Ordinance #O.22.13

An Ordinance **PROVIDING FOR THE VACATION OF A PART OF TECHNICAL DRIVE.**

Adopted by the City Council of the City of Galena this 23rd Day of May 2022.

Published in pamphlet form by authority of the City Council of the City of Galena, Jo Daviess County, Illinois, this 23rd Day of May 2022.

STATE OF ILLINOIS)
) City of Galena
COUNTY OF JO DAVIESS)

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 23rd Day of May 2022, the Corporate Authorities of said municipality passed and approved Ordinance No. O.22.13 entitled **AN ORDINANCE PROVIDING FOR THE VACATION OF A PART OF TECHNICAL DRIVE,** which provided by its terms that it should be published in pamphlet form.

The pamphlet form of Ordinance No. O.22.13 including the Ordinance and a cover sheet thereof, was prepared, and a copy of such Ordinance was posted in the municipal building, commencing the 23rd Day of May 2022 and commencing for at least ten (10) days thereafter.

Dated at Galena, Illinois, this 24th Day of May 2022.

Mary Beth Hyde

Mary Beth Hyde, City Clerk

(Seal)

Ordinance #0.22.13

AN ORDINANCE PROVIDING FOR THE VACATION OF A PART OF TECHNICAL DRIVE

WHEREAS, the City of Galena finds that the public interest will be served pursuant to 65 ILCS 5/11-91-1 et seq. by vacating part of Technical Drive, legally described on Exhibit "A" and totaling 0.462 acres.

WHEREAS, West Galena Development, Inc (the "Owner"), of Part of Lot 6 in the Galena Industrial Park and part of Lot 2 of the resubdivision of Lot 6 in the Galena Industrial Park, Galena, Illinois, is owner of property abutting unopened section of Technical Drive in the City of Galena; and

WHEREAS, the Owner petitioned the Galena City Council to vacate 0.462 acres of the subject right-of-way in order to add the property to the adjacent property of the Owner; and

WHEREAS, the subject right-of-way is fully described on Exhibit "A" Vacation Survey, attached hereto.

WHEREAS, the Owner desires to acquire an interest in the real property subject to the vacation; 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 23, 2022; and

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

WHEREAS, in conjunction with the proposed street vacation, the Owner proposes to donate 0.358 acres of land described on Exhibit "B" on the west side of Technical Drive and adjacent to a City owned storm water detention basin for the purpose of expanding the detention basin; and

WHEREAS, neither the City of Galena nor the Owner shall be compensated by the other for the transfer of the property.

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 West Galena Development, Inc., its successors or assigns.

SECTION I: 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 West Galena Development, Inc at no cost and 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 street plat.

SECTION 3: By means of the conveyance of the subject property to the Owners, the City of Galena forever relinquishes any and all responsibility or liability for said property and any improvements to said property, excepting any utilities owned now or in the future by the City of Galena.

SECTION 4: The City hereby accepts the property donation of 0.358 acres from West Galena Development, Inc. described as Parcel "A" on Exhibit "B".

SECTION 5: Said vacation and acceptance of the land donation are made without compensation by either party to either party.

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

SECTION 6: Passed on this 23rd day of May, 2022, in open Council.

AYES: Hahn, Kieffer, McCoy, Westemeier, Wienen, Bernstein, Renner
NAYS: None

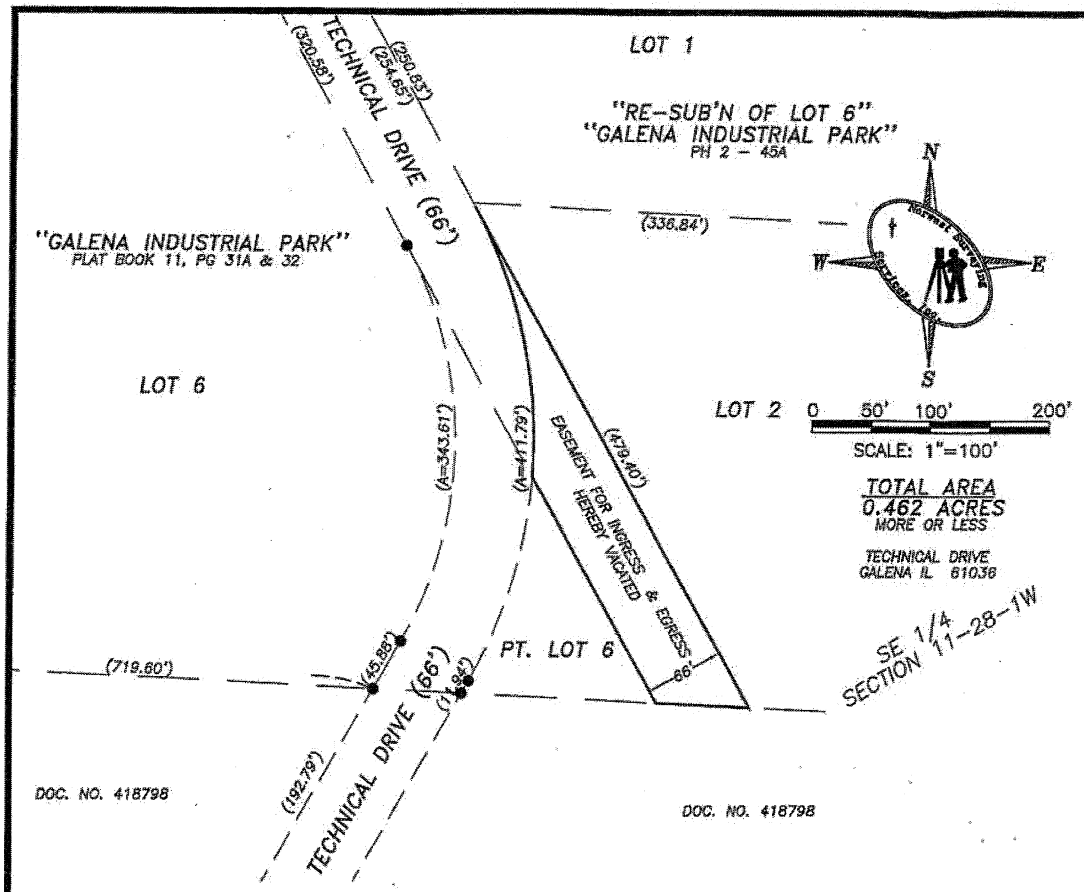
Terry Renner
TERRY RENNER, MAYOR

ATTEST:

Mary Beth Hyde
MARY BETH HYDE, CITY CLERK

Prepared by and return to:
Joseph E. Nack
Attorney for City of Galena
101 Green Street
Galena, IL 61036

EXHIBIT A



VACATION SURVEY

Of Property Described As: That part laying Southeasterly of Technical Drive of the 66 foot wide Easement for Ingress & Egress along the Westerly line of Lot 2 of the Re-Subdivision of Lot 6 of Galena Industrial Park City in the of Galena, Jo Daviess County, Illinois, according to the Plat thereof recorded in Plan Hold No. 2 at page 45A in the Office of the Jo Daviess County Recorder;

Containing 0.462 acres, more or less.

SURVEYOR'S REPORT

This plat represents an original boundary survey of the property described hereon and conforms to the current Illinois Minimum Standards for a Vacation Survey. This Survey was done, by me or under my direct supervision, at the request of Pam Ehrler of Galena, Illinois.

All monuments exist as shown hereon. Bearings are in Degrees, Minutes and Seconds and are referenced to an assumed datum. Distances are in feet and decimals thereof.

All structural or utility improvements, surface and subsurface, on and adjacent to the site are not necessarily shown.

This Survey includes no investigation or independent search for easements of record, encumbrances, deed restrictions, restrictive covenants, ownership, title evidence, or any other facts which an accurate and current title search may disclose.

No warranty is expressed or implied as to compliance with 765ILCS-205/1b of the Illinois Compiled Statutes, or local requirements.

Dated this ____ day of _____, 2022 C.E.

William E. Holt
Illinois Professional Land Surveyor
No. 35-2584
License Renews November 30, 2022 C.E.

PROFESSIONAL LAND SURVEYOR
WILLIAM E. HOLT
35-2584
MORRISON
ILLINOIS
STATE OF ILLINOIS

LEGEND

- BOUNDARY OF SURVEY
- MONUMENT FOUND
- STONE FOUND
- SET 5/8" PIN W/CAP
- CHISELED "X"
- SECTION LINE
- RIGHT OF WAY LINE
- FENCE LINE
- BUILDING SETBACK
- UTILITY EASEMENT
- ( ) DEED/PLAT DIMENSION

NOTE: BEARINGS ARE ASSUMED

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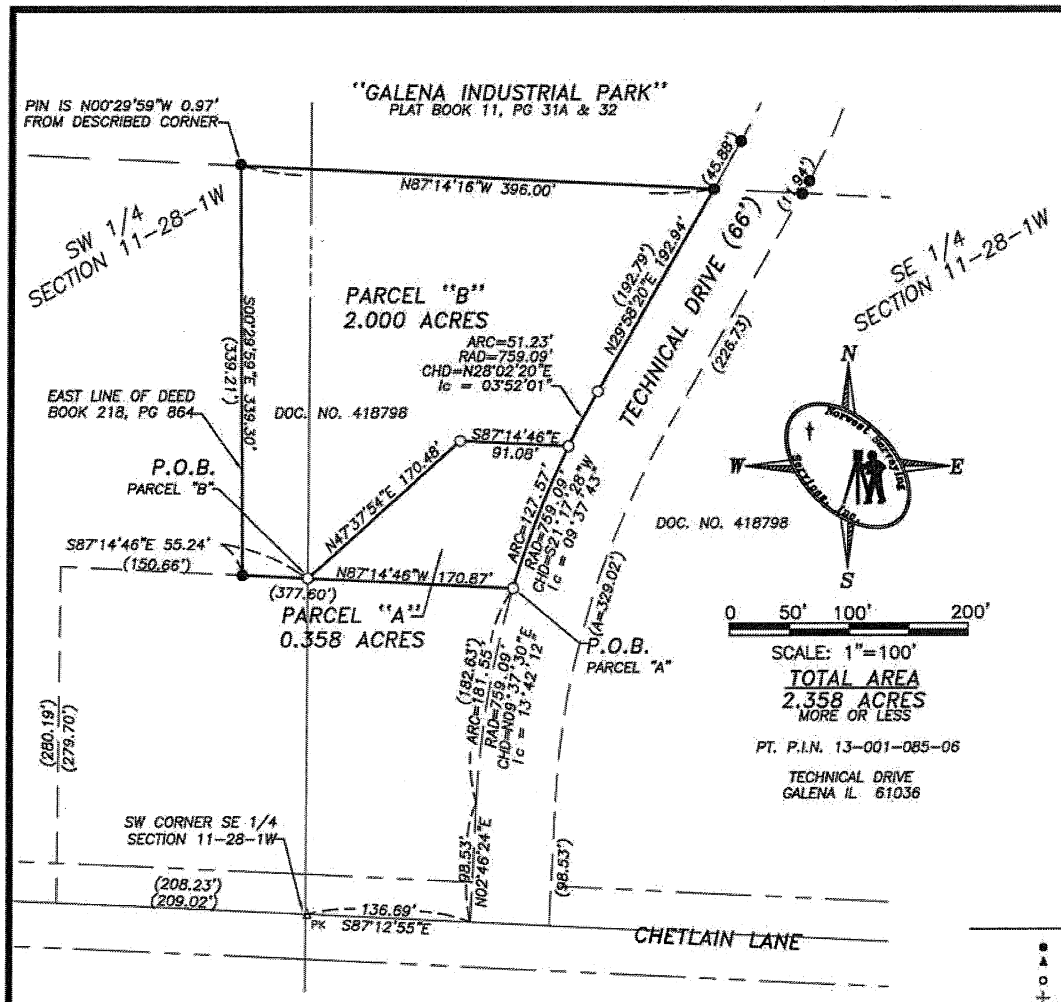
NORWEST SURVEYING SERVICES, INC.
PROFESSIONAL LAND SURVEYORS & LAND PLANNERS
301 EAST LINCOLNWAY MORRISON, ILLINOIS 61270
PHONE (815) 772-7179 FAX (815) 772-7993
ILLINOIS PROFESSIONAL DESIGN FIRM NO. 184-004169, EXPIRES 4-30-2023

SURVEYED BY	FIELD WORK COMPLETED	JOB NO.	DRAWN BY
JMW, AJH	4-14-22	2022071	WEH
BOOK NO.	PLAT NO.	DRAWING NAME	DRAWING DATE
264-3	2022071B	2003353	15 APR 22
REVISION DATES		CHECKED BY	SCALE
			1"=100'

PROJECT
GALENA VACATION SURVEY

TITLE
CITY OF GALENA - EHRLER

Exhibit B



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LEGEND

- BOUNDARY OF SURVEY
- MONUMENT FOUND
- STONE FOUND
- SET 5/8" PIN W/CAP
- CHISELED "X"
- SECTION LINE
- RIGHT OF WAY LINE
- FENCE LINE
- BUILDING SETBACK
- UTILITY EASEMENT
- ( ) DEED/PLAT DIMENSION

NOTE: BEARINGS ARE ASSUMED

PLAT OF SURVEY

Of Property Described As: Part of the South Half (S 1/2) of Section 11 in Township 28 North (T28N), Range 1 West (R1W) of the Fourth Principal Meridian (4th PM), City of Galena, Jo Daviess County, Illinois;

The descriptions of the parcels depicted hereon are attached hereto and made a part hereof.

SURVEYOR'S REPORT

This plat represents an original boundary survey of the property described hereon and conforms to the current Illinois Minimum Standards for a Boundary Survey. This Survey was done, by me or under my direct supervision, at the request of Pam Ehrler of Galena, Illinois.

All monuments exist as shown hereon. Bearings are in Degrees, Minutes and Seconds and are referenced to an assumed datum. Distances are in feet and decimals thereof.

All structural or utility improvements, surface and subsurface, on and adjacent to the site are not necessarily shown. Right-of-Way lines shown hereon are a graphic representation only and may not depict the actual location of the public easement.

This Survey includes no investigation or independent search for easements of record, encumbrances, deed restrictions, restrictive covenants, ownership, title evidence, or any other facts which an accurate and current title search may disclose.

No warranty is expressed or implied as to compliance with 765ILCS-205/1b of the Illinois Compiled Statutes, or local requirements.

Dated this 21st day of April, 2022 C.E.

William E. Holt
Illinois Professional Land Surveyor
No. 35-2584
License Renews November 30, 2022 C.E.

PROFESSIONAL LAND SURVEYOR
WILLIAM E. HOLT
35-2584
MORRISON
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ILLINOIS PROFESSIONAL DESIGN FIRM NO. 184-004159, EXPIRES 4-30-2023

SURVEYED BY: JMW, AJH	FIELD WORK COMPLETED: 4-14-22	JOB NO.: 2022071	DRAWN BY: WEH
BOOK NO.: 264-3	PLAT NO.: 2022071A	DRAWING NAME: 2003353	DRAWING DATE: 27 APR 22
REVISION DATES:		CHECKED BY:	SCALE: 1"=100'

PROJECT: GALENA PARCEL SURVEY

TITLE: EHRLER - CITY OF GALENA