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5051-12

AN ORDINANCE PROVIDING FOR THE BUSEY  
AVENUE PAVEMENT IMPROVEMENT NO. 224,  
IN THE CITY OF URBANA, ILLINOIS

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WHEREAS, the Board of Local Improvements of the City of Urbana, Illinois, has recommended, in writing, to the City Council of the City of Urbana, Illinois, the construction of the local improvement to be known as the Busey Avenue Improvement No. 224, in the City of Urbana, Illinois, and has presented to the City Council this ordinance providing for the construction of said improvement, which said ordinance together with the estimate of cost of said improvement over the signature of the President of the Board of Local Improvements of said City, and approved by said Board, and is itemized to its satisfaction, and

WHEREAS, the improvement hereinafter described is a necessary local improvement and will benefit the property to be benefited thereby, and will not require that private property be taken or damaged in the construction thereof:

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

Section

1. That Busey Avenue from the north line of the pavement on Main Street to the south line of the pavement on Clark Street in said City be improved by the construction of a Portland Cement concrete curb and gutter along each side of said street of the width of two feet with asphaltic treatment resurfacing of the street lying between said concrete curb making the finished pavement, together with said curb and gutter, of the width of 27 feet; the construction of one ornamental light, the necessary excavation of earth; Portland Cement concrete curb and the grading and seeding of the shoulders on either side of said pavement, curb and gutter when completed.

Section 2. That the profile of the grade for said improvement is hereby established as the grade for the finished surface of said pavement along the center line thereof on said street

where the same is to be paved, and the center line of said pavement, at all points along said street, shall have the respective elevations above or below datum plane as shown on said profile hereto attached; the top of the curb along all points on said street where the same is to be curbed shall be four inches above the grade to be established as the grade for said street when completed; such elevation having reference to the bench mark or datum plane established and fixed by an ordinance adopted by the City Council of the City of Urbana, Illinois, on the 7th day of August, 1905, and amended by an ordinance adopted on the 16th day of February, 1948; the elevation of said datum plane or bench mark as used in said profile being designated at 727.80, all figures above or below said elevation shall be designated in feet and all points along said proposed improvement shall have the elevation above or below said datum plane as indicated in feet above or below said 727.80.

Section 3. That the location and construction of said improvement shall in all respects conform to the detailed plans, maps, plats, profiles, estimate and specifications hereto attached, and that all materials and appliances used in the construction of said improvement shall be in the size, shape, style, dimensions, proportions, and quality provided in the attached drawings, specifications and estimate, and the said improvement shall be installed and at the places and at the elevations as provided in said drawings and specifications.

Section 4. The attached plans, plats, profiles, maps, specifications and estimate providing for the manner of construction of said improvement are expressly made a part of this ordinance by reference as fully and completely as if the same had been incorporated herein in full, and shall in all respects govern and control the construction and location of said improvement and the materials entering into the same, and in the interpretation of said plans, plats, profiles and specifications the decisions of the Board of Local Improvements with reference thereto shall be final and binding.

Section 5. The construction of said improvement, including all work and materials therefor, as provided in this ordinance, is hereby declared to be a necessary local improvement, and shall be constructed at the place hereinbefore mentioned, and the cost thereof shall be paid by a special assessment on all the property specially benefited by the construction of said improvement to the extent of the special benefits thereon and by a general tax on all the property in the City of Urbana, Illinois, for the public benefits, to the extent of the public benefits thereon.

Section 6. There being no public engineer provided for the City of Urbana, Illinois, and the City Council having on the 2nd day of June, 1941, by resolution designated Jamison Vawter, a member of said City Council, as a member of the Board of Local Improvements, the Council finds that said Board of Local Improvements is legally constituted as provided by Statute, and that the estimate of the cost of said improvement over the signature of the President of said Board of Local Improvements, submitted with the recommendations of said Board of Local Improvements and approved by the same, is hereby adopted and approved by the City Council of the City of Urbana, Illinois, and the copy thereof hereto attached, being the estimate of cost as adopted at the public hearing on said improvement, is hereby made a part of this ordinance by reference as aforesaid.

Section 7. That the sum of \$535.00, being the amount included in the estimate of said President of the Board of Local Improvements hereto attached as the cost of engineering, supervision and inspection as estimated, and the sum of \$321.00, as shown in said estimate as the estimate of the cost of making, levying and collecting the assessments herein, including court costs, shall be applied and set forth in said estimate of cost, as provided by an act entitled "An Act Concerning Local Improvements" as amended.

Section 8. That the aggregate amount herein ordered to be assessed against the property and also the assessment against each lot, block, tract and parcel of land therein assessed, shall

be divided into ten installments in the manner provided by the Statute in such cases made and provided, and each of said installments shall bear interest at the rate of Five per cent per annum according to law.

Section 9. That for the purpose of anticipating the collection of the aforesaid second and succeeding installments, provided for in this ordinance, the City of Urbana, Illinois, shall issue bonds payable out of said installments, ~~being~~ interest at the rate of Five per centum per annum, payable annually, and signed by the Mayor and City Clerk, under the corporate seal of said City; said bonds to be issued in the sum of One Hundred Dollars each, or some multiple thereof, and shall be issued in accordance ~~with~~ and shall in all respects conform to the provisions of said Local Improvement Act.


Section 10. The Corporation Counsel of the City of Urbana, Illinois, is hereby directed to file a petition in the name of the City of Urbana, Illinois, in the County Court of Champaign County, Illinois, praying that steps be taken to levy a special assessment for said improvement in accordance with the provisions of this ordinance and the laws of the State of Illinois.

Section 11. This Ordinance shall be in full force and effect from and after its passage.

Passed by the City Council at a regular meeting thereof on the 17th day of June A. D. 1950.

  
City Clerk

Approved by the Mayor who signed same this 17th day of June A. D. 1950.

  
Mayor

FINAL RESOLUTION  
ADOPTED AT THE PUBLIC HEARING ON THE BUSEY  
AVENUE PAVEMENT IMPROVEMENT NO. 224,  
IN THE CITY OF URBANA, ILLINOIS

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Whereas, on the 20th day of May, 1950, the Board of Local Improvements of the City of Urbana, Illinois, sent by mail, a notice directed to the persons who paid the general taxes for the last preceeding year on each lot, block, tract or parcel of land fronting on the proposed improvement of Busey Avenue from the north line of Main Street to the south line of Clark Street in said City, notifying said persons that the Board of Local Improvements had fixed the 29th day of May, 1950, at the hour of 11:00 A. M. in the Council Chamber in the City Building in said City, for a public hearing on said proposed local improvement, and

Whereas, the said Board of Local Improvements on the date, hour and place aforesaid met for said public hearing and after hearing the representations of those persons at said public hearing on the subject of the necessity of the public improvement, the nature thereof, and the cost as estimated, it was determined by said Board that further consideration should be given to the nature of said improvement and the cost as estimated, whereupon said Board of Local Improvements publicly announced that said public hearing would be continued from the 29th day of May, 1950, to the 2nd day of June, 1950; at which time said Board would reconvene for the purpose of further hearing any person desiring to be heard upon the nature, kind, character and estimated cost of said improvement, and any modifications of the same.

Now on this 2nd day of June, 1950, said Board of Local Improvements of the City of Urbana, Illinois, having reconvened pursuant to adjournment it was accordingly announced by the

president of said Board that the Board had decided to present, at the public hearing, a modification of the kind and character of the construction, and the material to be placed in said street; that instead of asphaltic concrete pavement, the Board recommended asphaltic treatment resurfacing upon 6" compacted gravel or crushed stone base course. The elimination of one ornamental light and the elimination of 2000 square feet of Portland Cement concrete sidewalk. and

Whereas, said proposed changes in the character, nature and kind of improvement were discussed by all the parties present and interested in said improvement, and also the lowering of the cost of the same from a total estimated cost as set forth in the original resolution of \$10,440.00, to the modified estimate as presented by the President of said Board in the sum of \$6,211.00.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF LOCAL IMPROVEMENTS that the kind, character of said improvement be changed as recommended by the President of said Board, and that the estimated cost of said improvement be changed and modified as set forth by the President of said Board as follows:

TO THE BOARD OF LOCAL IMPROVEMENTS OF THE CITY OF URBANA, ILLINOIS: The following is an estimate of the cost of constructing the Busey Avenue Pavement Improvement No. 224, in the City of Urbana, Illinois, as modified by resolution of said Board of Local Improvements at its adjourned meeting of the public hearing held on the 2nd day of June, 1950.

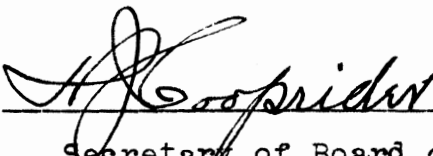
400 cu. yds.	Earth Excavation	@	\$1.00 cu. yd.	\$	400.00
1 each	Ornamental Light complete	@	350.00 each		350.00
245 lin. ft.	Portland Cement concrete curb complete	@	1.00 lin. ft.		245.00
1530 sq.yds.	Asphaltic treatment resurfacing	@	1.50 sq. yd.	\$	2,295.00
950 lin.ft.	Portland Cement concrete curb & gutter complete	@	2.00 lin. ft.		1,900.00
1100 sq. yds	Grading & seeding complete in place		.15 sq. yd		165.00
	Engineering, Supervision & Inspection				535.00
	Miscellaneous costs, including court costs and Attorney's and Commissioner's fees, printing costs, etc.				321.00
	Total Estimated Cost - - - -			\$	<u>6,211.00</u>

I hereby certify that in my opinion the above estimate does not exceed the probable cost of the proposed improvement and the lawful expense attending the same.

Glen E. Chapman, President  
Board of Local Improvements."

Be it further resolved that the Board of Local Improvements hereby adopt said estimate of cost as above set forth and that said estimate over the signature of the President of the Board of Local Improvements is in proper form and is properly certified to since there is no city engineer provided for said Board of Local Improvements.

Be it further resolved that the Board of Local Improvements recommended to the City of Urbana, the adoption of an ordinance to be prepared and presented by the City Attorney of said City to said City Council for the making of said improvement, and that said Board of Local Improvements, hereby recommends the passage of said ordinance.

  
Secretary of Board of Local  
Improvements.

RECOMMENDATION OF ORDINANCE BY THE BOARD OF LOCAL  
IMPROVEMENTS OF THE CITY OF URBANA, ILLINOIS

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Urbana, Illinois  
June 19, 1950

TO THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF  
URBANA, ILLINOIS: -

The Board of Local Improvements of the City of Urbana,  
Illinois, herewith transmits to your Honorable Body, a draft  
of an ordinance entitled " Busey Avenue Pavement Improvement  
No. 224, In The City of Urbana, Illinois.

The Board of Local Improvements hereby recommends the  
making of said improvement, the extent, nature, character,  
locality and description of which is set forth in the draft  
of ordinance herewith transmitted, and also recommends the  
passage of said ordinance.

The Board of Local Improvements herewith transmits with  
said ordinance, an estimate of the cost of said improvement  
over the signature of the President of said Board of Local  
Improvements, there being no public engineer provided for the  
City of Urbana, and determined as the final estimate of cost  
of said improvement after a public hearing thereof as required  
by statute; all of which appears in the final resolution adopted  
by said Board at said public hearing adhering to the proposed  
scheme of improvement, which cost as estimated by the President  
of said Board of Local Improvements, is set forth herewith as  
a part of the ordinance herewith transmitted.

Respectfully transmitted:-

BOARD  
OF  
LOCAL  
IMPROVEMENTS

