

CITY OF LE ROY
COUNTY OF McLEAN, STATE OF ILLINOIS

ORDINANCE NO. 06-11-02-50

**AN ORDINANCE VACATING PORTIONS OF PLATTED EASEMENTS IN FOX
RUN SUBDIVISION, A PLATTED SUBDIVISION IN THE CITY OF LE ROY,
MCLEAN COUNTY, ILLINOIS**

ADOPTED BY THE CITY COUNCIL OF THE CITY OF LE ROY THIS
6th Day of November 2006

PRESENTED: **November 6, 2006**

PASSED: **November 6, 2006**

APPROVED: **November 6, 2006**

RECORDED: **November 6, 2006**

PUBLISHED: **November 6, 2006**

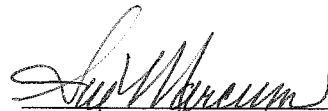
In Pamphlet Form

Voting "Aye" 6

Voting "Nay" 0

The undersigned being the duly qualified and Acting City Clerk of the City of LeRoy does hereby certify that this document constitutes the publication in pamphlet form, in connection with and pursuant to Section 1-2-4 of the Illinois Municipal Code, of the above-captioned **ordinance** and that such **ordinance** was presented, passed, approved, recorded and published as above stated.

(SEAL)



City Clerk of City of LeRoy

Dated: November 6, 2006

ORDINANCE NUMBER: 06-11-02-50

**AN ORDINANCE VACATING PORTIONS OF PLATTED EASEMENTS IN
FOX RUN SUBDIVISION, A PLATTED SUBDIVISION IN THE
CITY OF LE ROY, MCLEAN COUNTY, ILLINOIS**

WHEREAS, a request has been received from the owner of property consisting of Lots 1&2 in Fox Run Subdivision of the City of Le Roy, requesting vacation of platted utility easements as shown on the plat of the aforesaid subdivision; and

WHEREAS, the Mayor and City Council of the City of Le Roy, McLean County, Illinois, an Illinois municipal corporation, find that it is in the public's best interest to vacate the portions of said easements as hereinafter described, as said easements would otherwise present an impediment to the development of the aforesaid lots,

NOW, THEREFORE, BE IT ORDAINED, by the City Council of the City of Le Roy, McLean County, Illinois, in lawful meeting assembled, as follows:

Section 1. The easements as hereinafter described in this section are no longer required for the use of public utilities in connection with the development of the lots hereinafter described in Fox Run Subdivision, a subdivision platted in the City of Le Roy, McLean County, Illinois, and the interests of the owners of said lots as well as the public's interests will be subserved by vacating the portions of those easements as described hereafter. The easement intended to be vacated in accordance with this ordinance are legally described as follows:

A part of Lot 2 in Fox Run Subdivision, according to the Plat thereof recorded as Document No. 2006-18173 in the McLean County Recorder Deeds Office, in the SW1/4 of Section 28, Township 22 North, Range 4 East of the Third Principal Meridian, City of Le Roy, McLean County, Illinois, being a strip of land 20 feet of even width lying 10 feet on each side of the following described centerline to wit: Commencing at the southwest corner of Lot 2 in Fox Run Subdivision; thence N.00-00'-00" E. 20.00 feet on the west line of said Lot 2 to the Point of Beginning; thence N.89-50'-00"E 728.08 feet parallel with the south line of said Lot 2 to a point lying 85.00 feet West of the east line of said Lot 2; thence N. 15-05'-31"E 144.03 feet to a point lying 47.5 feet west of the east line of said Lot 2; thence N. 00-00'-00"E. 66.05 feet parallel with the east line of said Lot 2 to the Point of Termination, with assumed bearing given for description purposes only.

Section 2. Vacation of the public utility's interest and of the public's interests in the aforesaid portions of the easements described herein shall not abridge or destroy the right or privileges of any other proprietor or property shown on the final plat of said subdivision. Said vacation does not constitute a closing or obstruction of any easement currently used by any public utility, and, for that reason, and only to the extent that said final plat conflicts with provisions of this vacation ordinance, the final plat of the

aforesaid Fox Run Subdivision to the City of Le Roy, McLean County, Illinois, shall be and the same is hereby vacated.

Section 3. A certified copy of this ordinance shall be filed by the City Clerk of Le Roy, Illinois, for recording in the Office of Recorder of Deeds in McLean County, Illinois.

Section 4. This ordinance shall be in full force and effect from and after its passage, approval and publication in pamphlet form as required by law, and upon the fulfillment of the conditions set forth previously herein.

PASSED by the City Council of the City of Le Roy, Illinois, upon the motion made by John Haney, and seconded by T. A. Whitsitt by roll call vote on the 6th day of November 2006 as follows:

Aldermen elected 8

Aldermen Present 6

Voting Aye:

Shirley Chancellor, Jerry Henson, T.A. Whitsitt, Dave McClelland, Butch Cook, John Haney

Voting Nay:

None

Absent:

Gary Koerner and Dawn Thompson

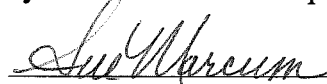
Abstain:

None

Other:

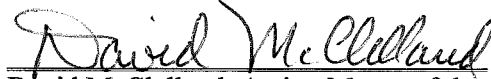
None

and deposited and filed in the office of the City Clerk in said municipality on the 6th day of November 2006.



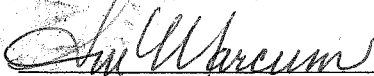
Sue Marcum, City Clerk of the City of Le Roy
Mc Lean County, Illinois

APPROVED BY the Mayor of the City of Le Roy, Illinois, this 6th day of November 2006.



David McClelland, Acting Mayor of the City of
Le Roy, Mc Lean County, Illinois

ATTEST: (SEAL)



Sue Marcum, City Clerk of the City of Le Roy
Mc Lean County, Illinois

CERTIFICATE

I, Sue Marcum, certify that I am the duly appointed and acting municipal clerk of the City of Le Roy, of McLean County, Illinois.

I further certify that on **November 6, 2006** the Corporate Authorities of such municipality passed and approved Ordinance No. **06-11-02-50** entitled:


AN ORDINANCE VACATING PORTIONS OF PLATTED EASEMENTS IN FOX RUN SUBDIVISION, A PLATTED SUBDIVISION IN THE CITY OF LE ROY, MCLEAN COUNTY, ILLINOIS

which provided by its terms that it should be published in pamphlet form.

The pamphlet form of Ordinance No. **06-11-02-50**, including the Ordinance and a cover sheet thereof, was prepared, and a copy of such Ordinance was posted at the municipal building, commencing on **November 6, 2006** and continuing for at least ten days thereafter. Copies of such Ordinance were also available for public inspection upon request in the office of the municipal clerk.

Dated at Le Roy, Illinois this 6th day of November 2006.

(SEAL)


Municipal Clerk

STATE OF ILLINOIS)
) SS:
COUNTY OF MCLEAN)

I, Sue Marcum, do hereby certify that I am the duly qualified and acting City Clerk of the City of Le Roy, McLean County, Illinois, and as such City Clerk that I am the keeper of the records and files of the Mayor and the City Council of said City.

I do further certify that the foregoing is a true, correct and complete copy of an ordinance entitled:

AN ORDINANCE VACATING PORTIONS OF PLATTED EASEMENTS IN FOX RUN SUBDIVISION, A PLATTED SUBDIVISION IN THE CITY OF LE ROY, MCLEAN COUNTY, ILLINOIS

I do further certify said *ordinance* was adopted by the City Council of the City of Le Roy at a regular meeting on the 6th Day of November 2006, and prior to the making of this certificate the said ordinance was on file with the permanent records of said City where it now appears and remains as a permanent record of said ordinance in the record books.

Dated this 6th day of November 2006

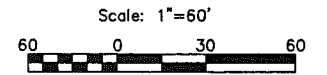
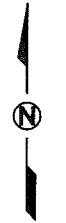
(SEAL)



City Clerk

EASEMENT VACATION PLAT

PART OF LOT 2 IN FOX RUN SUBDIVISION IN THE SW1/4 OF SECTION 28, T.22N, R.4E,
3P.M, CITY OF LEROY, MCLEAN COUNTY, ILLINOIS



LEGEND

- WATERMAIN EASEMENT VACATION AREA
- EXISTING WATERMAIN EASEMENT CENTERLINE
- EASEMENT LIMITS LINE

MUNICIPALITY APPROVAL

We, the undersigned, Mayor and City Clerk of the City of LeRoy, McLean County, Illinois, do hereby certify that this Easement Vacation Plat was approved by the City Council on the _____ day of _____, 2006.

David McClelland (Mayor)

Sue Marcum (City Clerk)

Legal Description - Watermain Easement Area to be Vacated

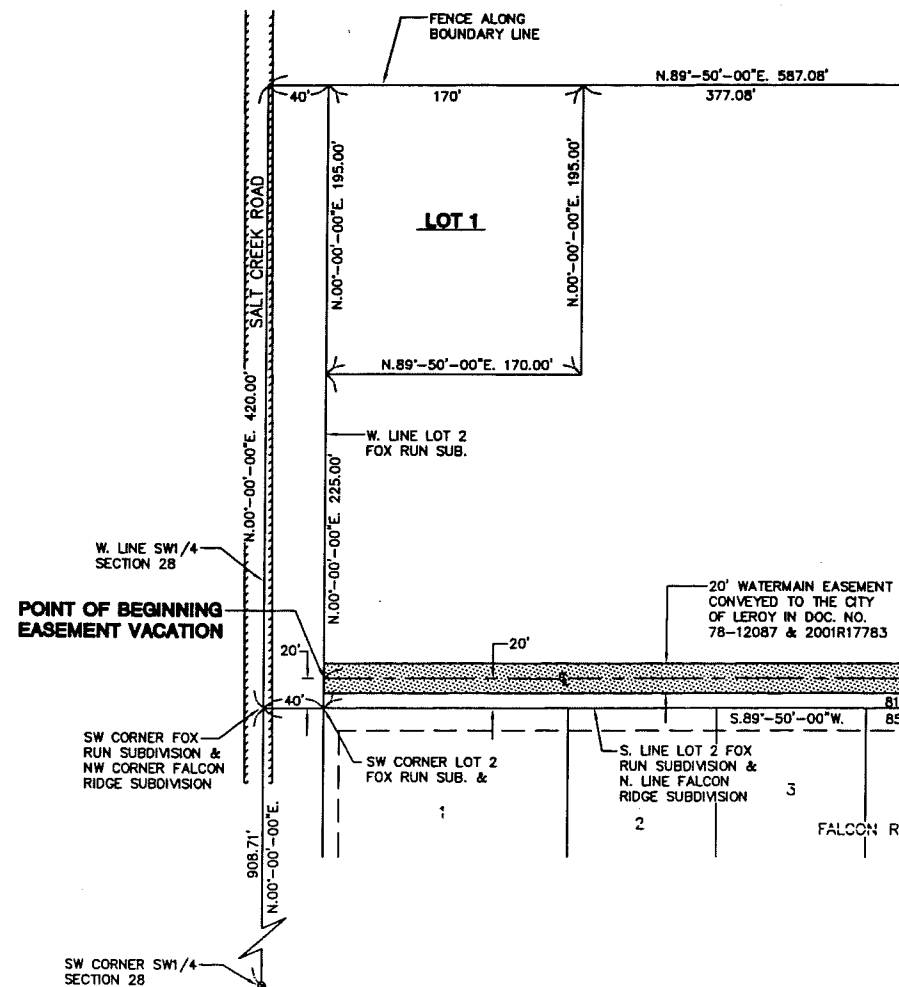
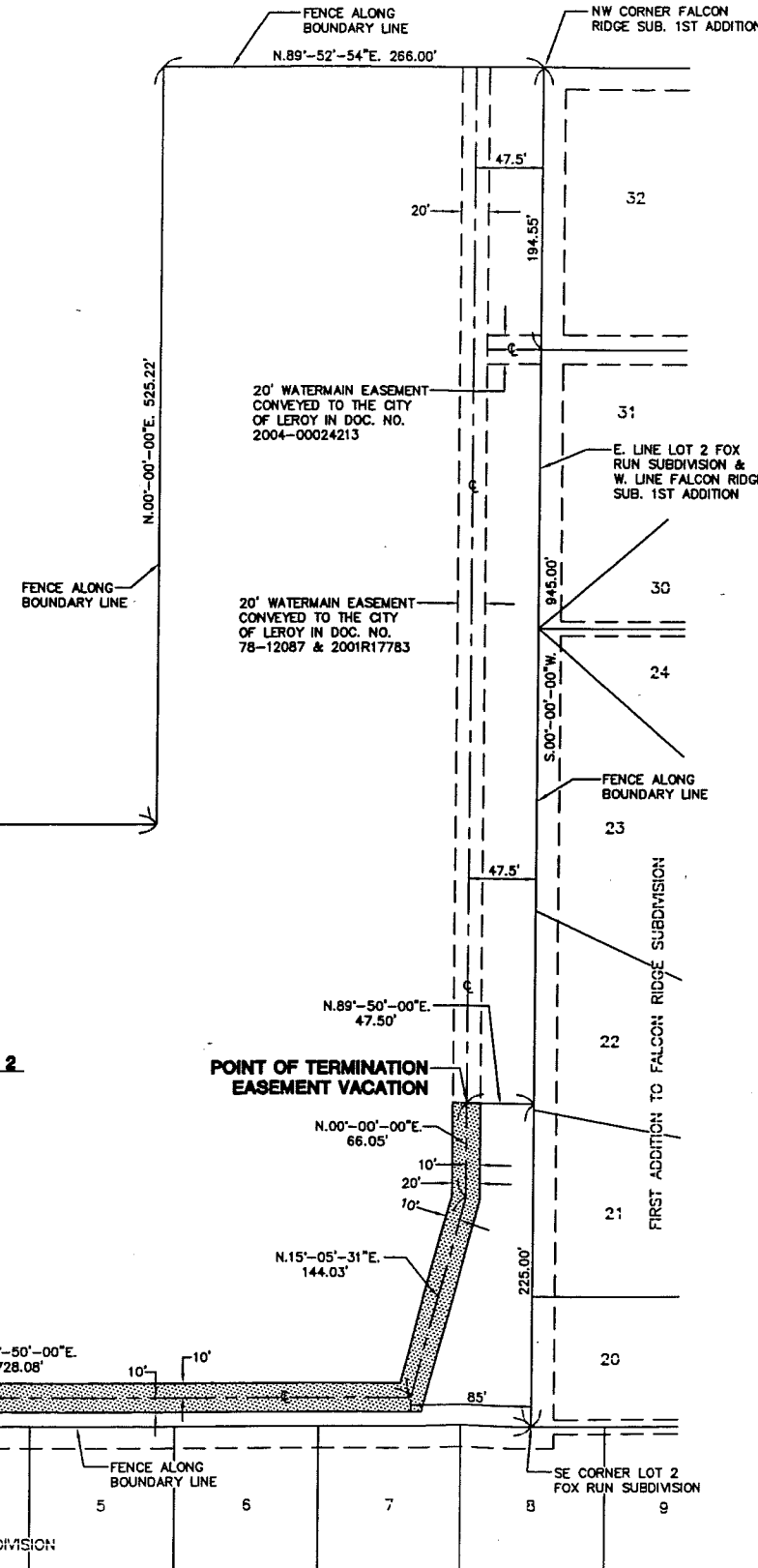
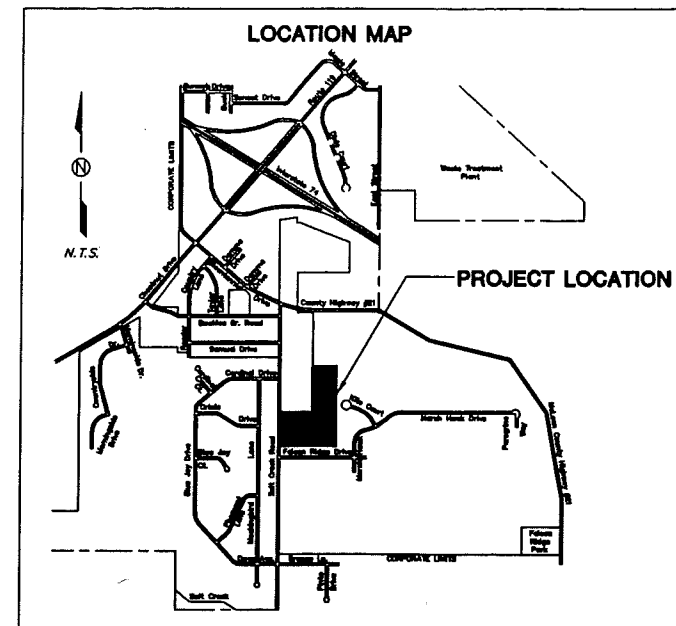
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Surveyor's Certificate

I, Bradley K. Shaffer, Illinois Professional Land Surveyor No. 3488, do hereby certify that to the best of my knowledge and belief the plat shown hereon is an accurate representation of watermain easement lands to be vacated dedicated made under my direction.

11/01/06
Date

Bradley K. Shaffer
Illinois Professional Land Surveyor No. 3488
License Renewal Date 11/30/2006



Lewis, Yockey & Brown, Inc. Consulting Engineers & Land Surveyors			Rev.		Bk.	789
505 North Main Street Bloomington, Illinois Ph. (309) 829-2552	222 East Center Street LeRoy, Illinois Ph. (309) 962-8151	155 South Elm Street El Paso, Illinois Ph. (309) 527-2552			Dm.	BKS
					App.	PLL

EASEMENT VACATION PLAT
LOT 2 FOX RUN SUBDIVISION
LEROY, ILLINOIS

Sheet
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of 1

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