

AN ORDINANCE PROVIDING FOR THE DIVISION AVENUE PAVEMENT
IMPROVEMENT NO. 249-72CS, IN THE
CITY OF URBANA, ILLINOIS

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 Division Avenue Pavement Improvement No. 249-72CS, in the City of Urbana, Illinois, and has presented to the City Council, this ordinance providing for the construction of said improvement, together with the estimate of cost of said improvement over the signature of the President of the Board of Local Improvements of said City, itemized to the satisfaction of said Board and approved thereby; and

Whereas, the improvement hereinafter described is a necessary local improvement which will benefit the property to be assessed in the vicinity of said improvement and will further benefit the public in the entire City of Urbana, 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 North Division Avenue in the City of Urbana, Illinois, from the North line of Kerr Avenue to the South line of Oakland Avenue be improved by the construction of a Portland Cement Concrete pavement Twenty-six feet (26') in width from back to back of curb, including the necessary drainage and incidental construction work necessary for the proper completion of said improvement.

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 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 as 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, but not over 50% of the cost of this project shall be paid out of Motor Fuel Tax Funds.

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 \$1,392.00, 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 \$835.00, 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, bearing 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 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 20th day of August, A. D. 1956.



City Clerk

Approved by the Mayor this 20th day of August, A. D. 1956.



Mayor

**FINAL RESOLUTION ADOPTED AT THE PUBLIC HEARING ON THE
DIVISION AVENUE PAVEMENT IMPROVEMENT NO. 249-72CS, IN THE
CITY OF URBANA, ILLINOIS**

WHEREAS, on the 9th day of July, A. D. 1956, 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 preceding year on each lot, block, tract or parcel of land fronting on the proposed improvement of North Division Avenue from the North line of Kerr Avenue to the South line of Oakland Avenue in said City, notifying said persons that the Board of Local Improvements had fixed the 16th day of July, 1956 at the hour of 4:00 o'clock P.M., DST, at the Council Chamber of the City Building in said City for a public hearing on said proposed 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 local improvement, the nature thereof and the cost as estimated, it was determined by said Board of Local Improvements that there is a necessity for the proposed improvement and that a majority of the property owners whose property has frontage on said street proposed to be improved, favored said improvement as proposed and said improvement was approved in accordance with the estimate as hereinafter set forth.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF LOCAL IMPROVEMENTS OF THE CITY OF URBANA, ILLINOIS that said improvement is desirable and should be presented to the City Council of the City of Urbana in accordance with the following estimate of cost:

**ESTIMATE OF COST OF DIVISION AVENUE PAVEMENT IMPROVEMENT NO.
249-72CS, IN THE CITY OF URBANA, ILLINOIS**

TO THE BOARD OF LOCAL IMPROVEMENTS OF THE CITY OF URBANA, ILLINOIS:

The following is an estimate of cost of North Division Avenue Pavement Improvement No. 249-72CS, as contemplated by resolution of the Board of Local Improvements at the public hearing held on the 16th day of July, 1956:

716	Cu.yds.	Special excavation	@ \$1.25	\$895.00
1640	Sq.yds.	P.C. Concrete pavement	4.50	7,380.00
1640	Sq.yds.	Pavement Fabric	0.50	820.00
1345	Lin.ft.	P.C. Concrete curb and gutter, Sp. Type	2.40	3,228.00
20	Sq.ft.	P.C. Concrete sidewalk (4")	0.55	11.00
50	Tons	Gravel and crushed stone, surface course Type A	5.00	250.00
16	Cu.yds.	Trench backfill	3.50	56.00
4	Each	Inlets, Type A with Type 3 Frame	125.00	500.00
4	Each	Manholes to be adjusted & equipped with Type 1 Frame & Open Lid	100.00	400.00
60	Lin.ft.	Storm sewer - Type 1 - 10" lids	3.50	210.00
330	Sq.yds.	Fine grading & seeding	.50	165.00
		Engineering, supervision & inspection		1,392.00
		Legal fees, court costs, printing costs, commissioner's fees, etc.		<u>835.00</u>
		TOTAL ESTIMATED COST		\$16,142.00

I hereby certify that in my opinion the above estimate does not exceed the probable cost of the total improvement and the lawful expenses 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 recommend 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.

Jay B Boyd
Secretary of Board of Local Improvements