

Ordinance #O.22.26

An Ordinance **PROVIDING FOR THE VACATION OF AN UNNAMED ALLEY INTERSECTING WITH DONEGAN STREET.**

Adopted by the City Council of the City of Galena this 28th Day of November 2022.

Published in pamphlet form by authority of the City Council of the City of Galena, Jo Daviess County, Illinois, this 28th Day of November 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 28th Day of November 2022, the Corporate Authorities of said municipality passed and approved Ordinance No. O.22.26 entitled **AN ORDINANCE PROVIDING FOR THE VACATION OF AN UNNAMED ALLEY INTERSECTING WITH DONEGAN STREET**, which provided by its terms that it should be published in pamphlet form.

The pamphlet form of Ordinance No. O.22.26 including the Ordinance and a cover sheet thereof, was prepared, and a copy of such Ordinance was posted in the municipal building, commencing the 29th Day of November 2022 and commencing for at least ten (10) days thereafter.

Dated at Galena, Illinois, this 29th Day of November 2022.


Mary Beth Hyde, City Clerk

(Seal)

Ordinance #O.22.26

**AN ORDINANCE PROVIDING FOR THE VACATION
OF AN UNNAMED ALLEY INTERSECTING WITH DONEGAN 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 portion of an unnamed alley intersecting with Donegan Street and described on Exhibit "A" and being approximately 4,000 square feet in area (the "Property"); and

WHEREAS, Andrew Stangl, (the "Owner") is the only private owner of property adjacent to unnamed alley subject to the vacation request; and

WHEREAS, the subject right-of-way lies between the properties of the Owner identified as Parcel Identification Number 22-200-026-00 and 22-200-026-50 in the City of Galena, Jo Daviess County, Illinois; and

WHEREAS, the Owner petitioned the Galena City Council to vacate 4,000 square feet the unnamed alley; and

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

WHEREAS, the subject right-of-way requested for vacation is fully described in Exhibit "A" attached hereto and made a part hereof; 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 November 28, 2022; and

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

WHEREAS, a fair market value of \$400.00 has been established for the Property from a recent land purchase and land sale by the Owner; and

WHEREAS, the Owner agrees to compensate the City of Galena \$400.00 in exchange for the conveyance of the 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 as the area of vacation in "Exhibit A" **IS HEREBY VACATED** and title shall be vested in Andrew Stangl, 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 area of vacation in "Exhibit A" **IS HEREBY VACATED** to Andrew Stangl.

SECTION 2: The property interest in the right-of-way described as the area of vacation 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 the area of vacation in "Exhibit A" be stricken from the City of Galena street plat.

SECTION 4: The City of Galena does not reserve an easement over, under or through the vacated Property.

SECTION 5: 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 6: This ordinance shall be recorded with the Jo Daviess County Recorder within 15 days following the payment by the Owner to the City of Galena in the amount of \$400.00.

SECTION 7: All ordinances or parts of ordinances conflicting with the provisions of this ordinance are hereby repealed.

SECTION 8 Passed on this 28th day of November, 2022, in open session of the Galena City Council.

AYES: Westemeier, Bernstein, Hahn, Kieffer, McCoy, Renner

NAYS: None

ABSENT: Wienen



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

