

MEMORANDUM

COMMUNITY & ECONOMIC DEVELOPMENT DEPARTMENT

TO: City Manager

SUBJECT: Consideration of Amendment to an Unrecorded Vacation Ordinance for Audubon School Property

Date: February 25, 2013

Attached is an amendment to an unrecorded ordinance vacating segments of 27th Street and a north/south alley for the Audubon School property (between 17th and 18th Avenues and 26th and 28th Streets). City staff became aware that an ordinance approved by the City on June 11, 1946 vacating the segment of 27th Street was never recorded at the County Recorder of Deeds Office. Staff has discussed this issue with the City Attorney and he recommends that the City Council approve the attached ordinance and direct the City Clerk to record it with County Recorder's Office.

The original ordinance is also attached. It only identifies a legal description for the segment of 27th Street, but the hand drawn map identifies Audubon School being located over the north/south alley. There is no record of this alley being vacated, but it is assumed it was approved since the school building was constructed over the alley right-of-way in 1933.

The proposed ordinance amendment also includes a standard easement provision granting the City the right to maintain water and storm sewer lines located in the 27th Street right-of-way.

Recommendation:

That the attached ordinance be approved.

Submitted by: Alan Fries, Urban Planner II
Ben Griffith, Planning and Redevelopment Administrator
Jeff Eder, Community and Economic Development Director

Approved: Thomas Thomas, City Manager

Section One. Whereas, upon due investigation and consideration, the City Council of the City of Rock Island, Illinois, has determined that the nature and extent of the public use and the public interest to be subserved are such as to warrant the vacation of the following:

Tenth (10th) Street between Twelfth (12th) Avenue and Thirteenth (13th) Avenue and adjacent to Lots One (1) and Twenty (20) in W. E. Bailey's Tenth Street Addition to the City of Rock Island and Lots Nine (9) and Ten (10) in Heidemann & Dasso's Addition to the City of Rock Island,

Also, that part of an alley running easterly a distance of 168.2 feet from Tenth (10) Street and between Twelfth (12th) Avenue and Thirteenth (13th) Avenue and adjacent to Lots Five (5), Six (6), Seven (7), Eight (8), Nine (9), Ten (10), Eleven (11), Twelve (12), Thirteen (13) and Fourteen (14) in Heidemann & Dasso's Addition to the City of Rock Island.

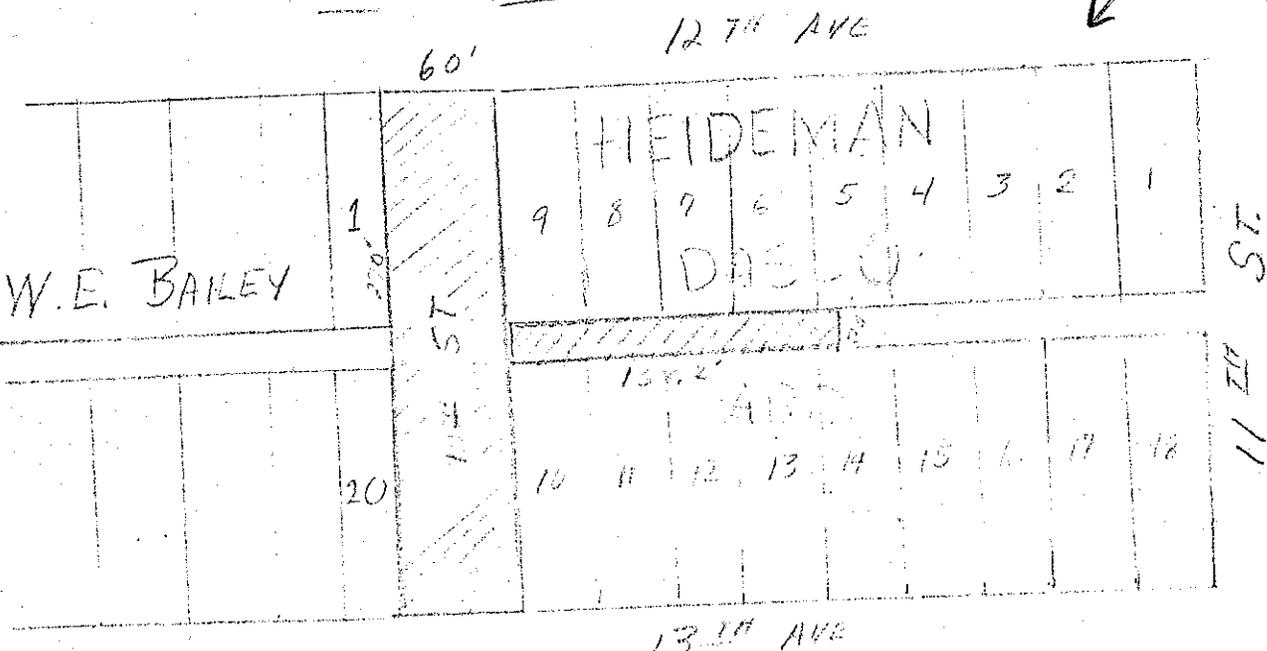
Also, Twenty-Seventh (27th) Street between Seventeenth (17th) Avenue and Eighteenth (18th) Avenue and adjacent to Lots Eight (8), Nine (9), Ten (10), Eleven (11), Twelve (12), Thirteen (13) and Fourteen (14) in Block Four (4) in Wallace Grove Addition to the City of Rock Island and Lots One (1), Two (2) Three (3), Four (4), Five (5), Six (6) and Seven (7) in Block Five (5) in Wallace Grove Addition to the City of Rock Island., all of the above being situated in the City of Rock Island, County of Rock Island and State of Illinois.

W. E. BAILEY
TENTH ST.

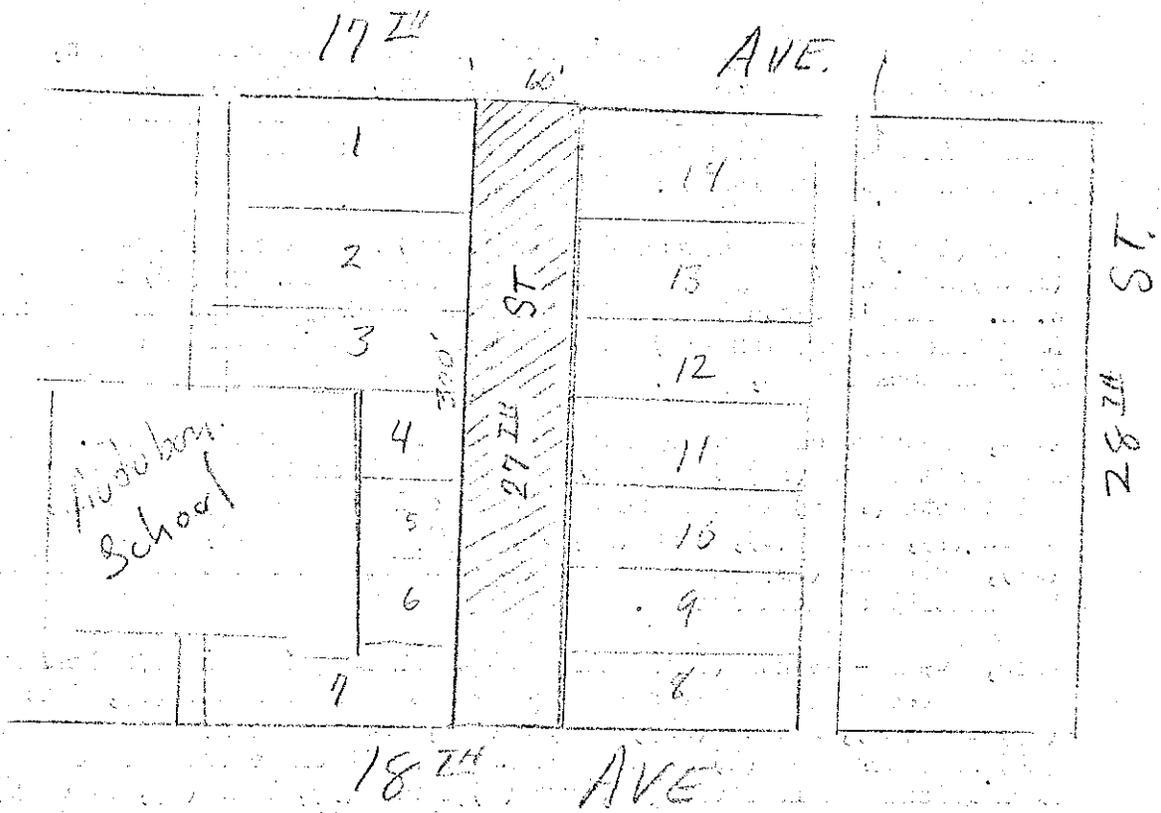
Section Two. That the above described streets and alley be and the same are hereby vacated and shall become the property of the land owners abutting thereon.

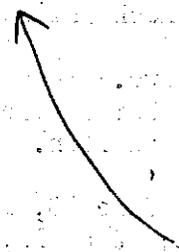
Passed: June 10, 1946
Approved: June 11, 1946

Not this map (this is another file)



(OVER)




 This map

AMENDMENT TO AN UNRECORDED
SPECIAL ORDINANCE VACATING PORTIONS OF STREETS AND AN ALLEY
IN THE CITY OF ROCK ISLAND, ILLINOIS

WHEREAS, prior hereto a request was made to vacate portions of streets and an alley in the City of Rock Island, Illinois, described below; and

WHEREAS, the City Council of the City of Rock Island, Illinois, determined that the public interest would be subserved by vacating said portions of streets and an alley in the City of Rock Island, Illinois; and

WHEREAS, the subject streets and alley were within an incorporated area of the City of Rock Island, Illinois, and therefore no public hearing was required; and

WHEREAS, said vacations were approved by the City Council of the City of Rock Island, Illinois, on June 11, 1946, however, said Ordinance was never recorded;

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCK ISLAND, ILLINOIS:

Section One. That those portions of streets and alleys, legally described as:

Tenth (10th) Street between Twelfth (12th) Avenue and Thirteenth (13th) Avenue and adjacent to Lots One (1) and Twenty (20) in W. E. Bailey's Tenth Street Addition to the City of Rock Island and Lots Nine (9) and Ten (10) in Heidemann & Dasso's Addition to the City of Rock Island,

Also, that part of an alley running easterly a distance of 168.2 feet from Tenth (10th) Street and between Twelfth (12th) Avenue and Thirteenth (13th) Avenue and adjacent to Lots Five (5), Six (6), Seven (7), Eight (8), Nine (9), Ten (10), Eleven (11), Twelve (12), Thirteen (13) and Fourteen (14) in Heidemann & Dasso's Addition to the City of Rock Island,

Also, Twenty-Seventh (27th) Street between Seventeenth (17th) Avenue and Eighteenth (18th) Avenue and adjacent to Lots Eight (8), Nine (9), Ten (10) Eleven (11), Twelve (12), Thirteen (13) and Fourteen (14) in Block Four (4) in Wallace Grove Addition to the City of Rock Island and Lots One (1), Two (2), Three (3), Four (4), Five (5), Six (6) and Seven (7) in Block Five (5) in Wallace Grove Addition to the City of Rock Island,

Also, that part of an alley between Seventeenth (17th) and Eighteenth (18th) Avenue adjacent to Lots One (1) through Fourteen (14), Block Five (5), in Wallace Grove Addition to the City of Rock Island, all of the above being situated in the City of Rock Island, County of Rock Island and State of Illinois,

be and are hereby vacated, reserving, however, unto the City of Rock Island or unto any public utility, all right, title and interest said City or utility may now have in any public service facility or property now located in said right-of-way herein described, and a right-of-way and easement for such public utility and property, and also reserving unto said City or public utility the right to maintain, renew, enlarge, extend, or reconstruct any and all such public service facilities or property.

Section Two. That the City Clerk of the City of Rock Island, Illinois, shall file a certified copy of this ordinance for record in the Office of the Recorder of Deeds in and for Rock Island County, Illinois.

Section Three. All ordinances and parts of ordinances in conflict herewith are hereby repealed insofar as they do so conflict.

Section Four. This ordinance shall be in full force and effect from and after its passage and approval, as required by law.

MAYOR OF THE CITY OF ROCK ISLAND

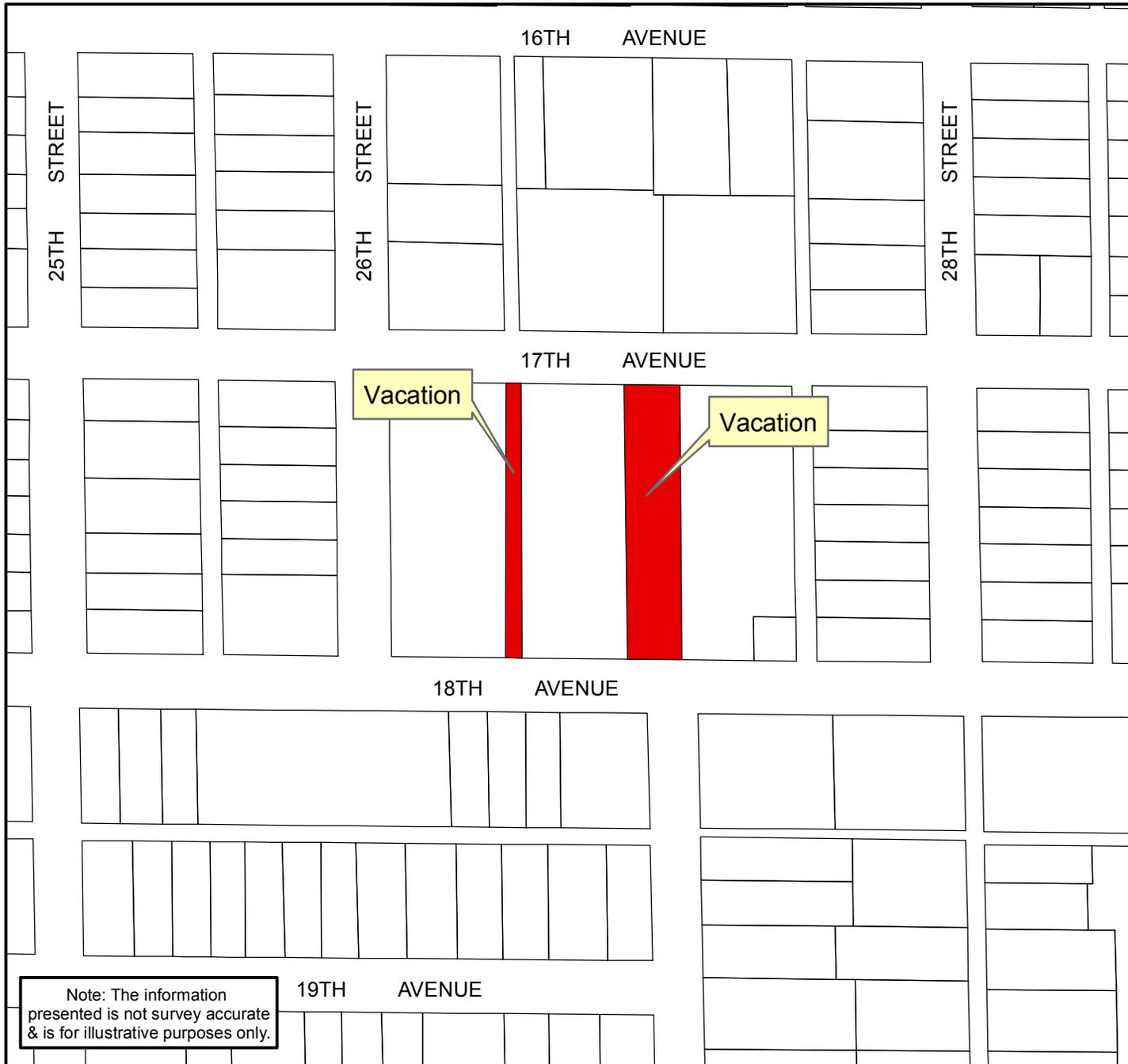
PASSED: _____

APPROVED: _____

ATTEST: _____

CITY CLERK

VACATION LOCATION MAP



Note: The information presented is not survey accurate & is for illustrative purposes only.

VACATION LOCATION MAP Audubon School

Legend

 Subject Property

DR. BY: K. G. D.
APPR. BY: B.G./A.F.



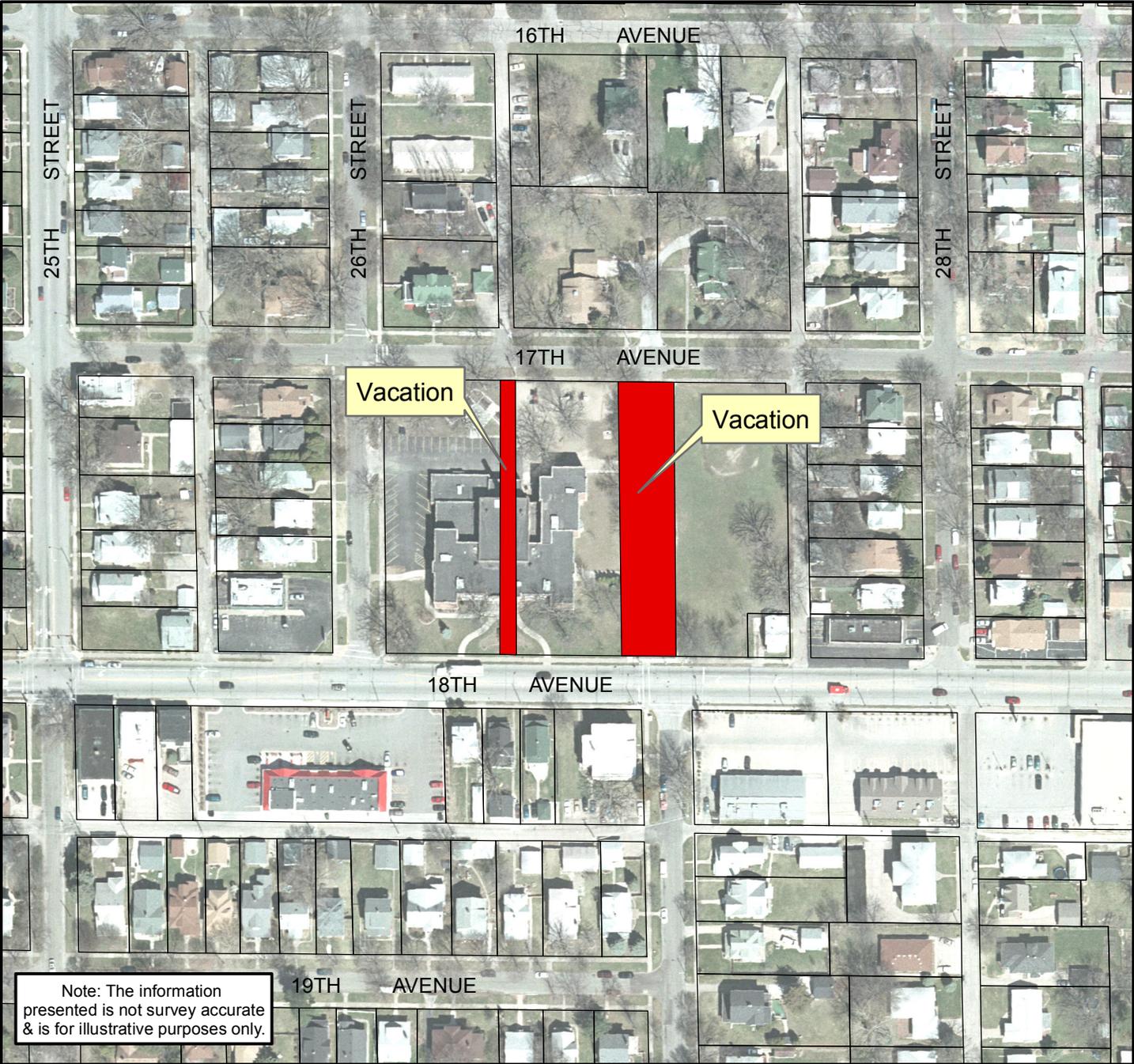
0 50 100 200 300 Feet

City of Rock Island

COMMUNITY AND ECONOMIC
DEVELOPMENT DEPARTMENT
Planning and Redevelopment



VACATION LOCATION MAP



Note: The information presented is not survey accurate & is for illustrative purposes only.

VACATION LOCATION
AERIAL MAP
Audubon School

Legend

 Subject Property

DR. BY: *K. G. D.*
APPR. BY: *B.G./A.F.*



0 50 100 200 300 Feet

City of Rock Island

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