



ORDINANCE NO. 952

**AN ORDINANCE VACATING THE NORTH-SOUTH ALLEY, IN
BLOCK 2 OF EAST ADDITION TO THE ORIGINAL TOWN, NOW
VILLAGE OF MACKINAW AND THAT PART OF THE NORTH
SEVEN FEET OF FRANKLIN STREET ADJACENT TO NORTH-
SOUTH ALLEY, IN BLOCK 2 IN THE EAST ADDITION TO THE
ORIGINAL TOWN, NOW VILLAGE OF MACKINAW**

Published in pamphlet form by authority of the Village President and
Board of Trustees of the Village of Mackinaw

NOVEMBER 14, 2017

STATE OF ILLINOIS)
COUNTY OF TAZEWELL) SS
VILLAGE OF MACKINAW)

CERTIFICATE OF ORDINANCE

I, the undersigned, do hereby certify that I am the duly appointed, qualified and acting Village Clerk of the Village of Mackinaw, Tazewell County, Illinois (the "Issuer"), and as such official I am the keeper of the records and files of its President and Board of Trustees (the "Corporate Authorities").

I do further certify the foregoing constitutes a full, true and complete excerpt from the proceedings of the regular meeting of the Corporate Authorities held on the *13th day of November 2017*, insofar as same relates to the adoption of *Ordinance No. 952*, entitled:

AN ORDINANCE VACATING THE NORTH-SOUTH ALLEY, IN BLOCK 2 OF EAST ADDITION TO THE ORIGINAL TOWN, NOW VILLAGE OF MACKINAW AND THAT PART OF THE NORTH SEVEN FEET OF FRANKLIN STREET ADJACENT TO NORTH-SOUTH ALLEY, IN BLOCK 2 IN THE EAST ADDITION TO THE ORIGINAL TOWN, NOW VILLAGE OF MACKINAW

A true, correct and complete copy of which ordinance (the "Preliminary Ordinance" or "Ordinance") as adopted at such meeting appears in the transcript of the minutes of such meeting. The Preliminary Ordinance was adopted and approved by the vote and on the date therein set forth.

I do further certify the deliberations of the Corporate Authorities on the adoption of such Preliminary Ordinance were taken openly and was on the agenda at least 48 hours before the meeting at which it was adopted, that the adoption of such ordinance was duly moved and seconded, that the vote on the adoption of such ordinance was taken openly and was preceded by a public recital of the nature of the matter being considered and such other information as would inform the public of the business being conducted, that such meeting was held at a specified time and place convenient to the public, that notice of such meeting was duly given to all of the news media requesting such notice, that such meeting was called and held in strict compliance with the provisions of the Open Meetings Act of the State of Illinois, as amended, and the Illinois Municipal Code, as amended, and that the Corporate Authorities have complied with all of the applicable provisions of such Act and such Code and their procedural rules in the adoption of such ordinance.

The pamphlet form of *Ordinance No. 952*, including the ordinance and a cover sheet thereof, was prepared and a copy of such Ordinance was posted for public inspection in the municipal building, the Mackinaw United States Post Office, and the Mackinaw Library commencing on *NOVEMBER 14, 2017*. The original ordinance was adopted by the Board of Trustees of the Village of Mackinaw at a regular meeting, attended by **FIVE** members of the Board, and approved by the President, as said Ordinance appears on file in my office and as the same is recorded in the Book of Ordinances of said Village.

IN TESTIMONY WHEREOF, I have hereunto set my hand and the official seal of said Village of Mackinaw, Illinois, this 14TH DAY OF NOVEMBER, 2017.



Village Clerk

AN ORDINANCE VACATING THE NORTH-SOUTH ALLEY, IN BLOCK 2 OF EAST ADDITION TO THE ORIGINAL TOWN, NOW VILLAGE OF MACKINAW AND THAT PART OF THE NORTH SEVEN FEET OF FRANKLIN STREET ADJACENT TO NORTH-SOUTH ALLEY, IN BLOCK 2 IN THE EAST ADDITION TO THE ORIGINAL TOWN, NOW VILLAGE OF MACKINAW

WHEREAS:

(1) When the Plat of East Addition to the Original Town, now Village of Mackinaw is recorded in the Recorder of Deeds office of Tazewell County in Plat Book 6 at Page 385 a North-South alley in Block 2 was dedicated within said Plat.

(2) The Village of Mackinaw previously adopted Ordinance 21 in 1956, which is recorded in Book 531 at Page 313 in the Recorder's Office of Tazewell County, Illinois, which Ordinance vacated the North seven feet of Franklin Street, which adjoined the North-South alley located in Block 2 in East Addition to the Original Town, now Village of Mackinaw.

(3) The Board of Trustees of the Village of Mackinaw, hereinafter the Village, hereby determine that the public interest will be served by vacating the North-South alley in Block 2 of East Addition to the Original Town, now Village of Mackinaw and by vacating that portion of the North seven feet of Franklin Street that adjoins the North-South alley located in Block 2 in East Addition.

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE, TAZEWELL COUNTY, ILLINOIS, AS FOLLOWS:

Section A: Notice was given as required by 65 ILCS 5/11-91-1 and a hearing was held on the proposed vacation. The Notice of the time, place and subject matter of the hearing was published in the Pekin Daily Times. Interested persons were heard concerning the proposal of vacation. No one appeared and objected to the proposed vacation.

Section B: The North-South alley in Block 2 in East Addition to the Original Town, now Village of Mackinaw and that part of the North seven feet of Franklin Street that adjoins the North-South alley in Block 2 in East Addition to the Original Town, now Village of Mackinaw is hereby vacated subject to the conditions and restrictions set forth in Paragraph C of this Ordinance.

Section C: The foregoing vacation of that portion of that part of the North seven feet of Franklin Street adjacent to North-South alley in Block 2 in East Addition to the Original Town, now Village of Mackinaw as set forth in the Plat recorded in Plat Book 6 at Page 385 that is hereby vacated is subject to all existing easements, both recorded and unrecorded. The Village hereby reserves unto itself the right to install, maintain and repair any sanitary sewers, storm sewers and water mains in that part of the that part of the North seven feet of Franklin Street adjacent to the North-South alley in Block 2 in East Addition to the Original Town, now Village of Mackinaw as set forth in the Plat recorded in Plat Book 6 at Page 385 that is hereby vacated. The Village shall

not be responsible to repair or replace the surface of the street or alley in the event that it exercises its right of maintenance and repair. **No improvements shall be constructed on the property that is vacated including but not limited to fences or other enclosures. If any such improvements are constructed the Village shall not be responsible to repair or replace any such improvements that are constructed. The easement that is retained by the Village is for the entire portion of the property that is vacated by this Ordinance.**

Section D: The legal description and permanent I.D. number of the adjoining property that is acquiring title to the property that is vacated by this Ordinance is set forth on the attached "Exhibit A," which is attached hereto and incorporated herein by reference. This information is provided pursuant to 65 ILCS 5/11-91-1.

Section E: This Ordinance shall be effective upon passage and publication as required by law.

Section F: The Village Clerk shall cause this Ordinance to be recorded at the Recorder's Office of Tazewell County.

PASSED by the President and Board of Trustees of the Village of Mackinaw, Tazewell County, Illinois, this 13th day of November, 2017, by at least 3/4 of the Trustees then holding office. The Village President voted because of the Superior Majority requirements of Illinois Law.



Craig Friend, Village President

ATTEST:



Lisa Spencer, Village Clerk

AYES: 6 *including President*

NAYS: 0

ABSENT: 1

EXHIBIT A

As a result of the ordinance to which this exhibit is attached and Illinois law, the property owners who adjoin the property that is vacated now own a portion of the abandoned property subject to the terms and conditions of the attached ordinance. Thus, the following individuals own the following portions of the alley described in the attached ordinance:

1. Heather Joy McLaughlin and Kevin D. McLaughlin currently own the following described property:

Parcel 1:

Lot 6 in Block 2, except the West 41 feet of even width, thereof, in EAST ADDITION to the Original Town, now Village of Mackinaw; also, a 7 foot strip lying immediately South of said Lot 6 in Block 2, except the West 41 feet of even width thereof being a part of Franklin Street heretofore vacated, situated in Tazewell County, Illinois.

Parcel 2:

All of the railroad right-of-way lying within the South ½ of North Street that adjoins the East 1/2 of Lot 3 in Block 2 in East Addition to the Village of Mackinaw and the East 1/2 of Lot 3 in Block 2 in East Addition to the Village of Mackinaw, situated in Tazewell County, Illinois.

PIN: 13-13-17-108-004
13-13-17-108-007

As a result of the ordinance to which this exhibit is Parcel 1:

Lot 6 in Block 2, except the West 41 feet of even width, thereof, in EAST ADDITION to the Original Town, now Village of Mackinaw; also, a 7 foot strip lying immediately South of said Lot 6 in Block 2, except the West 41 feet of even width thereof being a part of Franklin Street heretofore vacated, situated in Tazewell County, Illinois.

Parcel 2:

All of the railroad right-of-way lying within the South ½ of North Street that adjoins the East 1/2 of Lot 3 in Block 2 in East Addition to the Village of Mackinaw and the East 1/2 of Lot 3 in Block 2 in East Addition to the Village of Mackinaw, situated in Tazewell County, Illinois.

PIN: 13-13-17-108-004
13-13-17-108-007

As a result of the ordinance to which this exhibit is attached Heather Joy McLaughlin and Kevin D. McLaughlin now own the following additional property:

The West half of the North-South alley in Block 2 in East Addition to the Original Town, now Village of Mackinaw and then the West half of that part of the North seven feet of Franklin Street adjacent to the North-South alley in Block 2 in East Addition to the Original Town, now Village of Mackinaw.

No TAX ID number assigned

2. Mark R. Litwiller currently owns the following described property:

Tract I: Lot 7 and all that part of Lot 2 lying South of the railroad right-of-way in Block 2 in East Addition in the Village of Mackinaw, as shown on plat recorded in Book 6, Page 385; Also, all that part of the North 7 feet of Franklin Street lying adjacent to the South line of said Lot 7 as vacated by Ordinance Number 217 dated March 7, 1956, recorded in Book 531, Page 313; situated in Tazewell County, Illinois

Tract II: All of the abandoned railroad right-of-way lying within Lot 2 Block 2 in East Addition to the Village of Mackinaw and all of the foregoing abandoned railroad right-of-way lying within the South one-half of North Street which adjoins Lot 2 in Block 2 in East Addition to the Village of Mackinaw; situated in Tazewell County, Illinois

PIN: 13-13-17-108-005

As a result of the ordinance to which this exhibit is attached Mark R. Litwiller now owns the following additional property:

The East half of the North-South alley in Block 2 in East Addition to the Original Town, now Village of Mackinaw and then the West half of that part of the North seven feet of Franklin Street adjacent to the North-South alley in Block 2 in East Addition to the Original Town, now Village of Mackinaw.

No TAX ID number assigned

Tazewell County GIS Viewer



0 20 40ft

Lit with

w/1/2

Tazewell County GIS Viewer



0 50 100ft

McLaughlin E 1/2

Tazewell County GIS Viewer



0 20 40ft

Tazewell County GIS Viewer

