



## MEMORANDUM

**TO:** Mayor Laurel Lunt Prussing and Members of the City Council  
**FROM:** William R. Gray, P.E.  
**DATE:** August 6, 2015  
**RE:** Dedication of Right-of-Way from Tri Star Site (1301 East Washington Street)

### Introduction

The City is considering retaining a broker and listing for sale the City-owned Tri Star Building site located at 1301 East Washington Street. Before pursuing the sale of the property, thought should be given to dedicating a portion (.156 acres) of this tract at the northwest corner of the property for public right-of-way in order to provide such right-of-way for a future intersection improvement. The timing for funding and constructing such an improvement would be greater than five years. (A conceptual plan for this intersection has been attached to this memo.)

In addition to the plan for this intersection, a dedication of right-of-way deed has been prepared along with an ordinance authorizing the dedication of the right-of-way. (See attached deed and ordinance.)

The Community Development Department is in the process of identifying a qualified commercial realtor to represent the City in the marketing and sale of this property. It is prudent for the City Council to consider this dedication prior to listing this property for sale.

### Fiscal Impact

The .156 acre tract has some real estate value that could be as high as \$30,000. If dedicated, the removal of the .156 acre tract would lessen the monetary value of the remaining parent tract accordingly, but the dedication of right-of-way would not diminish the development potential or desirability of the site.

If and when construction of a new intersection were to occur, consideration must also be given to the potential costs if this right-of-way conveyance were not made prior to the sale of the entire tract. The City would have to obtain appraisals and purchase right-of-way from the future owner at a cost presumably greater than what would be obtained at a sale today.

### Recommendation

It is recommended that an Ordinance Authorizing the Dedication of Right-of-Way (1301 East Washington Street) be approved.

**ORDINANCE NO. 2015-08-085**

**AN ORDINANCE AUTHORIZING THE DEDICATION OF RIGHT-OF-WAY**

**(1301 East Washington Street)**

**WHEREAS**, Section 3 of the Plat Act (765 ILCS 205/3) provides that a statutory dedication of land occurs when (1) a property owner files or records a plat that marks or notes the portions of the land as donated or granted to the public; and (2) a public entity accepts the dedication; and

**WHEREAS**, Urbana City Code Section 21-38(g) authorizes the City Engineer to accept on behalf of the City of Urbana ("City") all right-of-way and easement dedications necessary and beneficial to the City not arising from the process of final plat approval by the City Council; and

**WHEREAS**, the City is the fee simple owner of certain right-of-way located at 1301 East Washington Street in Urbana, Illinois; and

**WHEREAS**, the City Engineer has recommended that the City dedicate a portion of said right-of-way for public street or highway purposes and for public utility purposes, as set forth on the attached Plat of Dedication ("Plat"); and

**WHEREAS**, the City Engineer has agreed to accept the dedication on behalf of the City; and

**WHEREAS**, the City Council finds that dedication of said portion of right-of-way to the public as herein described is necessary and beneficial to the City.

**NOW, THEREFORE, BE IT ORDAINED** by the City Council of the City of Urbana, Champaign County, Illinois, as follows:

**Section 1.** Subject to the terms set forth in this Ordinance, the dedication of a portion of right-of-way located at 1301 East Washington Street in Urbana, Illinois, and legally described below is hereby authorized and approved:

A part of the Southwest Quarter of Section 16, Township 19 North, Range 9 East of the Third Principal Meridian, Champaign County, Illinois, being more particularly described as follows:

Beginning at an iron rod monument situated at the intersection of the existing southerly right-of-way line of Washington Street in the City of Urbana, Illinois, and the northeasterly right-of-way line of the abandoned Norfolk and Western (formerly Wabash) Railroad, as shown by plat recorded in Book "E" at page 25 in the Office of the Champaign County Recorder; thence, SOUTH 89 DEGREES 19 MINUTES 30 SECONDS EAST, along said southerly line of Washington Street, 105.94 feet; thence, SOUTH 59 DEGREES 42 MINUTES 00 SECONDS WEST, 100.00 feet; thence, SOUTH, 64.12 feet,

to the existing northeasterly right-of-way line of Philo Road, said line also being the southwesterly right-of-way line of said abandoned Norfolk and Western Railroad; thence, along said northeasterly right of-way line of Philo Road, along a curve to the right, having a radius of 5759.97 feet, a chord bearing of NORTH 43 DEGREES 21 MINUTES 53 SECONDS WEST, a chord length of 69.75 feet, for an arc length of 69.75 feet, to a point of compound curvature; thence along a curve to the right, having a radius of 39.03 feet, a chord bearing of NORTH 23 DEGREES 29 MINUTES 40 SECONDS EAST, a chord length of 70.99 feet, for an arc length of 89.14 feet, to the point of beginning.

Said Dedication of Land containing 0.156 acres (6799.490 square feet), more or less, all situated in the City of Urbana, Champaign County, Illinois. Said tract being also shown by the plat hereto attached and considered a part hereof. Being a portion of Permanent Parcel No. 92-21-16-327-011.

**Section 2.** The City Council of the City of Urbana hereby authorizes the dedication of all of the right, title, and interest in the aforesaid right-of-way, subject to the condition that such right-of-way be used for public street or highway purposes and for public utility purposes.

**Section 3.** The Mayor of the City of Urbana, Illinois, be and the same is hereby authorized to execute and deliver and the City Clerk of the City of Urbana, Illinois, be and the same is hereby authorized to attest to said execution of a Dedication of Right-of-Way, in substantially the form of the copy of said Dedication attached hereto and hereby incorporated by reference, as so authorized and approved for and on behalf of the City of Urbana, Illinois.

**Section 4.** Upon acceptance of the Dedication of Right-of-Way on behalf of the City of Urbana, Illinois, the City Engineer be and the same is hereby authorized and directed to cause the Plat of Dedication for such right-of-way to be properly recorded in the Champaign County Office of the Recorder of Deeds.

**Section 5.** This Ordinance shall be in full force and effect from and after its passage.

This Ordinance is hereby passed by the affirmative vote, the "ayes" and "nays" being called, of a majority of the members of the Council of the City of Urbana, Illinois, at a meeting of said Council.

**PASSED BY THE CITY COUNCIL** this \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

AYES:

NAYS:

ABSENT:

ABSTAINED:

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Phyllis D. Clark, City Clerk

APPROVED BY THE MAYOR this \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

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Laurel Lunt Prussing, Mayor

## DEDICATION OF RIGHT-OF-WAY

**THE CITY OF URBANA, ILLINOIS**, a municipal corporation duly organized and existing under and by virtue of the laws of the State of Illinois, grants, conveys, warrants, and dedicates the following described real estate to the public forever for use as a right-of-way for public street or highway purposes and for public utility purposes:

A part of the Southwest Quarter of Section 16, Township 19 North, Range 9 East of the Third Principal Meridian, Champaign County, Illinois, being more particularly described as follows:

Beginning at an iron rod monument situated at the intersection of the existing southerly right-of-way line of Washington Street in the City of Urbana, Illinois, and the northeasterly right-of-way line of the abandoned Norfolk and Western (formerly Wabash) Railroad, as shown by plat recorded in Book "E" at page 25 in the Office of the Champaign County Recorder; thence, SOUTH 89 DEGREES 19 MINUTES 30 SECONDS EAST, along said southerly line of Washington Street, 105.94 feet; thence, SOUTH 59 DEGREES 42 MINUTES 00 SECONDS WEST, 100.00 feet; thence, SOUTH, 64.12 feet, to the existing northeasterly right-of-way line of Philo Road, said line also being the southwesterly right-of-way line of said abandoned Norfolk and Western Railroad; thence, along said northeasterly right of-way line of Philo Road, along a curve to the right, having a radius of 5759.97 feet, a chord bearing of NORTH 43 DEGREES 21 MINUTES 53 SECONDS WEST, a chord length of 69.75 feet, for an arc length of 69.75 feet, to a point of compound curvature; thence along a curve to the right, having a radius of 39.03 feet, a chord bearing of NORTH 23 DEGREES 29 MINUTES 40 SECONDS EAST, a chord length of 70.99 feet, for an arc length of 89.14 feet, to the point of beginning.

Said Dedication of Land containing 0.156 acres (6799.490 square feet), more or less, all situated in the City of Urbana, Champaign County, Illinois. Said tract being also shown by the plat hereto attached and considered a part hereof. Being a portion of Permanent Parcel No. 92-21-16-327-011.

The City of Urbana has caused its corporate seal to be affixed, and has caused its name to be signed to these presents by Laurel Lunt Prussing, its Mayor, and attested by Phyllis D. Clark, its City Clerk, this \_\_\_\_ day of \_\_\_\_\_, 2015.

CITY OF URBANA, ILLINOIS

By: \_\_\_\_\_  
Laurel Lunt Prussing, Mayor

ATTEST:

By: \_\_\_\_\_  
Phyllis D. Clark, City Clerk

ACCEPTED:

By: \_\_\_\_\_  
William R. Gray, City Engineer

Dated: \_\_\_\_\_

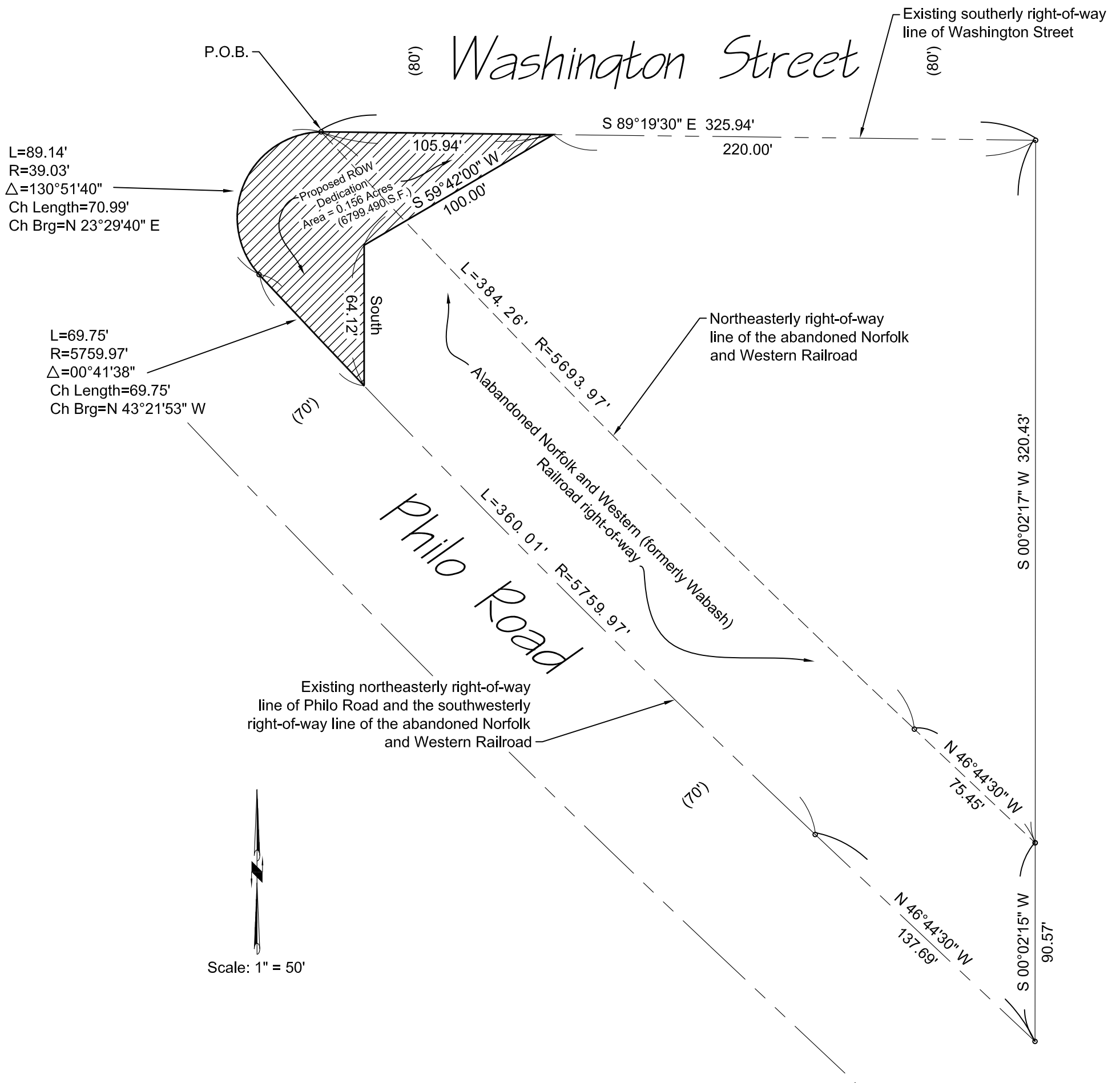
**PREPARED BY:** Curt Borman, Assistant City Attorney, City of Urbana, 400 S. Vine Street, Urbana, IL 61801

**MAIL RECORDED DOCUMENT/ TAX BILL TO:** City of Urbana Legal Division, 400 S. Vine Street, Urbana, IL 61801

This transaction is exempt under the provisions of 35 ILCS 200/31-45(b).

Date: \_\_\_\_\_ Buyer, Seller, or Representative \_\_\_\_\_  
William R. Gray, City Engineer

# ROW Dedication



A part of the Southwest Quarter of Section 16, Township 19 North, Range 9 East of the Third Principal Meridian, Champaign County, Illinois, being more particularly described as follows:

Beginning at an iron rod monument situated at the intersection of the existing southerly right-of-way line of Washington Street in the City of Urbana, Illinois, and the northeasterly right-of-way line of the abandoned Norfolk and Western (formerly Wabash) Railroad, as shown by plat recorded in Book "E" at page 25 in the Office of the Champaign County Recorder; thence, SOUTH 89 DEGREES 19 MINUTES 30 SECONDS EAST, along said southerly line of Washington Street, 105.94 feet; thence, SOUTH 59 DEGREES 42 MINUTES 00 SECONDS WEST, 100.00 feet; thence, SOUTH, 64.12 feet, to the existing northeasterly right-of-way line of Philo Road, said line also being the southwesterly right-of-way line of said abandoned Norfolk and Western Railroad; thence, along said northeasterly right-of-way line of Philo Road, along a curve to the right, having a radius of 5759.97 feet, a chord bearing of NORTH 43 DEGREES 21 MINUTES 53 SECONDS WEST, a chord length of 69.75 feet, for an arc length of 69.75 feet, to a point of compound curvature; thence along a curve to the right, having a radius of 39.03 feet, a chord bearing of NORTH 23 DEGREES 29 MINUTES 40 SECONDS EAST, a chord length of 70.99 feet, for an arc length of 89.14 feet, to the point of beginning, having an area of 0.156 acres (6799.490 square feet), more or less, all situated in the City of Urbana, Champaign County, Illinois.

**ROW Dedication**  
**1301 W. Washington Street**

City of Urbana  
 Public Works Department  
 Engineering Division

Date: 7/14/2015 Drawn by: BWF





PHILO ROAD

COTTAGE GROVE AVENUE

POPLAR STREET

Scale: 1" = 40'

GLOVER AVENUE

WASHINGTON STREET

Concept Plan for Future Consideration

PHILO ROAD  
COLE PLACE

Concept Plan for Future Consideration