacation - PIN 05-26-434-004
- Lot 15 Vacation - PIN 05-26-434-005

Lot 15 Vacation - Beginning at the Southeast corner of Lot fifteen (15) in Assessor's Survey of Block 2 in Joel Walker's Addition to Belvidere recorded in Book 23 of Deeds, page 451; thence Northwesterly 30' to the Southeast corner of Lot Fourteen (14) in said Assessor's Survey; thence Northwesterly on Southerly line of said Lot 14 extended, 42 feet to a point on the Southwesterly line Lot twenty-four (24) in said Assessor's Survey; thence Southeasterly to the Northeastly corner of Lot Twenty-five (25) in said Assessor's Survey; thence Southwesterly 22 feet to the Northwesterly corner of Lot Twenty-five (25); thence Southwesterly to the Point of Beginning. All situated in the County of Boone and State of Illinois.

Lot 14 Vacation - Beginning at the Northeast corner of Lot fourteen (14) in Assessor's Survey of Block 2 in Joel Walker's Addition to Belvidere recorded in Book 23 of Deeds, page 451; thence Northwesterly on Northerly line of said Lot 14 extended, 42 feet to a point; thence Southeasterly 20 feet to a point on the Southwesterly line Lot Twenty-four (24) in said Assessor's Survey; Thence Southwesterly 42 feet; thence Northwesterly 20 feet to point of beginning. All situated in the County of Boone and State of Illinois.

Lot 8 Vacation - Beginning at the Southeast corner of Lot eight (8) in Assessor's Survey of Block 2 in Joel Walker's Addition to Belvidere recorded in Book 23 of Deeds, page 451; thence Southeasterly on said lot line extended, 5 feet; thence Southwesterly to the Northeast corner of lot 14 in said Assessor's Survey; thence Northwesterly 5 feet; thence Northwesterly 18 feet more or less to the point of beginning. Situated in the County of Boone and State of Illinois.


Lot 7 Vacation - Beginning at the Southeast corner of Lot seven (7) in Assessor's Survey of Block 2 in Joel Walker's Addition to Belvidere recorded in Book 23 of Deeds, page 451; thence Southeasterly on said lot line extended, 5 feet; thence Southwesterly to the Southwest corner of Lot seven (7) extended in said Assessor's Survey; thence Northwesterly 5 feet; thence Northwesterly 24.5 feet more or less to the point of beginning. Situated in the County of Boone and State of Illinois.

AFFIDVAIT

STATE OF ILLINOIS)
)
COUNTY OF BOONE)

Sarah Turnipseed, first being duly sworn on oath deposes and says as follows:

By authority of the City Council of the City of Belvidere, Illinois, I published Ordinance #679H of the City of Belvidere, Illinois, in pamphlet form on June 4, 2024, and as a convenience for the public; I posted the pamphlet form of Ordinance #679H in the lobby of Belvidere City Hall at 401 Whitney Blvd., Belvidere, Illinois; said location being readily visible by the public.


Sarah Turnipseed
City Clerk

SUBSCRIBED AND SWORN TO BEFORE ME
this 4th day of June, 2022.


Notary Public

