

2/13/2006

30-O-06

A N O R D I N A N C E

**FOR THE CONSTRUCTION OF A
LOCAL IMPROVEMENT KNOWN AS
EVANSTON SPECIAL ASSESSMENT NO. 1483**

**BE IT ORDAINED BY THE CITY COUNCIL, THE CITY OF
EVANSTON, ILLINOIS:**

SECTION 1: That a local improvement shall be made within the City of Evanston, County of Cook, and State of Illinois, the nature, character, locality and description of which is as follows, to-wit:

That the unimproved public alley in the block bounded by Madison Place on the north, Cleveland Street on the south, Pitner Avenue on the west, and Hartrey Avenue on the east, in the City of Evanston, be improved by excavating, constructing the necessary drainage system and paving with 8" Portland Cement Concrete Pavement to a width of fifteen feet (15').

SECTION 2: That the Recommendation of this Ordinance by the Board of Local Improvements of the City of Evanston, Illinois, and the Estimate of the cost of said improvements made by the Engineer of said Board, both hereto attached, be and the same are hereby approved and by reference thereto made a part hereof.

SECTION 3: That said improvement shall be made and cost thereof, including the sum of One Hundred Three Thousand Three Hundred Thirty-Three and 64/100ths dollars (\$103,333.64), being the cost of making and collecting the Assessment and all other expenses as provided by law, shall be paid for by Special Assessment in accordance with the Illinois Municipal Code, Chapter 65, Section 5/9-2-1 *et seq.*,

approved May 29, 1961, and all amendments thereto, and Chapter 15, Title 7 of the City Code of the City of Evanston, 1979, as amended.

SECTION 4: That Ninety-One Thousand and 15/100ths dollars (\$91,000.15) of the cost of said improvements shall be allocated by the City and Home Depot, and Twelve Thousand Three Hundred Thirty-Three and 49/100ths dollars (\$12,333.49) as private benefit.

SECTION 5: That the aggregate amount to be assessed and each individual assessment shall be divided into ten installments in the manner provided by law, and each of said installments shall bear interest at the rate of seven percent (7%) per annum from sixty (60) days after the date of the first voucher issued on account of work done upon said proposed improvement.

SECTION 6: That for the purpose of anticipating the collection of the installments of said assessment levied against the real estate benefited thereby, general obligation bonds have been issued, fifty percent (50%) of which are payable out of said installments, bearing interest at the rate of seven percent (7%) per annum, payable annually and signed on behalf of the City of Evanston, Illinois, by its Mayor and attested by its City Clerk, and its corporate seal affixed thereto; and each interest coupon attached to said bonds shall likewise be executed by and shall bear the official facsimile signature of the same officers who signed said bonds, and who if facsimile signatures are used, do adopt by their execution of said bonds as and for their proper signatures their respective facsimile signatures appearing on said coupons; and that said bonds shall be issued in accordance with and shall in all respects conform to the provisions of an Act of the

General Assembly of the State of Illinois, known as the "Illinois Municipal Code," effective July 1, 1961, and the amendments thereto.

SECTION 7: That David Jennings, President of the Board of Local Improvements of the City of Evanston, Illinois, be and he is hereby directed to file a Petition in the County Court of Cook County, Illinois, praying that steps may be taken to levy a Special Assessment to pay the cost of said improvement in accordance with the provisions of this Ordinance and in the manner prescribed by law.

SECTION 8: That all ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 9: That this Ordinance shall be in full force and effect from and after its passage, approval, and publication in the manner provided by law.

Introduced: February 27, 2006

Adopted: March 13, 2006

Approved:

March 14, 2006

Lorraine H. Morton
Lorraine H. Morton, Mayor

Attest:

Mary P. Morris
Mary P. Morris, City Clerk

Approved as to form:

Herbert D. Hill
Herbert D. Hill
First Assistant Corporation Counsel

SPECIAL ASSESSMENT 1483

**RECOMMENDATION OF THE BOARD OF LOCAL IMPROVEMENTS
TO THE CITY COUNCIL OF THE CITY OF EVANSTON, ILLINOIS**

The Board of Local Improvements of the City of Evanston, Illinois, herewith submits the draft of an Ordinance for the making of a local improvement within the City of Evanston, County of Cook, and State of Illinois, the nature, character, locality and description of which is as follows, to-wit:

That the unimproved public alley in the block bounded by Madison Place on the north, Cleveland Street on the south, Pitner Avenue on the west, and Hartrey Avenue on the east, in the City of Evanston, be improved by excavating, constructing the necessary drainage system and paving with 8" Portland Cement Concrete Pavement to a width of fifteen feet (15').

And as part of said Ordinance and in conjunction therewith, said Board also herewith submits the plans and specifications of an estimate of the cost of said improvement, including the cost of engineering services, as finally determined by said Board; and said Board hereby recommends the passage of said Ordinance and the making of the improvement described therein.

Respectfully submitted,

BOARD OF LOCAL IMPROVEMENTS
CITY OF EVANSTON, ILLINOIS

By: *David C. Jennings*
J.M. B...
Will...
David D. Thibault

APPROVED AS TO FORM:

Elke B. Tober-Purze
Elke B. Tober-Purze
Attorney for the Board of Local
Improvements of the City of Evanston, Illinois

HERBERT D. HILL 24497
ELLEN SZYMANSKI 54806
ELKE B. TOBER-PURZE 40107
KENNETH COX 45264
BRADFORD R. YATABE 45263
CITY OF EVANSTON LAW DEPARTMENT
2100 RIDGE AVENUE
EVANSTON, ILLINOIS 60201
(847) 866-2937

**ADHERING RESOLUTION
OF THE BOARD OF LOCAL IMPROVEMENTS
RECOMMENDING THE IMPROVING OF THE ALLEY
NORTH OF NOYES STREET, EAST OF BROWN AVENUE**

Special Assessment 1483

WHEREAS, on January 9, 2006, a Resolution was adopted by the Board of Local Improvements of the City of Evanston originating a local improvement in said City providing the following:

That the unimproved public alley in the block bounded by Madison Place on the north, Cleveland Street on the south, Pitner Avenue on the west, and Hartrey Avenue on the east, in the City of Evanston, be improved by excavating, constructing the necessary drainage system and paving with 8" Portland Cement Concrete Pavement to a width of fifteen feet (15').

WHEREAS, a public hearing was held by this Board on the 7th day of February, 2006, on the question of the necessity of the proposed improvement; and

WHEREAS, all persons interested in said proposed improvement who desired to be heard were heard, and no sufficient reason or objection was given or made to the proposed improvement, and based on the proof submitted to this Board, this Board finds that good and sufficient notices of said public hearing were given and mailed as required by law,

NOW, THEREFORE, IT IS HEREBY RESOLVED by the Board of Local Improvements of the City of Evanston, Cook County, Illinois:

SECTION 1: That the aforesaid proposed improvement described in the original resolution adopted the 9th day of January, 2006, and as shown on the plans attached to the original resolution and the estimate of the cost of said improvement, be adhered to.

SECTION 2: That the ordinance now before this Board of Local Improvements and prepared at the request of the Board, be and the same is hereby approved and that each member of the Board of Local Improvements be requested to sign the recommendation

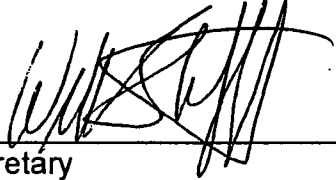
attached to the said ordinance, recommending to the City Council of the City of Evanston the passage of said ordinance.

SECTION 3: That the Secretary of the Board of Local Improvements be and he is hereby requested to deliver to the City Council of the City of Evanston the ordinance for said improvement, the estimate of the cost of said improvement as attached thereto together with the recommendation of this Board of Local Improvements, and that copies of said recommendation, estimate, and ordinance be placed on file in the records of the Board of Local Improvements.

SECTION 4: That this resolution shall be in full force and effect from and after its passage and approval.

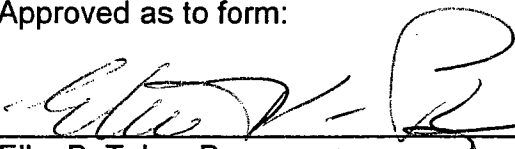
ADOPTED this 7th day of February, 2006

FILED IN MY OFFICE
this 7th day of February, 2006



Secretary

Approved as to form:



Eike B. Tober-Purze
Attorney for the Board of Local
Improvements of the City of Evanston, Illinois

BOARD OF LOCAL IMPROVEMENTS OF
THE CITY OF EVANSTON, ILLINOIS

By: 