

RESOLUTION 41

WHEREAS, a section of the Mechanicsburg-Illiopolis Road, CH 33, south of Illiopolis was improved as Section 90-00073-01-FP in 1995; and,

WHEREAS, the above-mentioned improvement of CH 33 has left approximately 1.355 Acres or 1,000 feet of the old County Highway 33 abandoned; and,

WHEREAS, there have been three (3) resolutions pertaining to this vacation: Resolution #14, adopted April 8, 1997; Resolution #15, adopted June 12, 2001; and Resolution #3, adopted August 13, 2002 that shall be rescinded because the resolutions referred to a Vacation Plat that was in error; and,

WHEREAS, a corrected plat with a corrected legal description of the abandoned right-of-way to be vacated is attached; and,

WHEREAS, Section 5/5-109 of the Illinois Highway Code authorizes the county board to vacate sections of abandoned county highways provided that 2/3 of the members of the county board vote in favor of the vacation; and,

WHEREAS, the vacation is subject to the approval of the Illinois Department of Transportation; and,

WHEREAS, a notice was published in the Illiopolis Sentinel newspaper on the 1st day of June, A.D., 2006 which is more than 10 days prior to the County Board of Sangamon County acting on said vacation; and,

WHEREAS, the vacation shall not be effective until the owners of property abutting said vacated section of the county highway pay an amount which is not in excess of the fair market value of similar acreage of land abutting the highway; and,

WHEREAS, any easements for facilities owned by a public body or public utility in effect at the time of said vacation shall remain in effect after said vacation is approved.

NOW THEREFORE BE IT RESOLVED, by the County Board of Sangamon County at its **REGULAR STATUTORY MEETING**, assembled this 13th day of June, A.D., 2006 that the abandoned section of the Mechanicsburg-Illiopolis Road, CH 33, as described on the attached Vacation Plat is hereby vacated subject to the following conditions:

1. at least 2/3 of the county board members vote in favor of vacating the abandoned portion of old County Highway 33 as described on the attached Vacation Plat; and,
2. the Illinois Department of Transportation approves said vacation; and,
3. the abutting property owners pay compensation in the amount of \$1,050 per Acre for 1.355 acres for a total of \$1,422.75; and,

and any easements for public utilities in effect at the time of the vacation shall continue to be in effect after the vacation is approved; and,

FILED
MAY 31 2006
Joe Diello
Sangamon County Clerk

BE IT FURTHER RESOLVED, by the County Board of Sangamon County that the Chairman of the County Board is hereby authorized and directed to sign a Quit Claim Deed prepared by the Sangamon County Highway Office conveying any interests Sangamon County may have in the abandoned right-of-way to the owners of property abutting said vacated right-of-way who are willing to pay the required compensation.

Respectfully submitted

Sam Montaleno
Elly Burch

Ruby Gleason

Dud McKenzie

Judith A. Galt

Rosemarie Long

Christie Wick

I, Joe Aiello, County Clerk in and for said County in the State of Illinois, and keeper of the records and files thereof as provided by Statute, do hereby certify the foregoing to be a true, perfect and complete copy of a RESOLUTION adopted by the County Board of Sangamon County at its REGULAR STATUTORY MEETING, assembled this 13th day of June, A.D., 2006.

In testimony whereof, I have hereunto set my hand and affixed the seal of said County at my office in Springfield in said County, this 13th day of June, A.D., 2006.

Joe Aiello
COUNTY CLERK

Road and Bridge Committee
Sangamon County Board