

Ordinance #O.16.06

An Ordinance **PROVIDING FOR THE VACATION OF A PORTION OF GARDNER STREET.**

Adopted by the City Council of the City of Galena this 9th Day of May 2016.

Published in pamphlet form by authority of the City Council of the City of Galena, Jo Daviess County, Illinois, this 9th Day of May 2016.

STATE OF ILLINOIS)
)
COUNTY OF JO DAVIESS)

City of Galena

CERTIFICATE

I, Mary Beth Hyde, certify that I am the duly elected municipal clerk of the City of Galena, JoDaviess County, Illinois.

I further certify that on the 9th Day of May 2016, the Corporate Authorities of said municipality passed and approved Ordinance No. O.16.06 entitled **AN ORDINANCE PROVIDING FOR THE VACATION OF A PORTION OF GARDNER STREET**, which provided by its terms that it should be published in pamphlet form.

The pamphlet form of Ordinance No. O.16.06 including the Ordinance and a cover sheet thereof, was prepared, and a copy of such Ordinance was posted in the municipal building, commencing the 9th Day of May 2016 and commencing for at least ten (10) days thereafter.

Dated at Galena, Illinois, this 10th Day of May 2016.



Mary Beth Hyde
City Clerk

(Seal)



389347

JEAN DIMKE, RECORDER
JO DAVIESS COUNTY, IL
05/12/2016 02:19:06PM

REC FEE: 51.00

Ordinance #0-16-06

**AN ORDINANCE PROVIDING FOR THE VACATION
OF A PORTION OF GARDNER STREET**

WHEREAS, the City of Galena finds that the public interest will be subserved pursuant to 65 ILCS 5/11-91-1 et seq. by vacating a part of Gardner Street legally described on Exhibit "A" and being approximately 2,700 square feet in area; and

WHEREAS, Angel Larriva, (the "Owner") is the owner of Lot 6 of Block 4 of School Section, in the southwest quadrant of Section 16, Township 28 North, Range 1 East of the Fourth Principal Meridian, West Side of the Galena River, Jo Daviess County, Illinois, commonly known as 1130 N West Street, Galena; and

WHEREAS, the Owner petitioned the Galena City Council to vacate a 2,700 square feet, unopened section of the Gardner Street right-of-way adjacent to his property; and

WHEREAS, the Owner has a garage encroaching on the Gardner Street right-of-way; and

WHEREAS, the subject right-of-way proposed to be vacated is fully described on Exhibit "A" attached hereto; and

WHEREAS, the Owner desires to acquire an interest in the real property that is the subject to the vacation petition; and

WHEREAS, surrounding property owners and the public at large were notified of the request to vacate and invited to a public hearing before the city council conducted on May 9, 2016; and

WHEREAS, the City of Galena finds that it is expedient for the public good to vacate said portion of Gardner Street and that no public interest will be subserved by vacating that portion of the street; and

WHEREAS, based on a professional appraisal of similar residential property, the City Council has established the fair market value of the subject portion of Gardner Street as \$1.10 per square foot or \$2,970.00; and

WHEREAS, the Owner agrees to compensate the City of Galena \$2,970.00 in exchange for the conveyance of the subject property to the Owner.

NOW THEREFORE, BE IT ORDAINED and enacted by the City of Galena, that all of that certain portion of real property situated in the City of Galena and being more particularly described on Exhibit "A" **IS HEREBY VACATED** and title shall be vested in Angel Larriva, his successors or assigns.

SECTION 1: All of that certain portion of real property situated in the City of Galena and being more particularly depicted in Exhibit "A" **IS HEREBY VACATED** to Angel Larriva upon payment of \$2,970.00. The property interest in the right-of-way shall vest to the purchaser's successors or assigns.

SECTION 2: It is further directed that the street right-of-way described in Exhibit "A" be stricken from the City of Galena street plat.

SECTION 3: By means of the conveyance of the subject property to the Owner, the City of Galena forever relinquishes any and all responsibility or liability for said property and any improvements to said property.

SECTION 4: All ordinances or parts of ordinances conflicting with the provisions of this ordinance are hereby repealed.

SECTION 5 Passed on this 9th day of May, 2016, in open session of the Galena City Council.

AYES:

NAYS:

Lincoln, Westemeier, Bernstein,
Cash, Hahn, Kieffer, Renner

None



Mary Beth Hyde
MARY BETH HYDE, CITY CLERK

Terry Renner
TERRY RENNER, MAYOR

Prepared by and return to:
Joseph Nack, City Attorney
City of Galena
101 Green Street, P.O. Box 310
Galena, IL 61036



LOT 3

Laverne & Donna Greene

LOT 4

Ronald & Geraldine Grainger

BLOCK 4

LOT 8

LOT 7

Angel Lariva

NORTH WEST STREET

LOT 5

Angel Lariva

LOT 6

GARDNER STREET

LOT 12

Ruth Henrichs

LOT 1

LOT 2

BLOCK 3

LOT 3

STREET VACATION AREA
APPROX. 150' X 18'
2,700 SQ. FT.
(VACATED TO PARCEL 22-200-037-00)

DESCRIPTION OF PARCEL TO BE VACATED:
AN 18 FOOT WIDE BY 150 FOOT LONG PORTION
OF GARDNER STREET ADJACENT TO THE
SOUTHEASTERLY SIDE OF LOT 6 IN BLOCK 4
OF SCHOOL SECTION IN THE SOUTHWEST
QUADRANT OF SECTION 16, TOWNSHIP 28
NORTH, RANGE 1 EAST OF THE FOURTH PRINCIPAL
MERIDIAN, GALENA, ILLINOIS, BEING
APPROXIMATELY 2,700 SQUARE FEET IN AREA.

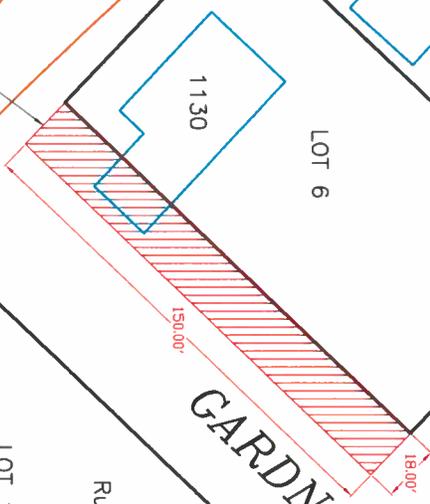


EXHIBIT A STREET VACATION PLAT

1130 N West Street – Legal Description for Gardner Street Vacation

An 18 feet wide by 150 feet long portion of Gardner Street adjacent to the Southeasterly side of Lot 6 in Block 4 of School Section, in the Southwest Quadrant of Section 16, Township 28 North, Range 1 East of the Fourth Principal Meridian, Galena, Illinois, being approximately 2,700 square feet in area.