

CITY OF LE ROY  
COUNTY OF McLEAN, STATE OF ILLINOIS

**ORDINANCE NO. 11-04-01-50**

**AN ORDINANCE VACATING PINE STREET RUNNING EAST AND WEST  
BETWEEN EAST STREET AND CHESTNUT STREET IN THE CITY OF  
LE ROY, COUNTY OF MCLEAN, STATE OF ILLINOIS**

---

ADOPTED BY THE CITY COUNCIL OF THE CITY OF LE ROY THIS  
**4<sup>TH</sup> DAY OF APRIL 2011**

PRESENTED:           **April 4, 2011**

PASSED:              **April 4, 2011**

APPROVED:          **April 4, 2011**

RECORDED:          **April 4, 2011**

PUBLISHED:         **April 4, 2011**

In Pamphlet Form

Voting "Aye" 8

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 Le Roy

Dated: April 4, 2011

.....

**ORDINANCE NO. 11-04-01-50**

**AN ORDINANCE VACATING PINE STREET RUNNING EAST AND WEST BETWEEN EAST STREET AND CHESTNUT STREET IN THE CITY OF LEROY, COUNTY OF MCLEAN, STATE OF ILLINOIS.**

**WHEREAS**, Section 11-91-1, et. seq., of the Illinois Municipal Code, 65 ILCS 5/11-91-1, provides, in part, whenever the corporate authorities in any municipality in the State of Illinois determine that the public interest will be subserved by vacating any street or alley, or part thereof, within their jurisdiction in any incorporated area, they may vacate that street or alley, or part thereof, by an Ordinance; and

**WHEREAS**, Section 11-91-1 of the Illinois Municipal Code also provides that the Ordinance vacating any street or alley, or part thereof, shall be passed by the affirmative vote of at least three-fourths of the alderman, trustees or commissioners then holding office; and

**WHEREAS**, the corporate authorities of the City of LeRoy, McLean County, Illinois have determined that the public interest shall be subserved by vacating Pine Street running east and west between East Street and Chestnut Street all in the City of LeRoy, County of McLean, State of Illinois, which street is more fully described as follows:

All that part of Pine Street in the Original Town of LeRoy, according to the Plat thereof recorded in Plat Book 3 on Page 544 in the McLean County Recorder of Deeds Office bounded on the North by the south line of Lots 5, 6, 7 and 8 in Block 17 of said Original Town, bounded on the South by the north line of Lots 1, 2, 3 and 4 of Block 24 in said Original Town, bounded on the East by the west right of way line of East Street and bounded on the West by the east right of way line of Chestnut Street, all in the W1/2 of

the SW1/4 of Section 21, Township 22 North, Range 4 East of the Third Principal Meridian, City of LeRoy, McLean County, Illinois.

The above-described street in the City of LeRoy, McLean County, Illinois, is referenced in the Exhibit prepared by Lewis, Yockey, & Brown, Inc., dated February 16, 2011, which Exhibit is attached hereto and incorporated herein as Exhibit A; and

**WHEREAS**, the above-described street and the properties contiguous to said street are wholly within the jurisdiction and corporate limits of the City of LeRoy, Illinois; and

**WHEREAS**, the corporate authorities of the City of LeRoy, Illinois have determined that the relief to the public from further burden and responsibility of maintaining the above-described street constitutes a public use or public interest authorizing the vacation of said street.

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

1. That the City Council of the City of LeRoy, McLean County, Illinois hereby finds the foregoing recitals to be fact.
2. That the following-described street running east and west between East Street and Chestnut Street in the City of LeRoy, McLean County, Illinois be and same is hereby vacated, to wit:

All that part of Pine Street in the Original Town of LeRoy, according to the Plat thereof recorded in Plat Book 3 on Page 544 in the McLean County Recorder of Deeds Office bounded on the North by the south line of Lots 5, 6, 7 and 8 in Block 17 of said Original Town, bounded on the South by the north line of Lots 1, 2, 3 and 4 of Block 24 in said Original Town, bounded on the East by the west right of way line of East Street and bounded on the West by the east right of way line of Chestnut Street, all in the W1/2 of the SW1/4 of Section 21, Township 22 North, Range 4 East of the Third Principal Meridian, City of LeRoy, McLean County, Illinois.

The above-described street in the City of LeRoy, McLean County, Illinois is referenced on the plat prepared by Lewis, Yockey, & Brown, Inc., dated February 16, 2011. This plat is attached hereto and incorporated herein by reference as Exhibit A.

3. The aforesaid vacation is specifically made subject to an easement in perpetuity under, over, and across the aforesaid vacated street for the purposes of maintaining, placing, constructing, or reconstructing public utilities to include, but not limited to, the following: gas and electric transmission lines; water and sewer lines; telephone lines; cable television lines; or any present or future utilities of whatsoever nature or descriptions. The easement hereby reserved shall be the same dimensions as those portions of the aforesaid street vacated and shall run in favor of the City of LeRoy, all existing easement holders, and all holders of future easements and each of their respective successors and assigns.

4. That the City Clerk of the City of LeRoy, Illinois, is hereby ordered and directed to have a certified copy of this Ordinance recorded in the office of the Recorder of Deeds of McLean County, Illinois immediately upon passage and approval of this Ordinance.

5. That this Ordinance shall be in full force and effect immediately upon its passage by the affirmative vote of at least three-fourths of the aldermen then holding office in the City of LeRoy, McLean County, Illinois and the approval of the Mayor thereof.

PASSED by the affirmative vote of three-fourths of the alderman then holding office in the City of LeRoy, Illinois at a regular meeting this 4th day of April, 2011 upon a roll call vote as follows:

AYES: T.A. Whitsitt, John Haney, Shirley Chancellor, Dawn Hanafin, Nancy Bentley, Boyd Denner, Dawn Thompson, and Julie Duncan

NAYS: None

ABSENT: None

APPROVED: Steve M. Dean  
Steve Dean, Mayor

ATTEST:

Sue Marcum  
Sue Marcum, City Clerk

This document prepared by and return to:

Bruce C. Beal  
Claudon, Kost, Beal, Walters, & Lane, Ltd.  
P.O. Box 400  
121 West Elm Street  
Canton, Illinois 61520  
(309) 647-6300

**PASSED** by the City Council of the City of Le Roy, Illinois, upon the motion made by Dawn Hanafin, and seconded by T.A. Whitsitt by roll call vote on the 4th day of April, 2011 as follows

Aldermen elected 8

Aldermen Present 8

Voting Aye:

T.A. Whitsitt, John Haney, Shirley Chancellor, Dawn Hanafin, Nancy Bentley, Boyd Denner, Dawn Thompson, and Julie Duncan

Voting Nay:

None

Absent:

None

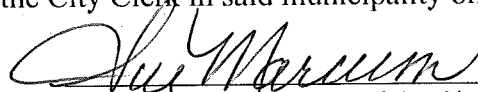
Abstain:

None

Other:

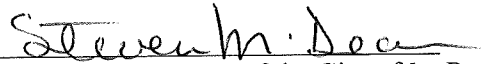
None

And deposited and filed in the office of the City Clerk in said municipality on the 4th day of April, 2011.



Sue Marcum, City Clerk of the City of Le Roy  
McLean County, Illinois

**APPROVED BY** the Mayor of the City of Le Roy, Illinois, this 4th day of April, 2011:



Steven M. Dean Mayor of the City of Le Roy,  
McLean County, Illinois

ATTEST (SEAL)



Sue Marcum, City Clerk of the City of Le Roy  
McLean 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 **April 4, 2011** the Corporate Authorities of such municipality passed and approved **Ordinance No. 11-04-01-50** entitled:

**AN ORDINANCE VACATING PINE STREET RUNNING EAST AND WEST  
BETWEEN EAST STREET AND CHESTNUT STREET IN THE CITY OF  
LE ROY, COUNTY OF MCLEAN, STATE OF ILLINOIS**

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

The pamphlet form of Ordinance No. **11-04-01-50**, including the Ordinance and a cover sheet thereof, was prepared, and a copy of such Ordinance was posted at the municipal building, commencing on **April 4, 2011** 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 4th day of April, 2011.

(SEAL)



  
Municipal Clerk

STATE OF ILLINOIS        )  
                                          ) SS:  
COUNTY OF MCLEAN        )

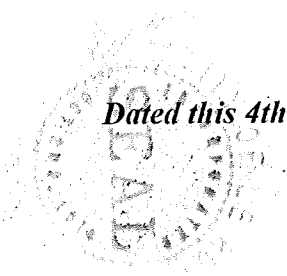
I, Sue Marcum, do hereby certify that I am the duly qualified and acting City Clerk of the City of Le Roy, McLean County, Illinois, and as such City Clerk that I am the keeper of the records and files of the Mayor and the City Council of said City.

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

**AN ORDINANCE VACATING PINE STREET RUNNING EAST AND WEST  
BETWEEN EAST STREET AND CHESTNUT STREET IN THE CITY OF  
LE ROY, COUNTY OF MCLEAN, STATE OF 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 4th day of April, 2011 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 4th day of April, 2011*



(SEAL)

*Sue Marcum*  
\_\_\_\_\_  
(City Clerk)