

**CITY OF COLUMBIA, ILLINOIS
ORDINANCE NO. 3562**

**AN ORDINANCE VACATING SURPLUS RIGHT-OF-WAY FOR THE
RESUBDIVISION OF CHRISTIAN KAEMPER'S ADDITION**

WHEREAS, the City of Columbia ("City"), Monroe and St. Clair Counties, Illinois is a duly created, organized and validly existing municipality of the State of Illinois under the 1970 Illinois Constitution and the laws of the State of Illinois, including particularly the Illinois Municipal Code, and all laws amendatory thereof and supplementary thereto; and

WHEREAS, the City owns right-of-way through the subject property that was deeded to the City in 1997 for Briegel Street, but never constructed, and also owns right-of-way for the GM & O Heritage Trail immediately adjacent to the subject property, both of which are depicted on the Right-of-Way Vacation Plat (Exhibit A) and legally described in Exhibit B; and

WHEREAS, the aforementioned portions of right-of-way, in the opinion of the City Engineer, are not needed for City roadway or trail purposes; and

WHEREAS, the applicant, Domex Properties Limited Partnership ("Owner") and the City have executed a development agreement, approved by the City Council via Ordinance No. 3544 on December 7, 2020; and

WHEREAS, in said development agreement, the City agreed to vacate of the referenced portions of right-of-way to facilitate development of the subject property.

NOW THEREFORE BE IT ORDAINED, by the Mayor and City Council of the City of Columbia, as follows:

Section 1. The recitals contained above in the preamble of this Ordinance are hereby incorporated by reference, the same as if set forth in this section of this Ordinance verbatim, as findings of the City Council of the City of Columbia, Illinois.

Section 2. The City hereby vacates those portions of rights-of-way legally described and depicted in the attached Right-of-Way Vacation Plat, and the Owner shall acquire title to the same by way of plat approval.

Section 3. This Ordinance shall take full force and effect immediately upon passage by the Corporate Authorities.

PASSED by the City Council and **APPROVED** by the Mayor of the City of Columbia, Illinois and deposited and filed in the office of the City Clerk on the 5th day of April 2021, the vote being taken by ayes and noes and entered upon the legislative record as follows:

AYES: Aldermen Ebersohl, Agne, Niemietz, Roessler, Huch, Holtkamp, Martens, and Riddle.

NOES: None.

ABSTENTIONS: None.

ABSENT: None.

APPROVED:



EUGENE J. EBERSOHL, Mayor

ATTEST:



WESLEY J. HOEBKEN, City Clerk

(SEAL)