

ORDINANCE NO. 726

AN ORDINANCE VACATING VILLAGE RIGHT-OF-WAY ON PINE COURT
IN THE PRAIRIE PINES SUBDIVISION

PASSED BY THE BOARD OF TRUSTEES OF THE VILLAGE OF
GREENUP, IL

THIS 3rd DAY OF JUNE 2024

PUBLISHED IN PAMPHLET FORM BY THE AUTHORITY
OF THE BOARD OF TRUSTEES OF THE VILLAGE OF GREENUP,
CUMBERLAND COUNTY, ILLINOIS

THIS 5th DAY OF June, 2024

VILLAGE OF GREENUP
ORDINANCE NO. 726

AN ORDINANCE AUTHORIZING THE VACATION OF VILLAGE RIGHT-OF-WAY ON
PINE COURT IN THE PRAIRIE PINES SUBDIVISION

WHEREAS, pursuant to Section 11-91-1 of the Illinois Municipal Code, 65 ILCS 5/11-91-1 provides that the corporate authorities of a municipality may vacate a right-of-way; and

WHEREAS, the Village Board finds that the said right-of-way on Pine Court is of no further use to the Village and that the vacation of all the right-of-way will not materially impair or interfere with the use already existing and will not be detrimental to the public; and

WHEREAS, the Village Board finds that the relief to the public from the further burden and responsibility of maintaining the right-of-way herein vacated is just and adequate compensation for the benefits which will accrue to the said owners; and

WHEREAS, the Village Board has determined that the public interest is subserved by the vacation of said right-of-way.

BE IT ORDAINED BY THE VILLAGE BOARD OF THE VILLAGE OF GREENUP, ILLINOIS:

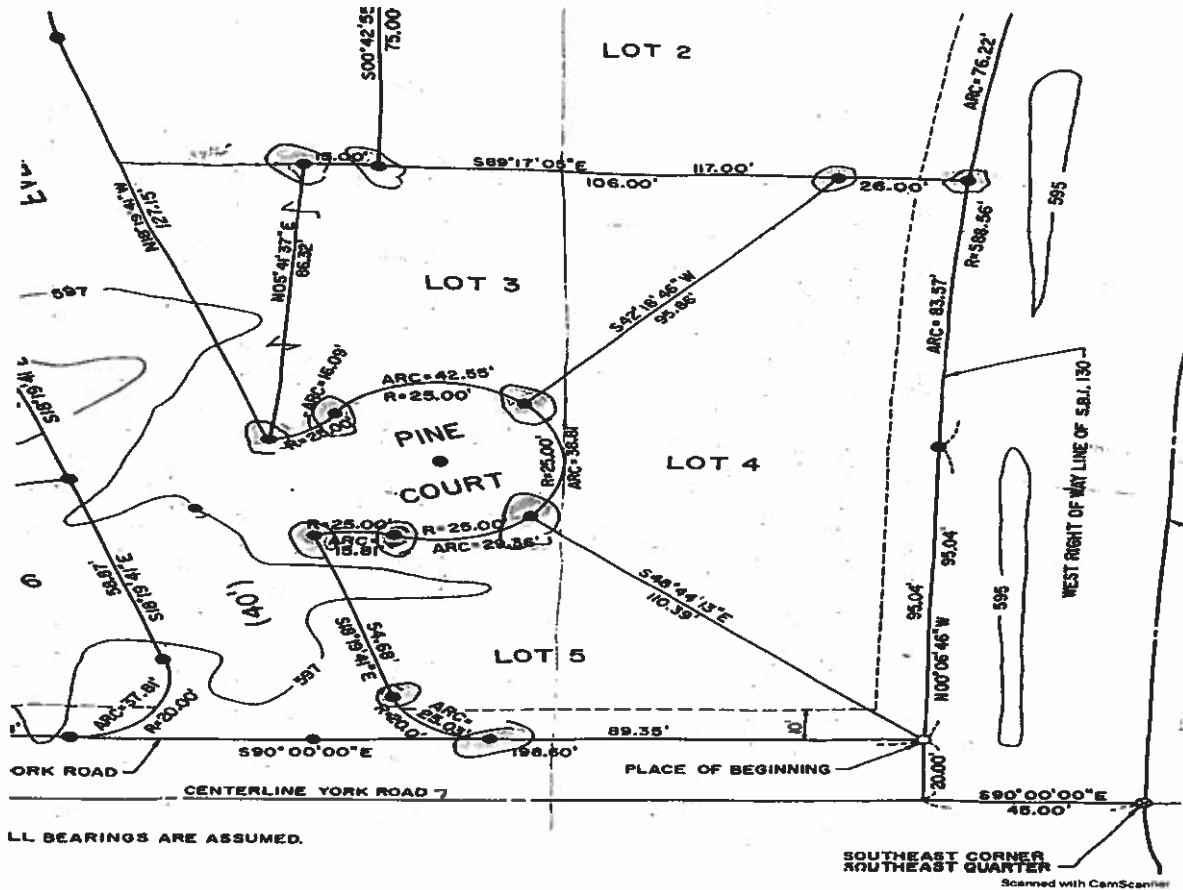
SECTION 1: Pursuant to Section 11-91-1 of the Illinois Municipal Code, 65 ILCS 5/11-91-1, the Village of Greenup hereby vacates all right-of-way as set forth herein and located on Pine Court. The Village of Greenup retains no easement as to any water, gas, electric, sewer, storm sewer, cable, telephone and other utilities presently installed within the vacated land.

SECTION 2: As required by Section 11-91-1 of the Illinois Municipal Code, the corporate authorities of the Village of Greenup hereby determine that the public interest will be subserved by the vacation of this right-of-way.

SECTION 3: Title to all vacated portions of the right-of-way on Pine Court shall vest in the then owners of the following properties:

Lots 3,4 and 5

Pin Numbers: 13-02-438-022-0000 and 13-02-438-026-0000



in equal portions to all properties which are adjacent to the right-of-way and such devolution shall be in accordance with the above map. Furthermore, the Village hereby finds that compensation from such property owners to the Village is inappropriate, and therefore expressly waives any right to compensation.

SECTION 4: This Ordinance shall not be held to repeal a former ordinance as to any offense committed against the former ordinance or as to any act done, any penalty, forfeiture or punishment so incurred, or any right accrued or claim arising under the former ordinance, or in any way whatsoever affect any such offense or act so committed or so done, or any penalty, forfeiture or punishment so incurred to any right accrued to claims arising before this Ordinance takes effect, save only that the proceedings thereafter shall conform to the ordinance in force at the time of such proceedings, as far as practicable.

SECTION 5: That if any part or parts of this Ordinance shall be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity of the remaining parts of this Ordinance. The Village Board declare hereby that they would have passed the remaining parts of this Ordinance, if they had known that such part or parts thereof would be declared unconstitutional.

SECTION 6: The Village Clerk of the Village of Greenup is directed hereby to publish this Ordinance in pamphlet form.

SECTION 7: This ordinance shall be in full force and effect from and after its passage, approval, and publication in pamphlet form.

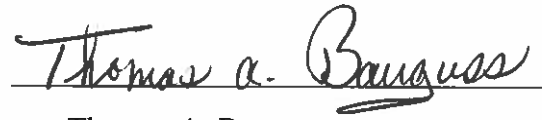
Ordinance 22-O-, approved and adopted** by the President and Board of Trustees of the Village of Greenup, Cumberland County, Illinois this **3rd** day of **June 2024**, pursuant to a roll call vote, as follows

Present and passed this 3rd day of June 2024.

Alene Blade	<u>X</u>
April Harris	<u>X</u>
Josh Kingery	<u>X</u>
Max McCullough	<u> </u>
Sherry Parker	<u>X</u>
Tony Wright	<u>X</u>

AYES	<u>5</u>
NAYS	<u>0</u>
ABSENT	<u>1</u>
ABSTAIN	<u>0</u>

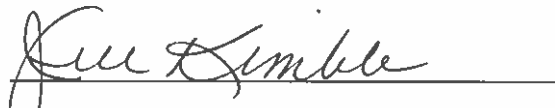
Approved this 3rd day of June, 2024.

Handwritten signature of Thomas A. Bauguss in cursive script, written over a horizontal line.

Thomas A. Bauguss

President of the Village Board

ATTEST:

Handwritten signature of Jill Kimble in cursive script, written over a horizontal line.

Jill Kimble, Village Clerk

