

Ordinance #O.21.15

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

Adopted by the City Council of the City of Galena this 13<sup>th</sup> Day of December 2021.

Published in pamphlet form by authority of the City Council of the City of Galena, Jo Daviess County, Illinois, this 13<sup>th</sup> Day of December 2021.

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 13<sup>th</sup> Day of December 2021, the Corporate Authorities of said municipality passed and approved Ordinance No. O.21.15 entitled **AN ORDINANCE PROVIDING FOR THE VACATION OF A PORTION OF JEFFERSON STREET**, which provided by its terms that it should be published in pamphlet form.

The pamphlet form of Ordinance No. O.21.15 including the Ordinance and a cover sheet thereof, was prepared, and a copy of such Ordinance was posted in the municipal building, commencing the 13<sup>th</sup> Day of December 2021 and commencing for at least ten (10) days thereafter.

Dated at Galena, Illinois, this 13<sup>th</sup> Day of December 2021.

  
Mary Beth Hyde, City Clerk

(Seal)

Ordinance #0.21.15

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

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**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 Jefferson Street legally described as the "Street Vacation Area" on Exhibit "A" and being approximately 0.17 acres in area; and

**WHEREAS**, Paul and Deborah Studtmann, (the "Owner") are the owners of the adjacent Lot 3 of Block 39, Original Town, East of the Galena River, in the City of Galena, Jo Daviess County Illinois; and

**WHEREAS**, the Owner petitioned the Galena City Council to vacate a 0.17 acre (7,500 square feet), unopened section of the Jefferson Street right-of-way adjacent to their 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**, 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 December 13, 2021; and

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

**WHEREAS**, the Owner purchased property adjoining the Property and property on the same block as the Property in October 2021 at a fair market price of \$.15 per square foot; and

**WHEREAS**, applying the fair market value of \$.15 per square foot to the 7,500 square foot Property subject of the vacation petition results in a fair market value for the Property of \$1,125.00; and

**WHEREAS**, the Owner agrees to compensate the City of Galena \$1,125.00 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 Area" in "Exhibit A" **IS HEREBY VACATED** and title shall be vested in Paul and Deborah Studtmann, their 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 Area" in "Exhibit A" **IS HEREBY VACATED** to Paul and Deborah Studtmann.

**SECTION 2:** The property interest in the right-of-way described as "Street Vacation Area" 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 Area" 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.

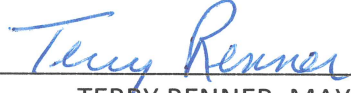
**SECTION 6** Passed on this 13th day of December, 2021, in open session of the Galena City Council.

**AYES:**

Kieffer, McCoy, Westemeier,  
Wienen, Bernstein, Hahn,  
Renner

**NAYS:**

None



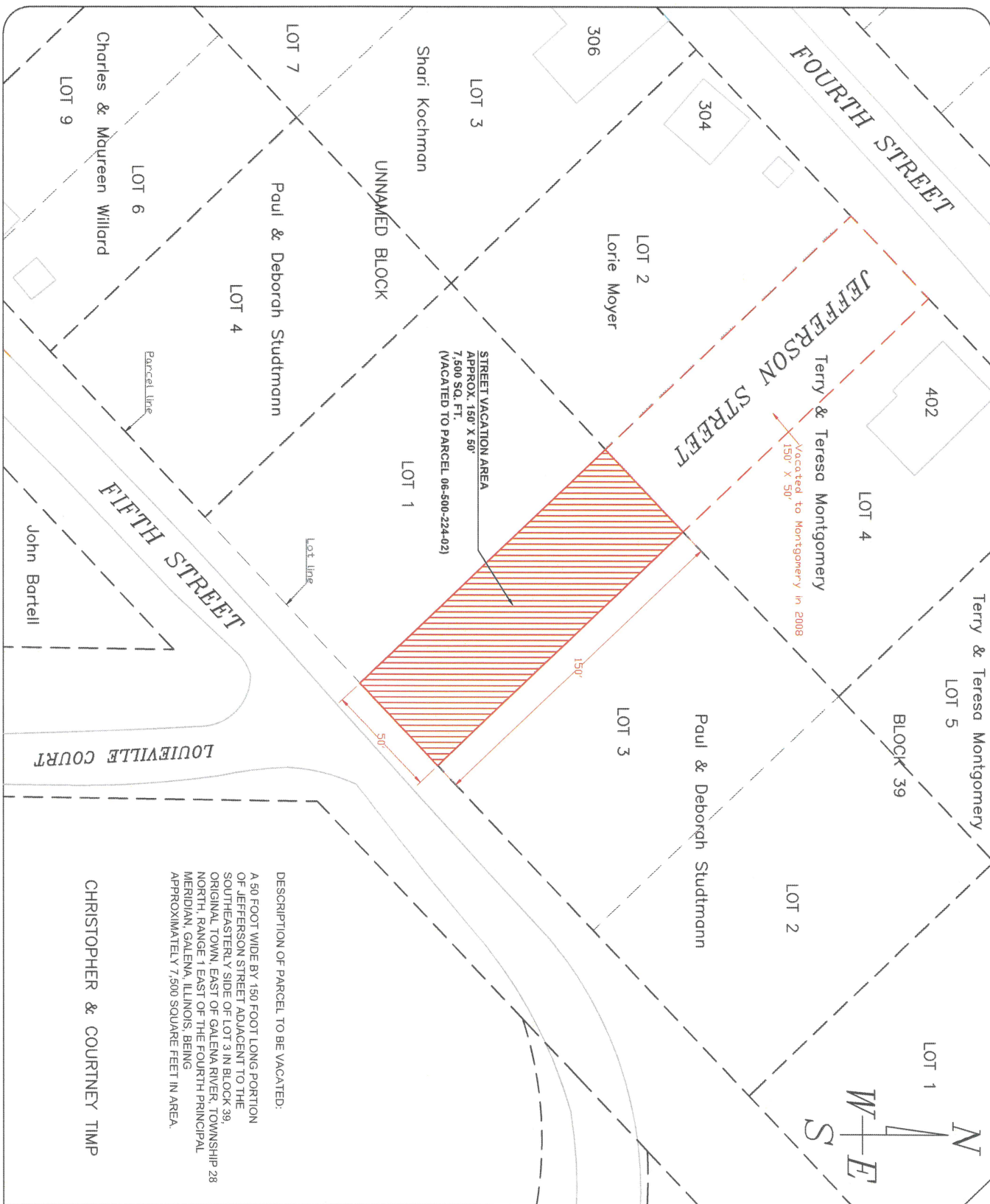
TERRY RENNER, MAYOR

**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

SHEET 1  
OF 1

CHRISTOPHER & COURTNEY TAMP

DESCRIPTION OF PARCEL TO BE VACATED:  
A 50 FOOT WIDE BY 150 FOOT LONG PORTION  
OF JEFFERSON STREET ADJACENT TO THE  
SOUTHEASTERLY SIDE OF LOT 3 IN BLOCK 39,  
ORIGINAL TOWN, EAST OF GALENA RIVER, TOWNSHIP 28  
NORTH, RANGE 1 EAST OF THE FOURTH PRINCIPAL  
MERIDIAN, GALENA, ILLINOIS, BEING  
APPROXIMATELY 7,500 SQUARE FEET IN AREA.