

ORDINANCE 2020-06

AUTHORIZING THE VACATION OF A PUBLIC (CITY) RIGHT-OF-WAY FOR THE EAST-WEST ALLEY LOCATED SOUTH OF MAIN STREET, NORTH OF CARROLL STREET, AND EAST OF CLARK STREET, LOCATED SOUTH OF 1105 WEST MAIN STREET, LOTS 1,2,3,4,5 IN BLOCK 1, SAWYERS ADDITION, COMMONLY KNOWN AS 1105 WEST MAIN STREET, STREATOR, ILLINOIS, LASALLE AND LIVINGSTON COUNTIES, ILLINOIS.

WHEREAS, a petition by Eugene and Jody Bodznick, owners, 1105 West Main Street, is seeking the vacation of public (City) right-of-way, the same being the 20' wide alley located South of Main Street, North of Carroll Street, and East of Clark Street, located South of 1105 West Main Street, legally described as Lots 1,2,3,4,5 in Block 1, Sawyers Addition, John and Joe's Florist, Streator, Illinois, LaSalle and Livingston Counties, Illinois, for the purpose of expanding their business; and

WHEREAS, there is no identified current or future intended public purpose which would be served by said right-of-way, thereby causing the same to be considered surplus and not necessary to serve the public health, safety, and welfare of the City of Streator.

NOW, THEREFORE, be it resolved by the City Council of the City of Streator, LaSalle and Livingston Counties, Illinois as follows:

SECTION 1: That a public (City) right-of-way, more fully described as a 20' wide parcel of land which is adjoining the south side of Lots 1, 2, 3, 4 and 5, Block 1, Sawyer's Addition, Sec. 35-31-3, and adjoining the north side of Lots 6, 7, 8, 9 and 10, Block 1, Sawyer's Addition, Sec. 35-31-3, starting on the west end at Clark Street and extending east and terminating at Lot 12, Block 1, H J Wood's Addition, Sec. 35-31-3, in the City of Streator is hereby declared to be surplus and no longer necessary to serve the public health, safety, and welfare of the City of Streator.

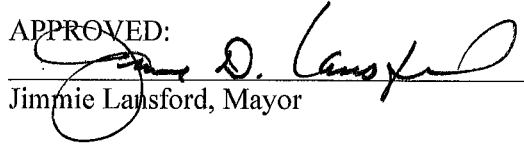
SECTION 2: That a map of the proposed vacation area is hereby attached as Exhibit "B."

SECTION 3: That said public right-of-way, heretofore dedicated for public alley purposes is and hereby vacated.

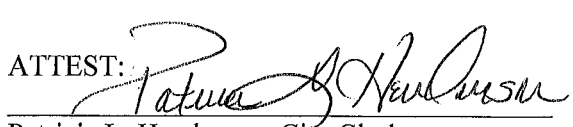
SECTION 4: That said vacation is in accordance with the codes and ordinances of the City of Streator and the laws of the State of Illinois.

Passed by the City Council of the City of Streator, LaSalle and Livingston Counties, Illinois at a regular meeting thereof, held on the **February 19, 2020**, and approved by me as Mayor on the same day.

APPROVED:


Jimmie D. Lansford, Mayor

ATTEST:


Patricia L. Henderson, City Clerk

RECORD OF THE VOTE	Yes	No	Abstain	Absent
Mayor Jimmie D. Lansford	√			
Councilwoman Tara Bedei	√			
Councilman Ed Brozak	√			
Councilman Brian Crouch				√
Councilman Joe Scarbeary				√

February 19, 2020 – Regular City Council Meeting

OFFICE MEMORANDUM

TO City Manager
FROM City Engineer
SUBJECT 1105 W Main Alley Vacation
DATE February 12, 2020

Enclosed with this memo please find an application to vacate the 250' long 20' east-west alley located within 1105 W Main, south of Main Street, as shown on the attached map. The petitioner is requesting that the alley be vacated to allow for the continued use of the property for their business.

Pursuant to the City's ROW vacation policy a notice of the vacation was sent to the property owners within 250 feet of the proposed vacation and signs were installed at the limits of the vacation requesting comment. As of the date of this memo no comments or questions have been received.

Additionally to meet the requirements of the policy the proposed vacation areas were reviewed by the Public Works Director, the Chief of Police, and I and we find that the property is no longer needed and serves no valid public purpose now or in the future.

Based on this finding it is recommended that the ROW be vacated. A minimum of four affirmative votes are required for passage.

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WHEREAS, a petition by Eugene and Jody Bodznick, owners, 1105 West Main Street, is seeking the vacation of public (City) right-of-way, the same being the 20' wide alley located South of Main Street, North of Carroll street, and East of Clark Street, located South of 1105 West Main Street, legally described as Lots 1,2,3,4,5 in Block 1, Sawyers Addition, John and Joe's Florist, Streator, Illinois, LaSalle and Livingston Counties, Illinois, for the purpose of expanding their business; and

WHEREAS, there is no identified current or future intended public purpose, which would be served by said right-of-way, thereby causing the same to be considered surplus and not necessary to serve the public health, safety, and welfare of the City of Streator.

NOW THEREFORE, be it resolved by the City Council of the City of Streator, LaSalle and Livingston Counties, Illinois as follows:

SECTION 1: That a public (City) right-of-way, more fully described as a 20' wide parcel of land which is adjoining the south side of Lots 1, 2, 3, 4 and 5, Block 1, Sawyer's Addition, Sec. 35-31-3, and adjoining the north side of Lots 6, 7, 8, 9 and 10, Block 1, Sawyer's Addition, Sec. 35-31-3, starting on the west end at Clark Street and extending east and terminating at Lot 12, Block 1, H J Wood's Addition, Sec. 35-31-3, in the City of Streator, be vacated for the purpose of expanding their business and the same is hereby declared to be surplus and no longer necessary to serve the public health, safety, and welfare of the City of Streator.

SECTION 2: That a map of proposed vacation is hereby attached as Exhibit "B."

SECTION 3: That said public right-of-way, heretofore dedicated for public alley purposes be vacated.

SECTION 4: That said vacation is in accordance with the codes and ordinances of the City of Streator and the laws of the State of Illinois.

Passed by the City Council of the City of Streator, LaSalle and Livingston Counties, Illinois at a regular meeting thereof, held on the **February 19, 2020**, and approved by me as Mayor on the same day.

APPROVED:

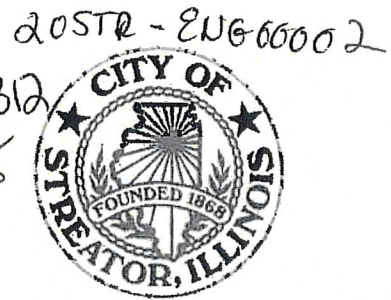
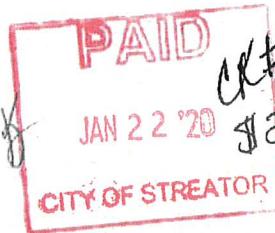
Jimmie Lansford, Mayor

ATTEST:

Patricia L. Henderson, City Clerk

RECORD OF THE VOTE	Yes	No	Abstain	Absent
Mayor Jimmie D. Lansford				
Councilwoman Tara Bedei				
Councilman Ed Brozak				
Councilman Brian Crouch				
Councilman Joe Scarbeary				

City of Streator
204 S. Bloomington Street
Streator, Illinois 61364
815/672-2517 fax 815/672-7566



PETITION TO VACATE A CITY RIGHT-OF-WAY (ROW)

Applicant(s): EUGENE & JOEY BOPZNICK

Telephone: (815) 672-8669

Mailing Address: 1105 W MAIN

Fax: _____

Applicant's Representative: _____

Telephone: _____

Mailing Address: _____

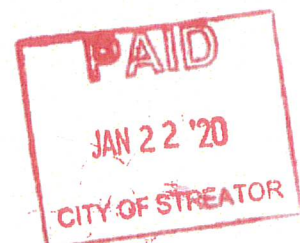
Fax: _____

1. Application fee is \$25.00 per property that will acquire property if the ROW vacation is approved. Applicant will be required to reimburse the City of any cost of legal notices
2. The applicant petitions the City of Streator for a vacation of the following ROW:
 - a. Legal Description (attach the full legal description on 8 1/2 x 11 separate sheet of paper- type written, plus an electronic version of the legal description).
 - b. Common Location (to include streets that enclose the ROW): MAIN STREET ON NORTH,
CARR ST ON SOUTH, CLARK ST ON WEST, 4TH AV ON EAST
 - c. Describe Reason for request: DEDICATED ALLEYS NO LONGER USED
BY PUBLIC
 - d. Existing Zoning District(s) that bound the ROW: C-3 R-1B
 - e. ☐ Yes ☒ No Is the ROW located in a flood plain or flood way?
 - f. ☒ Yes ☐ No Is the proposed use in conformance with the city's Comprehensive Plan?
 - g. How will the proposed use impact existing and future land uses. NO IMPACT OTHER
THAN EFFICIENT USE OF ADJOINING PROPERTIES
 - h. How will proposed ROW vacation impact adjacent property values. NO EFFECT
 - i. ☐ Yes ☒ No Will the ROW vacation negatively impact the general public health, safety and welfare.
If yes, please explain: _____
 - m. ☐ Yes ☒ No Will the ROW vacation conflict with existing conditions or improvements such as schools; sewer, water, electrical, cable systems; parks; roads; and traffic patterns. If public or private utilities are located in the ROW that fact must be stated.

If yes, please explain: _____

3. The petitioner(s) have read and completed all of the above information and affirm that it is true and correct.

Property Owner(s)	Property Address that is Adjacent to Requested ROW Vacation	Notary Public Action
<div><div><u>Eugene L. Bodzinski</u> Signature</div><div><u>Gordy Bodzinski</u> Signature</div><div>_____ Signature</div></div>	1103 W MAIN	<div>Subscribed and sworn to before me this <u>22</u> day of <u>Jan</u>, 20<u>20</u></div> <div><u>Jill Ann Talbott</u> Signature</div> <div><div>JILL ANN TALBOTT Official Seal Notary Public - State of Illinois My Commission Expires Aug 2, 2021</div></div>
<div><div><u>Eugene L. Bodzinski</u> Signature</div><div><u>Gordy Bodzinski</u> Signature</div><div>_____ Signature</div></div>	1105 W MAIN	<div>Subscribed and sworn to before me this <u>22</u> day of <u>Jan</u>, 20<u>20</u></div> <div><u>Jill Ann Talbott</u> Signature</div> <div><div>JILL ANN TALBOTT Official Seal Notary Public - State of Illinois My Commission Expires Aug 2, 2021</div></div>
<div><div><u>John R Bodzinski</u> Signature</div><div>_____ Signature</div><div>_____ Signature</div></div>	207 CLARK ST	<div>Subscribed and sworn to before me this <u>22</u> day of <u>Jan</u>, 20<u>20</u></div> <div><u>Jill Ann Talbott</u> Signature</div> <div><div>JILL ANN TALBOTT Official Seal Notary Public - State of Illinois My Commission Expires Aug 2, 2021</div></div>



<div data-bbox="303 203 433 245">Signature</div> <div data-bbox="303 319 430 359">Signature</div> <div data-bbox="300 432 428 474">Signature</div>		<div data-bbox="933 132 1440 222">Subscribed and sworn to before me this <div data-bbox="997 176 1349 218">day of _____, 20__</div> </div> <div data-bbox="1143 291 1279 333">Signature</div>
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If necessary copy this page for additional certifications.

Rev: 11/17/04

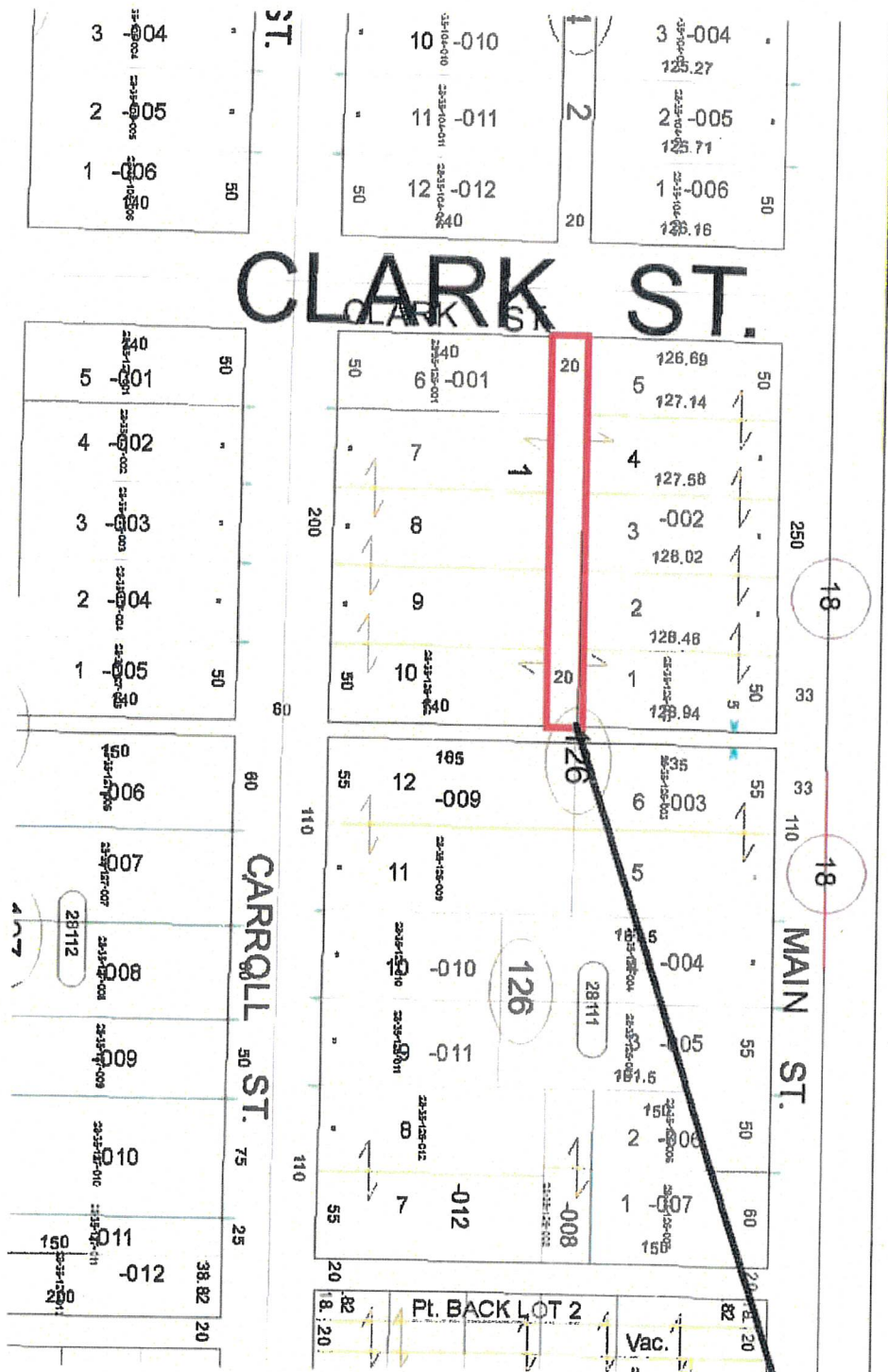


EXHIBIT B

A parcel of land shown on public record as available for public ingress and egress located in Streator, LaSalle County, Illinois which is adjoining the south side of Lots 1, 2, 3, 4 and 5, Block 1, Sawyer's Addition, Sec. 35-31-3, and adjoining the north side of Lots 6, 7, 8, 9 and 10, Block 1, Sawyer's Addition, Sec. 35-31-3, starting on the west end at Clark Street and extending east and terminating at Lot 12, Block 1, H J Wood's Addition, Sec. 35-31-3.

EXHIBIT C