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Tx:4135525

**2015R19078**  
STATE OF ILLINOIS  
MADISON COUNTY  
06/09/2015 4:19 PM  
AMY M. MEYER, RECORDER  
REC FEE: 32.00  
CO STAMP FEE:  
ST STAMP FEE:  
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RHSPS FEE:  
# OF PAGES: 5

(RECORDER'S STAMP)

**RETURN TO:**

JAMIE MYERS  
CLERK, CITY OF TROY  
116 E. MARKET  
TROY, IL 62294

32.00

**CITY OF TROY**

**ORDINANCE NO. 2015 - 14**

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**AN ORDINANCE ALLOWING THE CITY OF TROY, ILLINOIS, TO VACATE  
A PORTION OF A PUBLIC STREET COMMONLY KNOWN AS ROSE STREET  
IN THE CITY OF TROY, ILLINOIS**

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**ADOPTED BY THE  
CITY COUNCIL OF THE  
CITY OF TROY, ILLINOIS  
THIS 18<sup>th</sup> DAY OF May, 2015**

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**Published in pamphlet form by the authority of the City Council of the City of Troy,  
Madison County, Illinois, this 18<sup>th</sup> day of May, 2015.**

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**MAPS & PLATS**

Survey Required  
For Recording

Initials TJO

Date 6/9/15

**ORDINANCE NO. 2015 -14**

**AN ORDINANCE ALLOWING THE CITY OF TROY, ILLINOIS, TO VACATE A PORTION OF A PUBLIC STREET COMMONLY KNOWN AS ROSE STREET IN THE CITY OF TROY, ILLINOIS**

**WHEREAS**, at least three-fourths (3/4) of the Alderman of the City of Troy, Madison County, Illinois believe that the public interest will be served by vacating a portion of a public street commonly known as Rose Street (from Fitch Street to Marti Street) because it will benefit the City of Troy 1) by allowing for the expansion and upgrading of the Madison County Transit Park & Ride facility in Troy; and 2) in that the City of Troy will be relieved from the further burden, responsibility and potential liability of maintaining the property; and

**WHEREAS**, pursuant to 65 ILCS 5/11-91-1, a public hearing was held on May 18, 2015, at 7:15 p.m., pursuant to proper notice allowing interested persons the opportunity to be heard concerning the proposal for vacation;

**NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF TROY:**

**SECTION 1.** The City of Troy hereby vacates that portion of Rose Street, as shown on Exhibit A attached hereto and more particularly described as follows:

All of that part of the 16-foot wide alley in Block 41 of the Amended Plat of Brookside, reference being had to the plat thereof recorded in the Recorder's Office of Madison County, Illinois in Plat Book "4" on pages 29 and 30, transcribed to Plat Book "19" on pages 51 and 52, between the south right of way line of Fitch Street and the north right of way line of F.A.P. Route 793 (US Route 40) said north right of way line also being the north right of way line of Marti Street.

Said parcel contains 0.075 acre, more or less, as shown on the attached Exhibit A.

**SECTION 2.** The property shall be vacated to the abutting property owner, the Madison County Transit District, and the Mayor and City Clerk are directed to sign the

Deed of Vacation attached hereto as Exhibit B. The City Clerk shall record the Deed of Vacation with the Madison County, Illinois, Recorder of Deeds.

**SECTION 3.** This Ordinance shall be in full force and effect immediately upon the execution of an agreement between the City of Troy and the Madison County Transit District concerning the transfer and maintenance of the sanitary sewer system underlying Rose Street. It may be published in pamphlet form.

**PASSED** by the City Council of the City of Troy, Madison County, Illinois, approved by the Mayor, and deposited in the office of the City Clerk this 18<sup>th</sup> day of May, 2015.

Those voting aye: DeCarli, Dyer, Greenfield, Hendrickson, Jackson, Partney and Turner.  
Those voting nay: \_\_\_\_\_.  
Those absent: Italiano.

APPROVED: \_\_\_\_\_  
By: Allen P. Adomite  
ALLEN P. ADOMITE, Mayor  
City of Troy, Illinois

ATTEST:

BY: Jamie Myers  
JAMIE MYERS, Clerk  
City of Troy, Illinois



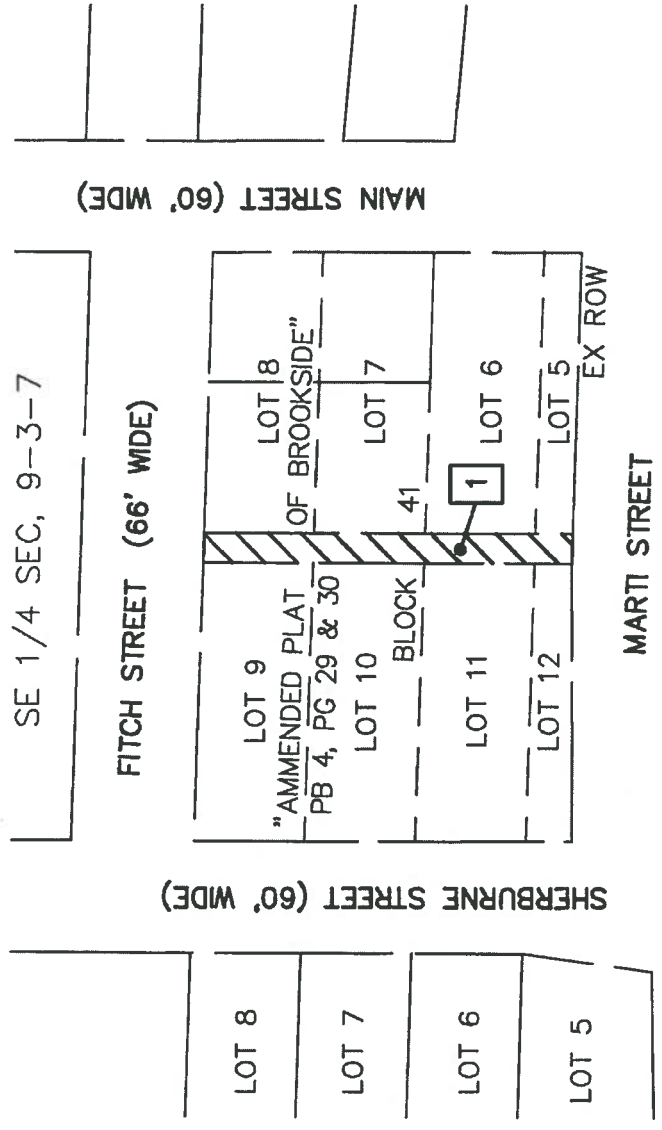
### **Description of Right of Way to be Vacated**

All of that part of the 16-foot wide alley in Block 41 of the Amended Plat of Brookside, reference being had to the plat thereof recorded in the Recorder's Office of Madison County, Illinois in Plat Book "4" on pages 29 and 30, transcribed to Plat Book "19" on pages 51 and 52, between the south right of way line of Fitch Street and the north right of way line of F.A.P. Route 793 (US Route 40) said north right of way line also being the north right of way line of Marti Street.

EXCEPT, such vacation shall reserve to any public utility with facilities located in, under, over or upon the land an easement for the continued use, if any, by such public utility.

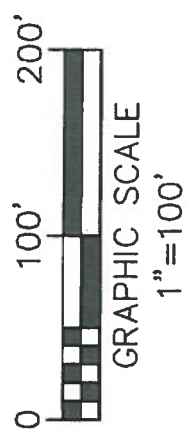
Said parcel contains 0.075 acre, more or less, as shown on the attached exhibit A.

RIGHT OF WAY TO BE VACATED BY THE CITY OF TROY, MADISON COUNTY, ILLINOIS, BY ORDINANCE NO. \_\_\_\_\_ BEING PART OF "AMMENDED PLAT OF BROOKSIDE", REFERENCE BEING HAD TO THE PLAT THEREOF RECORDED IN THE RECORDER'S OFFICE OF MADISON COUNTY, ILLINOIS IN PLAT BOOK 4, PAGES 29 & 30 AND TRANSCRIBED TO PLAT BOOK 19, PAGES 51 & 52, RECORDED OCTOBER 3, 1874



F.A.P. ROUTE 793 (US 40)

EX ROW

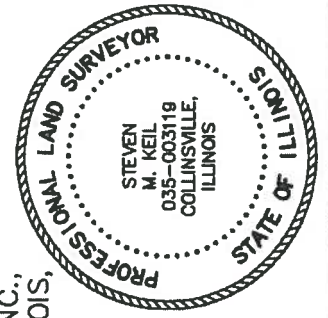


1 ALLEY (16' WIDE)



0.075 AC. ± OF RIGHT OF WAY TO BE VACATED

THIS IS TO CERTIFY THAT WE, OATES ASSOCIATES, INC., HAVE AT THE REQUEST OF THE CITY OF TROY, ILLINOIS, PREPARED THIS EXHIBIT FROM RECORD SOURCES.



*Steven M. Keil* 4-10-15

STEVEN M. KEIL  
ILLINOIS PROFESSIONAL LAND SURVEYOR  
NO. 035-003119 EXPIRES 11-30-16

13083

EXHIBIT  
A

RIGHT OF WAY VACATION  
CITY OF TROY, ILLINOIS  
APRIL 2015



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