

A SPECIAL ORDINANCE  
VACATING A NORTH/SOUTH ALLEY RIGHT-OF-WAY  
EAST OF 38<sup>TH</sup> STREET BETWEEN 6<sup>TH</sup> AND 7<sup>TH</sup> AVENUE  
IN THE CITY OF ROCK ISLAND, ILLINOIS

WHEREAS, prior hereto a request has been made by Augustana College to vacate an improved North/South alley right-of-way East of 38<sup>th</sup> Street between 6<sup>th</sup> and 7<sup>th</sup> Avenue in the City of Rock Island, Illinois, and

WHEREAS, the City Council of The City of Rock Island, Illinois, has determined that the public interest will be subserved by vacating said alley right-of-way in the City of Rock Island, Illinois;

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

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

Section One. The entire improved North/South alley right-of-way East of 38<sup>th</sup> Street between 6<sup>th</sup> and 7<sup>th</sup> Avenue, be and is hereby vacated to Augustana College, reserving, however:

1. 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.

2. An express condition that Augustana College will enter into an Easement Agreement with the owner of property located at 610 – 39<sup>th</sup> Street, whereby a perpetual right of way easement over and across said alley shall be granted for the purposes of ingress and egress, said Agreement to be recorded in the Office of the Recorder of Deeds in and for Rock Island County, Illinois, and a copy of which shall be provided to The City of Rock Island, Illinois, upon recording.

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 All ordinances and parts of ordinances in conflict herewith are hereby repealed insofar as they do so conflict.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

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MAYOR OF THE CITY OF ROCK ISLAND

PASSED: \_\_\_\_\_

APPROVED: \_\_\_\_\_

ATTEST: \_\_\_\_\_  
CITY CLERK