



**CITY OF BLOOMINGTON  
COUNCIL MEETING AGENDA ADDENDUM II  
109 E. OLIVE STREET, BLOOMINGTON, IL 61701  
MONDAY, July 27, 2015 7:00 P.M.**

**CONSENT AGENDA ITEM NO. 7R**

**SUBJECT:** Consideration of adoption of an ordinance for Case No. V-02-15 petition requesting the approval of a vacation of a public alley located west of Linden Street and North of Empire Street commercial properties. (*Recommend that an ordinance for Case V-02-15 for the vacation of a public alley for land located west of Linden Street, north of Empire Street commercial properties, be adopted.*) ***Correction to the Ordinance***

**ORDINANCE 2015 - \_\_\_\_**

**AN ORDINANCE VACATING AN ALLEY  
WEST OF LINDEN STREET**

WHEREAS, the City owns an alley located west of Linden Street and north of Empire Street containing approximately ~~156 acres~~ *6,070 square feet*; and

WHEREAS, Lexkel, Inc., owns property that wholly surrounds the alley and petitioned for said alley to be vacated; and

WHEREAS, a public hearing on the vacation was held by the City's Plan Commission on May 27, 2015, and the Plan Commission recommended the vacation; and

WHEREAS, the Illinois Municipal Code, 65 ILCS 5/11-91-1, provides that the corporate authorities of a municipality may vacate any street or alley when such is determined to be in the public interest; and

WHEREAS, the vacation may be contingent upon receiving the fair market value for the property as determined by the corporate authorities; and

WHEREAS, the corporate authorities have determined that the fair market value of the property to be vacated is ~~\$23,919~~ *4,167*; and

WHEREAS, the City Council has determined that the relief to the public from the further burden and responsibility of maintaining the alley constitutes a public use or public interest authorizing the vacation thereof; and

NOW, THEREFORE, BE IT ORDAINED by the Mayor and City Council of the City of Bloomington, McLean County, Illinois, as follows:

**SECTION 1.** The above recitals are incorporated herein by this reference as if specifically stated in full.

**SECTION 2.** Subject to payment of the fair market value, ~~\$23,919.00~~ *4,167*, of the alley, the City hereby vacates the alley as depicted on the Vacation Plat attached as Exhibit A ("Vacated Alley"). Title to the Vacated Alley shall be acquired by and devolve to Lexkel, Inc., the owner of the adjacent property (P.I.N. *14-33-482-028*), upon payment of ~~\$23,919.00~~ *4,167*.

**SECTION 3.** Except as provided herein, the Bloomington City Code, 1960, as amended shall remain in full force and effect.

**SECTION 4.** In the event that any section, clause, provision, or part of this Ordinance shall be found and determined to be invalid by a court of competent jurisdiction, all valid parts that are severable from the invalid parts shall remain in full force and effect.

**SECTION 5.** The City Clerk is hereby authorized to publish this ordinance in pamphlet form as provided by law.

**SECTION 6.** This ordinance shall be effective immediately after the date of its publication as required by law.

**SECTION 7.** This ordinance is passed and approved pursuant to the home rule authority granted Article VII, Section 6 of the 1970 Illinois Constitution.

PASSED this \_\_\_\_ day of \_\_\_\_\_, 2015.

APPROVED this \_\_\_\_ day of \_\_\_\_\_, 2015.

**CITY OF BLOOMINGTON**

**ATTEST**

\_\_\_\_\_  
Tari Renner, Mayor

\_\_\_\_\_  
Cherry L. Lawson, City Clerk

**APPROVED AS TO FORM**

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Jeffery R. Jurgens, Corporation Counsel