

CITY OF BELVIDERE, ILLINOIS

ORDINANCE #680H

AN ORDINANCE VACATING PORTIONS OF MORREIM DRIVE AND CROSSLINK PARKWAY

PASSED AND ADOPTED

BY THE CITY COUNCIL

OF THE CITY OF

BELVIDERE, ILLINOIS

ON THE 17<sup>TH</sup> DAY OF JUNE 2024.

APPROVED BY THE

MAYOR OF THE CITY OF

BELVIDERE, ILLINOIS

ON THE 18<sup>TH</sup> DAY OF JUNE, 2024

Published in Pamphlet Form this 18<sup>th</sup> day of June, 2024.

## **ORDINANCE #680H**

### **AN ORDINANCE VACATING PORTIONS OF MORREIM DRIVE AND CROSSLINK PARKWAY**

WHEREAS, the Corporate Authorities of the City of Belvidere adopted Ordinance 627H approving the Final Plat of Crosslink Business Park 2 on June 5, 2023 (the Final Plat); and

WHEREAS, the Final Plat re-routed Crosslink Parkway as set forth on the Final Plat; and

WHEREAS, the re-routing of Crosslink Parkway effectively closed and abandoned portions of Morreim Drive and Crosslink Parkway as shown on the Plat of Vacation attached hereto as Exhibit A and incorporated herein rendering them of no public benefit; and

WHEREAS, the abandoned portions of Morreim Drive and Crosslink Parkway (hereinafter referred to as the Vacated Parcel) are legally described and depicted in the Attached Exhibit A; 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 17, 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 benefit in that it is abandoned due to the realignment of Crosslink Parkway and the City will be relieved of any maintenance obligations; and

WHEREAS, the realignment of Crosslink Parkway as well as the new construction of a Commonwealth Edison substation on a new lot pursuant to a re-plat of the aforementioned Final Plat have caused all public utility and City utility facilities within the Vacated Parcel to be re-located; and

WHEREAS, the beneficiaries of all public utility easements in the Vacated Parcel, including but not limited to the City of Belvidere, Commonwealth Edison, Nicor Gas Company, and Frontier Communications agree to vacate their public utility easements in the Vacated Parcel.

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, but in accordance with 65 ILCS 5/11-91-1 et seq. Title to the Vacated Parcel reverts to and is confirmed in the adjoining properties the same as if the Vacated Parcel had been dedicated by common law plat and in accordance with section 11-91-2 of the Illinois Municipal Code (65 ILCS 5/11-91-2), 605 ILCS 5/9-127, and as set forth in this Ordinance. Rights of the public to use the Vacated Parcel as right-of-way are similarly vacated. 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 Parcel acquiring title to the Vacated Parcel is:

PIN 05-34-400-013 1504 Crosslink Parkway Belvidere, IL 61008

**SECTION 4:** The Mayor or his designee is authorized to execute the Plat of Easement Vacation attached hereto as Exhibit B. Upon execution of the Plat of Easement Vacation by the City and all relevant public utilities, the utility easements previously platted shall be vacated.

**SECTION 5:** That all maps, journals and other records of the City be changed accordingly. The Clerk shall record a copy of this Ordinance with the Boone County Recorders Office. The City shall cause the Plat of Easement Vacation to be recorded separately by the owner of Parcel acquiring title to the Vacated Parcel.

**SECTION 6:** 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 7:** All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.


**SECTION 8:** 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, Gramkowski, McGee, Snow, Stevens, Albertini and Fleury.

Nays: None.

Absentees: Brereton and Mulhall.

APPROVED:

  
Mayor Clinton Morris

(SEAL)

ATTEST:   
City Clerk

Passed: June 17, 2024

Approved: June 18, 2024

Published: June 18, 2024

EXHIBIT A

PART OF THE SOUTHEAST QUARTER (1/4) OF SECTION THIRTY-TWO (32), TOWNSHIP FORTY-FOUR (44) NORTH, RANGE THREE (3) EAST OF THE THIRD (3<sup>RD</sup>) PRINCIPAL MERIDIAN, CONSISTING OF THE RIGHT OF WAY PREVIOUSLY KNOWN AS IRENE RD; FURTHER DESCRIBED AS; COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION; THENCE NORTH 220' TO A POINT ON THE NORTHERLY RIGHT OF WAY OF US RT 20, THENCE WEST ALONG SAID RIGHT OF WAY 623 FEET MORE OR LESS TO THE EAST LINE OF THE FORMER ROW OF IRENE RD TO THE POINT OF BEGINNING; THENCE NORTH ALONG SAID EAST LINE 958.5 FEET MORE OR LESS TO THE SOUTH LINE OF THE RELOCATED RIGHT OF WAY LINE OF IRENE RD, THENCE NORTHWESTERLY ALONG SAID RIGHT OF WAY LINE ON A CURVE TO THE RIGHT HAVING A RADIUS OF 450, AND MEASURING 176.5 FEET MORE OR LESS, THENCE SOUTH TO NORTH RIGHT OF WAY US RT 20, THENCE EAST TO THE POINT OF BEGINNING. ALL SITUATED IN BOONE COUNTY, ILLINOIS.



EXHIBIT B







**AFFIDAVIT**

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 #680H of the City of Belvidere, Illinois, in pamphlet form on June 18, 2024, and as a convenience for the public; I posted the pamphlet form of Ordinance #680H on the bulletin board in the lobby of Belvidere City Hall at 401 Whitney Blvd., Belvidere, Illinois; said location being readily accessible to the public during business hours of the City Clerk’s office.

*Sarah Turnipseed*  
Sarah Turnipseed  
City Clerk

SUBSCRIBED AND SWORN TO BEFORE ME  
this 18<sup>th</sup> day of June, 2024.

*Erica L. Bluege*  
\_\_\_\_\_  
Notary Public

