

ORDINANCE NO. 93-3

**AN ORDINANCE VACATING A PUBLIC STREET IN THE  
VILLAGE OF CHAPIN, MORGAN COUNTY, ILLINOIS**

WHEREAS, the Board of Trustees of the Village of Chapin, Morgan County, Illinois, after due consideration and deliberation, has determined that the nature and extent of the public use and the public interest to be subserved is such as to warrant the vacation of the public street described below; and

WHEREAS, the public street described below is located within an incorporated area of the Village of Chapin and within the jurisdiction of the Board of Trustees of said Village; and

WHEREAS, the Board of Trustees of the Village of Chapin has authority to vacate public streets, or parts thereof, pursuant to Section 11-91-1 of the Illinois Municipal Code (65 ILCS 5/11-91-1, 1992).

NOW THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF CHAPIN, MORGAN COUNTY, ILLINOIS:

Section 1. VACATION: That all that part of the public street described as follows:

All that part of Elm Street in the Village of Chapin, Morgan County, Illinois located between Lot 120 in the Original Plat of the Town, now Village of Chapin and the East half (1/2) of Lots 23 and 23 in Billings' Addition to the Town, now Village of Chapin, all situated in Morgan County, Illinois;

is no longer required for public use and is hereby vacated and closed to public use as a street.

Section 2. OWNERSHIP: Ownership of the vacated part of the street shall inure to the benefit of the present owners of the

property abutting said part of the street to the West, that being the East half of Lots 22 and 23 in Billings' Addition to the Town, now Village, of Chapin, Morgan County, Illinois currently owned by Gary Barber and Diane Barber and, and to the East, that being Lot 120 in the Original Plat of the Town, now Village, of Chapin, Morgan County, Illinois currently owned by Gary L. Barber and Cheryl D. Barber, (a/k/a Diane Barber), subject to existing easements, in the same proportion to one another pursuant to Section 11-91-2 of the Illinois Municipal Code (65 ILCS 5/11-91-2, 1992).

Section 3. SEWER LINE AND EASEMENT: As a condition of vacating said street, Gary L. Barber and Cheryl D. Barber (a/k/a Diane Barber), their grantees, heirs, representatives, successors and assigns, shall accept all right, title, ownership and interest in and to the sewer line located on the portion of the street vacated herein and shall from the effective date of this Ordinance shall be solely and entirely responsible for the repair, maintenance and upkeep of said sewer line. Gary L. Barber and Cheryl D. Barber (a/k/a Diane Barber) shall execute and record with the Morgan County Recorder's Office an acceptance of said sewer line.

Section 3. RECORDING: The Village Clerk is hereby directed to file a certified copy of this Ordinance with the Recorder of Deeds for Morgan County, Illinois.

Section 4. EFFECTIVE DATE: This Ordinance shall be in full force and effect from and after its passage and approval by three-fourths of the Trustees of the Village of Chapin, then holding office.

PASSED at the regular meeting of the Board of Trustees this 7<sup>th</sup>  
day of ~~June~~ <sup>July</sup>, 1993.

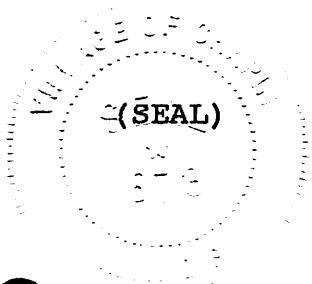
AYES: \_\_\_\_\_

NAYS: \_\_\_\_\_

*Shirley Coffman*  
VILLAGE CLERK

APPROVED this 7<sup>th</sup> day of ~~June~~ <sup>July</sup>, 1993.

*Robert L. Smith*  
VILLAGE PRESIDENT



TO THE HONORABLE SECRETARY OF THE INTERIOR

WASHINGTON, D. C.

DEAR SIR:

I have the honor to acknowledge the receipt of your letter of the 10th inst.

*Dear Sir,*

*Yours truly,*

Very truly,  
Yours,

7/7

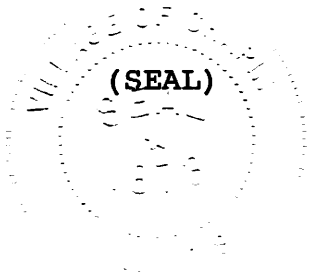


STATE OF ILLINOIS            )  
                                          )  
COUNTY OF MORGAN            )        SS

I, Shirley Coffman, the duly elected and acting Village Clerk of the Village of Chapin, Morgan County, Illinois, do hereby certify that attached hereto is a true and correct copy of Ordinance No. 93-3 entitled "AN ORDINANCE VACATING A PUBLIC STREET IN THE VILLAGE OF CHAPIN, MORGAN COUNTY, ILLINOIS", as the same was duly passed and approved at a regular meeting of the President and Board of Trustees of the Village of Chapin, Morgan County, Illinois, held on the 7 day of ~~June~~<sup>July</sup>, A.D., 1993, all as the original of the same remains in the official records of my office.

Dated this 7 day of ~~June~~<sup>July</sup>, A.D., 1993.

Shirley Coffman  
Village Clerk



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