

28-O-19

AN ORDINANCE

**To Approve the Construction of a Local Improvement Known as
Evanston Special Assessment No. 1524**

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

SECTION 1: 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*:

The unimproved public alley in the block bounded on the north by Payne Street, on the east by Pioneer Road, on the south by Simpson Street, and on the west by McDaniel Avenue, in the City of Evanston, County of Cook, State of Illinois, be improved by excavating, constructing the necessary drainage system and paving with 8" Portland Cement Concrete Pavement, to a width of sixteen feet (16') along the east-west leg and the north-south leg between Payne Street and Simpson Street. The second north-south leg that only outlets to Simpson Street will be paved to a width of thirteen feet (13').

SECTION 2: The Recommendation (Exhibit A) of the Board of Local Improvements of the City of Evanston, Illinois, of this Ordinance, and the Estimate of the Cost (Exhibit B) of said improvement made by the Engineer of said Board, both attached hereto, be and the same are hereby approved and by reference thereto made a part hereof.

SECTION 3: Said improvement shall be made and the cost thereof, including the sum of Six Hundred Fifty-Seven Thousand Six Hundred Eighty-Eight and 56/100 Dollars (\$657,688.56), 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.*

SECTION 4: Three Hundred Twenty-Eight Thousand Eight Hundred Forty-Four and 28/100 Dollars (\$328,844.28) of the cost of said improvement shall be allocated by the City; and the remainder of the cost, Three Hundred Twenty-Eight Thousand Eight Hundred Forty-Four and 28/100 Dollars (\$328,844.28) will be allocated as private benefit.

SECTION 5: The aggregate amount to be assessed and each individual assessment shall be divided into ten (10) installments in the manner provided by law, and each of said installment shall bear interest at the rate of four percent (4%) 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, up to Two Hundred Fifty Thousand Dollars (\$250,000.00) of which are payable by the City, additional funds from the City's Special Assessment Fund of Seventy-Eight Thousand Eight Hundred Forty-Four and 28/100 (\$78,844.28) payable by the City, and homeowners pay up to Three Hundred Twenty-Eight Thousand Eight Hundred Forty-Four and 28/100 Dollars (\$328,844.28) of which are payable out of said installments, bearing interest at the rate of four percent (4%) 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 or 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 be 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 Stoneback, 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 Circuit 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: All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 9: If any provision of this ordinance or application thereof to any person or circumstance is held unconstitutional or otherwise invalid, such invalidity shall not affect other provisions or applications of this ordinance that can be given effect without the invalid application or provision, and each invalid application of this ordinance is severable.

SECTION 10: The findings and recitals contained herein are declared to be prima facie evidence of the law of the City and shall be received in evidence as provided by the Illinois Compiled Statutes and the courts of the State of Illinois.

SECTION 11: This ordinance shall be in full force and effect from and after its passage, approval, and publication in the manner provided by law.

Introduced: April 9th, 2019

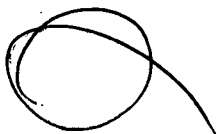
Approved:

Adopted: April 22nd, 2019

May 6, 2019


Stephen H. Hagerty, Mayor

Attest:



Devon Reid, City Clerk

Approved as to form:


Michelle L. Masoncup, Corporation Counsel

Exhibit A

Recommendation

SPECIAL ASSESSMENT NO. 1524
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 Ordinance 28-O-19 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:

The unimproved public alley in the block bounded on the north by Payne Street, on the east by Pioneer Road, on the south by Simpson Street, and on the west by McDaniel Avenue, in the City of Evanston, County of Cook, State of Illinois, be improved by excavating, constructing the necessary drainage system and paving with the 8" Portland Cement Concrete Pavement, to a width of sixteen feet (16') along the east-west leg and the north-south leg between Payne Street and Simpson Street. The second north-south leg that only outlets to Simpson Street will be paved to a width of thirteen feet (13').

and, as part of said Ordinance, and in conjunction therewith, said Board also herewith submit 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 aid Board hereby recommends the passage of Ordinance 28-O-19 and the making of the improvement described therein.

Respectfully submitted,

BOARD OF LOCAL IMPROVEMENTS
CITY OF EVANSTON, ILLINOIS

By: _____
David Stoneback, President

APPROVED AS TO FORM:

Alexandra B. Ruggie
Attorney for the Board of Local
Improvements of the City of
Evanston, Illinois

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Attorney Code 46996

Date: _____, 2019

Exhibit B

Estimate