

**FOR DISTRIBUTION AT THE
REGULAR CITY COUNCIL
MEETING
OCTOBER 18, 2022**

AGENDA NO. 2022-468

AN ORDINANCE VACATING A PORTION OF DODGE STREET BETWEEN RUTLEDGE STREET AND 1ST STREET
IN SPRINGFIELD, ILLINOIS, TO MEMORIAL HEALTH SYSTEM

Please return to:
Office of Public Works
City Engineer
Municipal Center West
300 South Seventh Street
Springfield, Illinois 62701

**AN ORDINANCE VACATING A PORTION OF DODGE STREET
BETWEEN RUTLEDGE STREET AND 1ST STREET IN SPRINGFIELD,
ILLINOIS, TO MEMORIAL HEALTH SYSTEM**

WHEREAS, the City of Springfield is a home rule unit as defined in Article VII, Section 6(a) of the 1970 Illinois Constitution and has jurisdiction over matters pertaining to its government and affairs; and

WHEREAS, Memorial Health System, (MHS), an Illinois not-for-profit corporation, ("Petitioner") has petitioned the City Council requesting vacation of a portion of Dodge Street between Rutledge Street and 1st Street, in the City of Springfield, Sangamon County, State of Illinois, being more particularly described as:

PART OF THE NORTHEAST QUARTER OF SECTION 28 IN TOWNSHIP 16 NORTH, RANGE 5 WEST OF THE THIRD PRINCIPAL MERIDIAN, IN SANGAMON COUNTY, ILLINOIS. SAID PART BEING FURTHER DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF LOT 30 IN THE ASSESSOR'S SUBDIVISION BEING PART OF THE WEST HALF OF SECTION 27 AND THE EAST HALF OF SECTION 28 IN TOWNSHIP 16 NORTH, RANGE 5 WEST TO THE CITY OF SPRINGFIELD; THENCE NORTH 01 DEGREE 16 MINUTES 25 SECONDS EAST ALONG THE EAST RIGHT OF WAY LINE OF RUTLEDGE STREET A DISTANCE OF 60.02 FEET TO THE INTERSECTION OF THE NORTH RIGHT OF WAY LINE OF DODGE STREET AND THE EAST RIGHT OF WAY LINE OF RUTLEDGE STREET; THENCE NORTH 89 DEGREES 57 MINUTES 01 SECOND EAST ALONG THE SAID NORTH RIGHT OF WAY LINE OF DODGE STREET A DISTANCE 341.28 FEET; THENCE SOUTH 70 DEGREES 46 MINUTES 50 SECONDS EAST ALONG THE SAID NORTH RIGHT OF WAY LINE OF DODGE STREET A DISTANCE OF 401.45 FEET TO THE INTERSECTION OF THE SAID NORTH RIGHT OF WAY LINE OF DODGE STREET AND THE WEST RIGHT OF WAY LINE OF FIRST STREET; THENCE SOUTH 01 DEGREE 31 MINUTES 58 SECONDS WEST ALONG THE SAID WEST RIGHT OF WAY LINE OF FIRST STREET A DISTANCE OF 62.98 FEET TO THE INTERSECTION OF THE SAID WEST RIGHT OF WAY LINE OF FIRST STREET AND THE SOUTH RIGHT OF WAY LINE OF DODGE STREET; THENCE NORTH 70 DEGREES 46 MINUTES 50 SECONDS WEST ALONG THE SAID SOUTH RIGHT OF WAY LINE OF

DODGE STREET A DISTANCE OF 410.39 FEET; THENCE SOUTH 89 DEGREES 57 MINUTES 01 SECOND WEST ALONG THE SAID SOUTH RIGHT OF WAY LINE OF DODGE STREET A DISTANCE OF 332.48 FEET TO THE POINT OF BEGINNING, CONTAINING 1.023 ACRES MORE OR LESS.

Common address:	none assigned
PIN:	none assigned

WHEREAS, attached hereto as Exhibit A is a plat of vacation depicting the area that Petitioner seeks to vacate; and

WHEREAS, it is necessary that there be retained a permanent easement for the maintenance and renewal of the utility facilities lying in the area of this vacation in order to continue public service; and

WHEREAS, all adjacent property owners consent to or waive participation in said vacation to the Petitioner; and

WHEREAS, it is in the public interest that the Petitioner retain ownership of the entire vacated portion of Miller Street described above for the purpose of constructing additional parking areas and access ways for Memorial Medical Center; and

WHEREAS, it is in the public interest that said property be vacated and that the public use will be subserved by said vacation.

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SPRINGFIELD, ILLINOIS:

Section 1: That the public area legally described above and in the Vacation Plat attached hereto as Exhibit A is hereby vacated by the City of Springfield, Illinois, and conveyed to Memorial Health System, subject to and upon the conditions that there shall be, and there hereby are, reserved to the City of Springfield, Illinois all present rights of ownership and use of the public service facilities of said city now located in said vacated area, with the right to use, remove, repair, relocate, change or modify the same as the continuing public service by means thereof may require, and upon the further condition that all present rights of ownership and use of all public service facilities now located in said vacated area and which are not owned and operated by the City of Springfield shall be, and they are, reserved to the municipality or public utility presently owning the same, with the right to use, remove, repair, relocate, change or modify the same as the continuing public service by means thereof may require, and upon the further condition that there shall be reserved to the City and any such other municipality or public utility the necessary easements and rights of way for the maintenance, renewal and reconstruction of said public service facilities presently located in said vacated area, so that any and all of such public service facilities, whether publicly or privately owned, may continue to be used in the public service.

Section 2: That it is determined that the nature and extent of the public use to be subserved thereby and the public interest therein, is such as to warrant vacation of said area.

Section 3: That any and all costs incurred in the future relocation or removal of public facilities within the area to be vacated shall be borne by the adjoining property owners.

Section 4: That it is determined that the fair market value of the vacated premises is \$500,000.00 the sum of which has been delivered by Petitioner to the City of Springfield, and the City Council finds to be equal to the benefits that will accrue to the abutting owner of said area by reason of the vacation thereof.

Section 5: That the City Clerk is directed to record a copy of this ordinance together with the plats in the Office of the Sangamon County Recorder of Deeds.

Section 6: That this ordinance shall become effective upon affirmation vote of three fourths of the City Council now holding office.

PASSED: _____, 2022

SIGNED: _____, 2022

RECORDED: _____, 2022

Mayor James O. Langfelder

ATTEST: _____
City Clerk Frank Lesko

Approved as to legal sufficiency:

Requested by: Mayor James O. Langfelder



Office of Corporation Counsel/ Date

ORDINANCE FACT SHEET

REQUEST FORM NO:

DATE OF 1ST READING:

10/18/22

OFFICE REQUESTING: Public Works

CONTACT PERSON: Robert Lowe

PHONE NUMBER: 789-2255 X5230

EMERGENCY PASSAGE: No ☒ Yes ☐ If yes, explain justification.

TYPE OF ORDINANCE: Vacation

FISCAL IMPACT: \$ 500,000.00

(If amending a previous ordinance, please attach a copy of the previous ordinance)

SUGGESTED TITLE:

AN ORDINANCE VACATING DODGE STREET BETWEEN RUTLEDGE AND FIRST STREETS TO MEMORIAL HEALTH SYSTEM

Please list supporting documentation (i.e., contract, agreement, change order, bid book, etc.)

Copy of the Petition

Deed for adjoining property

Location Map

Copy of the check

Plat of vacation

CONTRACTOR / VENDOR NAME:

VENDOR NO:

CONTRACT TERM: CONTRACT #

Change in Scope Yes ☐ No ☐

CONTRACT AMOUNT:

(Original amount if change order)

Change Order #

Additional Amount

Method of Purchase (check one)

Previous Ord #'s

☐ Low Bid

☐ Other:

Is Purchasing Agent approval required? No ☐ Yes ☐

☐ Low Bid Meeting Specs

☐ Exception:

Is Purchasing Agent approval attached? No ☐ Yes ☐

☐ Low Evaluated Bid

Code Provision:

Accounting information (if more than four accounts, please attach list)

REVENUE

Fund	Agency	Org	Activity	Object	Amount
1	001	110	STRS	STRS	0270
2					
3					
4					

EXPENDITURE

Fund	Agency	Org	Activity	Object	Amount
1					
2					
3					
4					

FUNDS CHECK BY:

Date:

DIRECTOR / SUPERVISOR SIGNATURE

Date:

CITY PURCHASING AGENT:

Date:

COMMENTS

THIS IS TO ALLOW THE DEVELOPMENT OF THE ADJOINING PROPERTY.

SIGN OFF:


(Mayor's Signature)

(Director of OBM)

17237