

Ordinance #O.23.14

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

Adopted by the City Council of the City of Galena this 31st Day of July 2023.

Published in pamphlet form by authority of the City Council of the City of Galena, Jo Daviess County, Illinois, this 31st Day of July 2023.

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 31st Day of July 2023, the Corporate Authorities of said municipality passed and approved Ordinance No. O.23.14 entitled **AN ORDINANCE PROVIDING FOR THE VACATION OF A PORTION OF TURNEY STREET**, which provided by its terms that it should be published in pamphlet form.

The pamphlet form of Ordinance No. O.23.14 including the Ordinance and a cover sheet thereof, was prepared, and a copy of such Ordinance was posted in the municipal building, commencing the 1st Day of August 2023 and commencing for at least ten (10) days thereafter.

Dated at Galena, Illinois, this 1st Day of August 2023.


Mary Beth Hyde, City Clerk

(Seal)

Ordinance #0.23.14

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

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 a part of Turney Street legally described on the "Street Vacation Plat" on Exhibit "A" and being approximately 7,768 square feet in area (the "Property"); and

WHEREAS, Terry D. Garrow (the "Owner") is the owner of all the lots adjoining the unimproved Turney Street immediately south of the Field Street right-of-way on the West side of the Galena River, in the City of Galena, Jo Daviess County Illinois; and

WHEREAS, the Owner petitioned the Galena City Council to vacate the 0.178 acre (7,768 square feet), unimproved section of the Turney Street right-of-way adjacent to his property; and

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

WHEREAS, the subject right-of-way requested for vacation is fully described as the "Street Vacation Area" on Exhibit "A" attached hereto; and

WHEREAS, a plat of the Dickson's Subdivision, Exhibit "B", is attached hereto and made a part hereof as a reference for the location of the Turney Street right-of-way relative to property owned by the petitioner; and

WHEREAS, surrounding property owners and the public at large were notified of the request to vacate and invited to a public hearing that was conducted by the city council on July 10, 2023; and

WHEREAS, following the public hearing, the city council voted 7-0 to approve the proposed vacation of the subject portion of Benton Street for \$0.27 per square foot; and

WHEREAS, the Owner agrees to compensate the City of Galena \$2,097.00 in exchange for the conveyance of the Property to the Owner; and

WHEREAS, the applicant shall pay the recording fees for the vacation; and

WHEREAS, no other compensation shall be due for the vacation.

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 as the "Street Vacation Plat" in "Exhibit A" **IS HEREBY VACATED** and title shall be vested in Terry D. Garrow, 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 as the "Street Vacation Plat" in "Exhibit A" **IS HEREBY VACATED** to Terry D. Garrow.

SECTION 2: The property interest in the right-of-way described as "Street Vacation Plat" in "Exhibit A" shall vest to the purchaser's successors or assigns.

SECTION 3: It is further directed that the street right-of-way described as "Street Vacation Plat" in Exhibit "A" be stricken from the City of Galena street plat.

SECTION 4: 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 by the Owner, or his successors or assigns, to said property.

SECTION 5: All ordinances or parts of ordinances conflicting with the provisions of this ordinance are hereby repealed.

SECTION 6 Passed on this 31st day of July, 2023, in open session of the Galena City Council.

AYES:


Johnson, Kieffer, Tegtmeyer,
Westemeier, Wienen, Bernstein,
Renner

NAYS:

None


TERRY RENNER, MAYOR

ATTEST:


MARY BETH HYDE, CITY CLERK

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

EXHIBIT A: Street Vacation Plat

Area to be Vacated:

Commencing at the Southwest corner of Lot 5 of Original Lots Block 45, thence Westerly to the Southeast corner of Lot A of Dickson's Sub of Lots 1, 3, 4 Block 36 Lots A-E, thence Northerly to the Northwest corner of Lot E of Dickson's Sub of Lots 1, 3, 4 Block 36 Lots A-E, thence fifty-feet (50') Easterly to the Northwest corner of Lot 5 of Original Lots Block 45, thence Southernly to the point of beginning, said tract containing 7,768 square feet, more or less, all being situated on the West side of the Galena River in the City of Galena, Jo Daviess County, State of Illinois.



EXHIBIT B: Reference Plat

William Dickson's Subdivision

of Lot No. 2 in Block No. 35. Lots 3 & 4 in Block No. 36 and Lots No. 3 & 4 in Block No. 37
West of River in the City of Galena — Said Subdivision being drawn in red ink

