

ORDINANCE NO. 1026

AN ORDINANCE VACATING THE NORTH -SOUTH ALLEY ABUTTING LOTS 7,8, 9
AND 10 IN PHILLIP SMITH SR'S ADDITION TO THE ORIGINAL TOWN, NOW
VILLAGE OF MACKINAW, TAZEWELL COUNTY ILLINOIS

WHEREAS, a certain North-South alley was dedicated abutting lots 7, 8, 9 and 10 in Phillip Smith Sr.'s Addition to the Village of Mackinaw, Tazewell County, Illinois and

WHEREAS, the Board of Trustees of the Village of Mackinaw hereby determines that the public interest will be served by vacating said alley.

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF MACKINAW, TAZEWELL COUNTY, ILLINOIS, AS FOLLOWS:

SECTION 1: All that part of the North-South alley immediately abutting and lying West of lots 7, 8, 9 and 10 in Phillip Smith Sr's Addition to the Original Town, Now Village of Mackinaw, Tazewell County, Illinois, is hereby vacated, subject to the conditions and restrictions of this Ordinance.

SECTION 2: The vacated alley shall be subject to all existing easements, both recorded and unrecorded. Further, the Village of Mackinaw hereby reserves unto itself the right to install, maintain and repair any sanitary sewers, storm sewers and water mains in the vacated alley. The Village of Mackinaw shall not be responsible to repair or replace the surface of the street or alley in the event that it exercises its right of maintenance and repair. **No improvements shall be constructed on the property that is vacated including but not limited to fences or other enclosures. If any such improvements are constructed the Village shall not be responsible to repair or replace any such improvements that are constructed. The easement that is retained by the Village is for the entire portion of the property that is vacated by this Ordinance.**

SECTION 3: The particular parcels of property acquiring title to the vacated property are as follows:


- A. Title to all that part of the alley abutting Lot 10 shall pass to the owner of that particular parcel assigned P.I.N. 13-13-17-125-004
- B. Title to all that part of the alley abutting Lot 9 shall pass to the owner of that particular parcel assigned P.I.N. 13-13-17-125-003
- C. Title to all that part of the alley abutting Lot 8 shall pass to the owner of that particular parcel assigned P.I.N. 13-13-17-125-002
- D. Title to all that part of the alley abutting Lot 7 shall pass to the owner of that particular parcel assigned P.I.N. 13-13-17-125-001

SECTION 4: The East West alley lying between lots 8 and 9 is NOT vacated pursuant to the provisions of this ordinance.

SECTION 5: This Ordinance shall be effective upon passage and publication as required by law.

SECTION 6: The Village Attorney shall cause a certified copy of this Ordinance to be recorded at the Recorder's Office of Tazewell County.

PASSED by the President and Board of Trustees of the Village of Mackinaw, Tazewell County, Illinois, this 23rd day of May, 2022, by at least 3/4 of the Trustees then holding office.


Joshua Schmidgall, Village President

ATTEST:


Village Clerk

AYES: 5

NAYS: 0

ABSENT: 1

Village President X AYE

 NAY