

CITY OF LE ROY  
COUNTY OF McLEAN, STATE OF ILLINOIS

**ORDINANCE NO. 06-03-01-90**

**AN ORDINANCE VACATING PORTIONS OF A PLATTED BUT UNIMPROVED AND UNOPENED STREET LOCATED BETWEEN LOTS 3,4,5,6,7, AND 8 ON THE WESTERLY, NORTHERLY AND EASTERLY SIDES OF THE STREET RIGHT-OF-WAY AND LOTS 11 AND 12 ON THE SOUTHERLY SIDE OF THE STREET RIGHT-OF-WAY IN DEMMA INDUSTRIAL PARK, LE ROY, MCLEAN COUTNY, ILLINOIS**

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ADOPTED BY THE CITY COUNCIL OF THE CITY OF LE ROY THIS  
**6<sup>th</sup> DAY OF MARCH 2006**

PRESENTED:           **MARCH 6, 2006**

PASSED:             **MARCH 6, 2006**

APPROVED:          **MARCH 6, 2006**

RECORDED:          **MARCH 6, 2006**

PUBLISHED:         **MARCH 6, 2006**

In Pamphlet Form

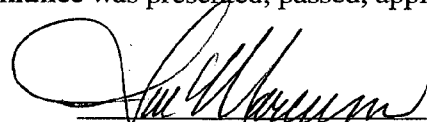
Voting "Aye" 7

Voting "Nay" 0

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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: March 6, 2006

**ORDINANC NO. 06-03-01-90**

**AN ORDINANCE VACATING PORTIONS OF A PLATTED BUT UNIMPROVED AND UNOPENED STREET LOCATED BETWEEN LOTS 3,4,5,6,7 AND 8 ON THE WESTERLY, NORTHERLY AND EASTERLY SIDES OF THE STREET RIGHT-OF-WAY AND LOTS 11 AND 12 ON THE SOUTHERLY SIDE OF THE STREET RIGHT-OF-WAY IN DEMMA INDUSTRIAL PARK, LE ROY, MCLEAN COUNTY, ILLINOIS**

**WHEREAS**, a request has been received from the owner of property abutting a certain platted, but unopened and unimproved, portion of a street located in City of Le Roy, McLean County, Illinois, requesting vacation of a part of said street; and

**WHEREAS**, vacation of said street has been tentatively approved by the City Council of the City of Le Roy, in connection with, a Redevelopment Agreement between the City of Le Roy and Mike Hundman/d/b/a/Hundman Lumber Mart Company; 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 portion of the said street, thereby relieving the public of maintenance responsibilities as to the same, and thereby enhancing the development prospects of the adjoining property, and the implementation of the City's Redevelopment Plan for Le Roy First Tax Increment Finance District, as such plan was approved June 2, 1997; and

**WHEREAS**, the City of Le Roy has authority to vacate streets and other public ways as provided in accordance with 65ILCS 5/11-91-1, which statute requires that an ordinance to vacate a street or alley, or any part thereof, shall be passed by the affirmative vote of at least three-fourths (3/4) of the alderman of the City then holding office,

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

**Section 1.**

That portion of Demma Drive as hereinafter described in this section is no longer required for public use and the public's interests will be subserved by vacating the portion of said street, as described hereafter. The portion of the heretofore dedicated street to be vacated is legally described as:

*All that part of the 66 foot right of way dedicated for Demma Drive in Demma Industrial Park in the City of Le Roy, McLean County, Illinois, lying North and East of the south line of Lot 3 in Demma Industrial Park as extended easterly and lying North of the south line of Lot 8 in Demma Industrial Park as extended westerly, as platted in the City of Le Roy, all in McLean County, Illinois (the aforesaid portion of the dedicated street known as Demma Drive, to be vacated, also being shown in the darkened portion of the right of way as set forth in Exhibit A, attached hereto and incorporated herein by reference),*

and the same, as previously described, shall be and the same is hereby vacated.

**Section 2**

This ordinance was passed by the affirmative vote of at least three-fourths (3/4) of the aldermen of the City of Le Roy now holding office.

**Section 3**

A certified copy of this ordinance shall be filed by the City Clerk of the City of Le Roy, Illinois, for recording in the Office of the Recorder of Deeds in McLean County, Illinois, as previously described and directed herein.

**Section 4**

Vacation of the public interest in the aforesaid portions of the aforesaid street on the conditions hereinabove provided 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 obstructing of any public way, and, for that reason, and only to the extent that said final plat conflicts with the provisions of this vacation ordinance, the final plat of the aforesaid Demma Industrial Park Addition to the City of Le Roy, McLean County, Illinois, shall be and the same is hereby vacated in part

**Section 5**

This ordinance shall be in full force and effect from and after its passage, approval, and publication in pamphlet form as required by law.

PASSED by the City Council of the City of Le Roy, Illinois, upon the motion made by Jerry Henson, and seconded by Dawn Thompson by roll call vote on the 6th day of March 2006 as follows:

Aldermen elected 8

Aldermen Present 7

Voting Aye:

George Cook Jr., Shirley Chancellor, Jerry Henson, T.A. Whitsitt, John Haney, Dave McClelland, Dawn Thompson

Voting Nay:

Absent:

Gary Koerner

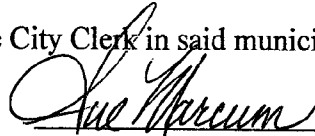
Abstain:

None

Other:

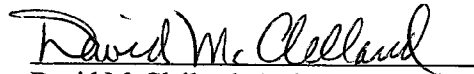
None

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



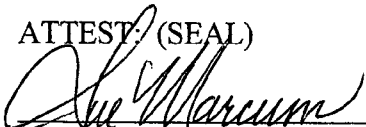
Sue Marcum, City Clerk of the City of Le Roy  
Mc Lean County, Illinois

APPROVED BY the Mayor of the City of Le Roy, Illinois, this 6<sup>th</sup> day of March 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 **March 6, 2006** the Corporate Authorities of such municipality passed and approved Ordinance No. **06-03-01-90** entitled:

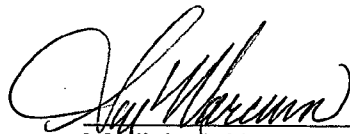
**AN ORDINANCE VACATING PORTIONS OF A PLATTED BUT UNIMPROVED AND UNOPENED STREET LOCATED BETWEEN LOTS 3,4,5,6,7, AND 8 ON THE WESTERLY, NORTHERLY AND EASTERLY SIDES OF THE STREET RIGHT-OF-WAY AND LOTS 11 AND 12 ON THE SOUTHERLY SIDE OF THE STREET RIGHT-OF-WAY IN DEMMA INDUSTRIAL PARK, LE ROY, MCLEAN COUTNY, ILLINOIS**

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

The pamphlet form of Ordinance No. **06-03-01-90**, including the Ordinance and a cover sheet thereof, was prepared, and a copy of such Ordinance was posted at the municipal building, commencing on **March 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 March, 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 A PLATTED BUT UNIMPROVED AND UNOPENED STREET LOCATED BETWEEN LOTS 3,4,5,6,7, AND 8 ON THE WESTERLY, NORTHERLY AND EASTERLY SIDES OF THE STREET RIGHT-OF-WAY AND LOTS 11 AND 12 ON THE SOUTHERLY SIDE OF THE STREET RIGHT-OF-WAY IN DEMMA INDUSTRIAL PARK, LE ROY, MCLEAN COUTNY, 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 6<sup>th</sup> Day of March 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 March 2006

(SEAL)

  
City Clerk