

AN ORDINANCE PROVIDING FOR THE NORTH CUNNINGHAM AVENUE AND VICINITY SANITARY SEWER IMPROVEMENT NO. 269, 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 North Cunningham Avenue and Vicinity Sanitary Sewer Improvement No. 269, in the City of Urbana, Illinois, and has presented to the City Council, this <sup>form of</sup> ordinance providing for the construction of said improvement, together with the estimate of cost of said improvement over the signature of the Public Engineer of said City, itemized to the satisfaction of said Board and approved thereby; and

WHEREAS, the Council finds and 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 the area described on the attached sheet marked Exhibit AA be improved by the construction of a Sanitary Sewer system to serve the properties in said area, and to include appropriate sewer lines and outlets in accordance with the estimates, plans and specifications prepared by the Public Engineer of said City, and for incidental construction work necessary for the proper completion of said improvement. And said area is hereby declared to be a drainage district which shall be improved by the construction of an appropriate sanitary sewer system. The improvement is to be constructed so as to conform to existing improvements within the limits of said district and sanitary sewers which adjoin said district.

SECTION 2. The elevation and grade for the bottom of the inside or invert of the sewer pipe, including connections, with diameters as provided by the plans and specifications of the Public Engineer, and

and likewise the catch basins, manholes, wyes and bends, and replacement of surfacing shall be the same as that provided in the detailed profile hereto attached, and shall have the elevation above and below the city datum plane along the line of said improvement as shown on said profile hereto attached; all such elevations 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. Said contemplated improvement includes with the overall plan the construction of a sanitary sewer to serve all properties fronting on both sides of Cunningham Avenue from the Saline Branch Drainage Ditch to Bradley Avenue extended; properties fronting on the North side of Barr Avenue from the Champaign County Housing Authority property to Cunningham Avenue; properties fronting on both sides of Kerr Avenue from the West Line of Lot 19 of a Subdivision of the Northeast Quarter of Section 8, Township 19 North, Range 9 East of the Third Principal Meridian to Cunningham Avenue; properties fronting on both sides of Geraldine Avenue from Kerr Avenue to Oakland Avenue; properties fronting on the South side of Oakland Avenue from Geraldine Avenue to the East line of Lot 15 of a Subdivision of the Northeast Quarter of Section 8, Township 19 North, Range 9 East of the Third Principal Meridian, and by serving the properties on both sides of Oakland Avenue from Cunningham Avenue East to the West line of Lots 6 and 11 of a Subdivision of the West Half of the Northwest Quarter of Section 9, Township 19 North, Range 9 East of the Third Principal Meridian in the City of Urbana, Illinois, consisting of lineal feet of specified sanitary sewer, as set forth in the revised estimate of cost and plans and specifications prepared by the City Engineer of said City.

SECTION 3. That the location and construction of said improvement shall in all respects conform to the detailed plans, plats, maps, 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 30 per cent of the cost of this project shall be paid out of public benefit funds of said City.~~

SECTION 6. 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 Public Engineer, submitted with the recommendations of said Board of Local

Improvements and approved by the City Council of the City of Urbana, Illinois, and the copy thereof hereto attached, being the revised 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 \$3,244.00, being the amount included in the estimate of said Public Engineer hereto attached as the cost of engineering, supervision and inspection as estimated, and the sum of \$1,946.00, 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 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 6th day of January, A.D. 1958.

  
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City Clerk

Approved by the Mayor this 6th day of January, A.D. 1958.

  
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Mayor

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

Urbana, Illinois  
December 30, 1957

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, "North Cunningham  
Avenue and Vicinity Sanitary Sewer Improvement No. 269,  
in the City of Urbana, Illinois."

The Board of Local Improvements hereby recommends  
the making of said improvement, the extent, nature, char-  
acter, 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 a revised estimate of cost of said  
improvement over the signature of the Public Engineer of  
said city, 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 Public Engineer of said city is set forth herewith  
as a part of the ordinance herewith transmitted.

Respectfully submitted,

Stanley B. Heavet  
Mayor

Richard A. Parks  
Alderman

M. H. Kuehl  
Public Engineer

BOARD OF LOCAL IMPROVEMENTS

NORTH CUNNINGHAM AVENUE AND VICINITY SANITARY  
SEWER IMPROVEMENT #269, LEGAL DESCRIPTION OF  
AREA IN THE CITY OF URBANA, ILLINOIS

Commencing at a point where the center line of Crystal Lake Drive intersects the West right-of-way line of Cunningham Avenue, thence Northeasterly on said West right-of-way line of Cunningham Avenue to the West line of Assessor's Plat of a Subdivision of part of Lot 3 of a Subdivision of the East Half of the Southeast Quarter of Section 8, Township 19 North, Range 9 East of the Third Principal Meridian, thence North on said West line of said Plat to the South line of Barr Avenue, thence Westerly along the South line of said Barr Avenue to the East line of the Champaign County Housing Authority property lying North of the South line of Barr Avenue, thence North along said East property line of the Champaign County Housing Authority to the North line of Andrew Barr's Subdivision, thence East on said North line of Andrew Barr's Subdivision to the West line extended South, of Lot 19, of a Subdivision of a part of the Northeast Quarter of Section 8, Township 19 North, Range 9 East of the Third Principal Meridian, thence Northerly on said extension of said West line of said Lot 19 and said West line of said Lot 19, to the Southeast Corner of Lot 13 of the same Subdivision, thence Westerly along the South line of said Lot 13 to the East line of Division Avenue, thence North along the East line of said Division Avenue to the Northwest corner of said Lot 13, thence Easterly along the North line of said Lot 13 to the Southwest Corner of Lot 3 of said Subdivision, thence Northerly along the West line of said Lot 3 to the South right-of-way line of Bradley Avenue, thence Easterly along the South right-of-way line of said Bradley Avenue and said Bradley Avenue extended to the East line of Lot 4 of a Subdivision of the West Half of the Northwest Quarter of Section 9, Township 19 North, Range 9 East of the Third Principal Meridian, thence Southerly along the East line of said Lot 4, Lot 5, and Lot 12, of said last described Subdivision to the center line of Cemetery Road, thence Westerly along the center line of Cemetery Road to the east line of Cunningham Avenue, otherwise known as U.S. Route #45, thence Southwesterly along the east line of said Cunningham Avenue to a point 777.5 feet Southwest of the Northwest corner of the East Lawn Burial Park, thence East 100 feet, thence Southwesterly, parallel with the East line of said Cunningham Avenue, <sup>200 feet</sup> thence West 100 feet to the East line of said Cunningham Avenue, thence Southwesterly along the East line of said Cunningham Avenue to the center line of Crystal Lake Drive, or Crystal Lake Drive extended, and otherwise having been designated as Hill Street, East of said Cunningham Avenue; thence West to the point of beginning, all situated in the City of Urbana, County of Champaign, and State of Illinois.

Exhibit AA