

ORDINANCE NO. 9596-46

AN ORDINANCE  
APPROVING AND AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH  
CHAMPAIGN COUNTY

(BROOKENS ADMINISTRATIVE CENTER & LIERMAN AVENUE IMPROVEMENTS)

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

Section 1. That an Agreement by and between the City of Urbana and Champaign County, in the form of the copy of said Agreement attached hereto and hereby incorporated by reference, be and the same is hereby authorized and approved.

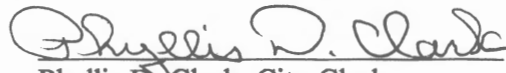
Section 2. That the Mayor of the City of Urbana, Illinois, be and the same is hereby authorized to execute and deliver and the City Clerk of the City of Urbana, Illinois, be and the same is authorized to attest to said execution of said Agreement as so authorized and approved for and on behalf of the City of Urbana, Illinois.

PASSED by the City Council this 6th day of November, 1995.

AYES: Hayes, Kearns, Patt, Ryan, Taylor, Whelan

NAYS:

ABSTAINED: Pollock (due to conflict of interest)

  
Phyllis D. Clark, City Clerk

APPROVED by the Mayor this 9th day of November, 1995.

  
Tod Satterthwaite, Mayor

THIS ORDINANCE CONSISTS OF 1 PAGES,

Initials DR

## AGREEMENT

This Agreement, entered into this 27th day of November, 1995 by and between the City of Urbana, Illinois acting through its duly elected mayor and pursuant to authority granted by its City Council, hereinafter referred to as "Urbana", and Champaign County,

### WITNESSETH,

WHEREAS, Champaign County has acquired and seeks to develop, pursuant to a special use permit, the property commonly referred to as Brookens School and legally described as:

Tract "A" of a plat of survey of part of the NE 1/4 of Section 16, Township 19 North, Range 9 East of the Third Principal Meridian, recorded in the Recorder's Office of Champaign County, Illinois, in Plat Book "S" at page 28, as document 726460, in Champaign County, Illinois, except the south 40 feet thereof as per instrument recorded April 3, 1968, in Book 872 at page 150, as document 8774839, in Champaign County, Illinois; and

WHEREAS, in conjunction with the development of this site, it may become desirable to widen and improve Lierman Street between Main and East Washington from its present configuration and condition to a standard improved street as defined herein; and

NOW THEREFORE, the parties do hereby enter into an agreement with respect to the improvement of Lierman Street upon the following terms and conditions:

1. On or before January first of any year during the ten year period following occupation of the Brookens School site by Champaign County, Urbana shall have the opportunity to notify Champaign County that it wishes to construct the Lierman Street improvements. Such notice will be at least eighteen (18) months in advance of commencement of construction and will be addressed to Champaign County at its designated administrative offices
2. Champaign County will pay for one third of the total costs of improvements to Lierman Street provided that such improvements are limited to the installation of a seven inch thick portland cement concrete pavement surface which is no more than thirty-one (31) feet in width and which includes normal and usual curbs, gutters, storm drains and sewers, lighting, sidewalks and grading. For purposes of this agreement, total project costs shall include the costs of design but shall not include costs of normal supervision and/or inspection nor any special or unusual construction or specifications which are performed concurrently with the basic improvement project. Champaign County will, within thirty (30) days of receipt, pay to Urbana an amount equal to one third of the amount which Urbana has paid to its contractors throughout the design and construction period. Urbana may invoice Champaign County no more frequently than once per month

and invoices shall include a certified accounting for disbursements made which form the basis for the County's monetary reimbursement obligation.

3. The terms of this agreement are based upon the representations and intensity of uses permitted by a Special Use Permit granted to Champaign County by the Urbana City Council on November 6, 1995. This agreement can be modified by the mutual agreement of the parties upon the modification of the Special Use Permit to allow more intensive use of the Brookens Administrative Center.

4. The terms of this agreement shall inure to the benefit of and be binding upon the heirs, successors and assigns of the parties and shall be construed and interpreted in accordance with the ordinances of the City of Urbana and the laws of the State of Illinois.

IN WITNESS WHEREOF, the parties have caused this Agreement to be executed by their duly authorized representatives on the day and date first above written

CITY OF URBANA

By: Tal Sattelmeyer

It's: Mayor

Attest: Theresa A. ...  
...

CHAMPAIGN COUNTY

By: [Signature]

It's: [Signature]

Attest: [Signature]