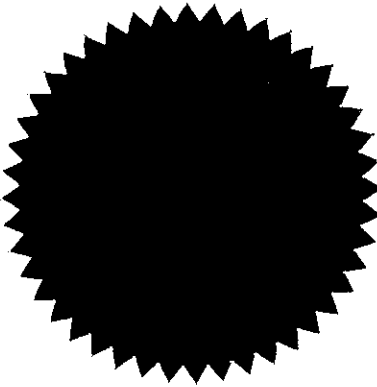


ORDINANCE 4452

PAMPHLET

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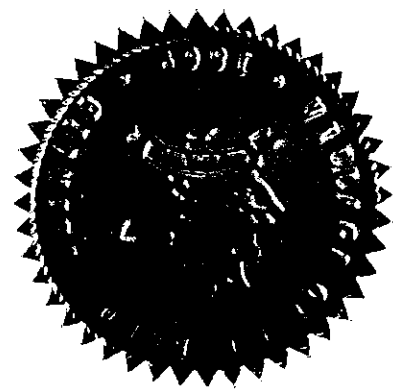
SPECIAL ASSESSMENT 215  
FOUNTAIN SQUARE



PUBLISHED IN PAMPHLET FORM THIS 12TH DAY OF MAY, 1998.  
BY ORDER OF THE CORPORATE AUTHORITIES OF THE VILLAGE OF LOMBARD,  
DUPAGE COUNTY, ILLINOIS.

*Johnnie G. Gerhardt*  
Lorraine G. Gerhardt  
Village Clerk

*Johnnie G. Gerhardt*



Village Clerk of the Village of Lombard

*Lorraine G. Gerhardt*

IN WITNESS WHEREOF, I have herunto set my hand and affixed the seal of the said Village of Lombard, this 7th day of May, 1998.

I do further certify that the original Ordinance, of which the foregoing is a true copy, is entrusted in my care for safekeeping, and that I am the lawful keeper of the same.

ABSENT: None

NAYS: None

AYES: Trustees Borgatell, Tross, Schaffer, Jaugilas, Gatz and Kuftrin

I further certify that the vote on the question of the passage of the said Ordinance by the Board of Trustees of the Village of Lombard was taken by Ayes and Nays and recorded in the journal of the proceedings of the Board of Trustees of the Village of Lombard and that the result of said vote was as follows, to wit:

which said Ordinance was passed by the Board of Trustees of the Village of Lombard at a meeting held on the 7th day of May, 1998, at which meeting a quorum was present and approved by the President of the Village of Lombard on the 7th day of May, 1998.

**ORDINANCE PROVIDING FOR THE IMPROVING OF PORTIONS OF THE 22ND STREET, MEYERS ROAD AND BUTTERFIELD ROAD RIGHT-OF-WAYS, AND THE INSTALLATION OF SANITARY SEWERS AND WATERMAINS - FOUNTAIN SQUARE (SPECIAL ASSESSMENT NO. 215)**

ORDINANCE NO. 4452

I, LORRAINE G. GERHARDT, Village Clerk of the Village of Lombard, in the County of DuPage, and State of Illinois, do hereby certify that attached hereto is a true and correct copy of that certain Ordinance now on file in my office:

**CERTIFICATE**

STATE OF ILLINOIS )  
COUNTY OF DU PAGE )  
SS )  
)

**ORDINANCE PROVIDING FOR THE IMPROVING OF PORTIONS OF THE 22<sup>ND</sup> STREET, MEYERS ROAD AND BUTTERFIELD ROAD RIGHT-OF-WAYS, AND THE INSTALLATION OF SANITARY SEWERS AND WATERMANS - FOUNTAIN SQUARE (SPECIAL ASSESSMENT NUMBER 215)**

**BE IT ORDAINED** by the President and Board of Trustees of the Village of Lombard,

DuPage County, Illinois, as follows:

**SECTION 1:** That a Local Improvement shall be made in the Village of Lombard, DuPage

County, Illinois, the nature, character, locality and description of which are as follows:

**22<sup>nd</sup> Street/Meyers Road**

**22<sup>nd</sup> Street**

Pavement removal, curb and gutter removal, inlet and catch basin removal, guardrail removal, earth excavation, removal and disposal of unsuitable material, Portland Cement Concrete pavement, aggregate base course, combination concrete curb and gutter, Portland Cement Concrete sidewalk, bituminous concrete roadway, butuminous driveway replacement, storm sewer and appurtenances for pavement drainage purposes, street lighting, pavement marking, traffic signals, parkway restoration and landscaped median.

Making a pavement seventy-one feet (71') wide as measured between the back of curbs and including the landscaped median on and along:

22<sup>nd</sup> Street from a point approximately one thousand, six hundred, ninety-three feet (1,963') west of the center line of Meyers Road, easterly a distance of one thousand, six hundred, fifty-five feet (1,655') to a point approximately thirty-eight feet (38') west of the centerline of Meyers Road;

including the installation of two foot (2') through eight foot (8') diameter utility structures with cast iron frames, grates and lids; twelve inch (12") through forty-eight inch (48") reinforced concrete storm sewer; one inch (1") water service line; twelve inch (12") ductile iron watermain and watermain location; fire hydrants with auxiliary valve and valve box; domestic water service boxes; twelve inch (12") water quality water valves and watermain fittings, drainage and utility

structures to be removed, reconstructed and adjusted; concrete and  
corrugated metal culvert pipe removal; removal and replacement of  
bituminous driveway pavement having aggregate bases; backfilling  
with trench backfill of trenches under pavement area, driveways and  
sidewalks; Portland Cement Concrete sidewalk five foot (5') wide and  
five inches (5") thick including 22<sup>nd</sup> Street and Meyers Road; eight  
foot (8') wide bituminous pedway consisting of two inches (2") of  
bituminous concrete surface course over six inches (6") of aggregate  
base course; street light fixtures and associated cable and controls;  
regrading and replacement of four inches (4") of topsoil in the  
parkways and disturbed areas including fertilizing and sodding such  
areas; construction of concrete curb six inches (6") high above a  
concrete gutter twelve inches (12") wide, and six inches (6") high  
above a concrete gutter twenty-four inches (24") side; construction of  
rigid pavement consisting of twelve inches (12") aggregate base  
course and ten inches (10") of Portland Cement Concrete pavement;  
construction of a four inch (4") stabilized median surface, and all other  
incidental and appurtenant work necessary to complete the improve-  
ments.

Meyers Road - (Enhancement to Meyers is part of DuPage County  
Roadway Improvement abutting the SAA)

Curb and gutter removal; earth excavation and embankment; removal  
and disposal of unsuitable material; bituminous concrete surface  
course and binder course; sub-base granular material; bituminous base  
course; combination concrete curb and gutter; storm sewer and  
appurtenances for pavement drainage purposes; pavement marking  
and parkway restoration.

Adding a southbound right turn lane and a northbound left turn lane  
both twelve feet (12') wide measured from edge of pavement to edge  
of pavement, including curb and gutter of the type specified on and  
along:

Meyers Road from a point approximately six hundred forty-seven feet  
(647') south of the centerline of 22<sup>nd</sup> Street, northerly a distance of  
five hundred eighty-five feet (585') to a point approximately sixty-two  
(62') south of the centerline of 22<sup>nd</sup> Street;

including the installation of two foot (2') through four foot (4') utility  
structures with cast iron frames, grates and lids; twelve inch (12")  
reinforced concrete storm sewer; backfilling with trench backfill of

trenches under pavement area; reggrading and replacement of four inches (4") of topsoil in the parkways and disturbed areas including fertilizing and sodding such areas; construction of concrete curb six inches (6") high above a concrete gutter twelve inches (12") wide, and six inches (6") high above a concrete gutter eighteen inches (18") wide; and all other incidental and appurtenant work necessary to complete the improvement.

**Butterfield Road**

Median removal and replacement, curb and gutter removal, inlet and manhole removal, guardrail removal and replacement, earth excavation and embankment, removal and disposal of unsuitable material, Portland Cement Concrete pavement, sub-base granular material, stabilized subbase, combination concrete curb and gutter, Portland Cement Concrete sidewalk, box culvert extension and installation, storm sewer and appurtenances for pavement drainage purposes, pavement marking and traffic signals.

Adding a right turn lane and two (2) left turn lanes twelve feet (12) wide measured from edge of pavement to edge of pavement, including curb and gutter of the type specified on and along:

Butterfield Road from a point approximately one thousand, five hundred, seven feet (1,507') west of the centerline of Meyers Road, easterly a distance of nine hundred seventy-six feet (976') to a point approximately five hundred thirty feet (530') west of the centerline of Meyers Road;

including the installation of two foot (2') diameter and four foot by six foot (4'x6') rectangular precast concrete drainage and utility structures with cast iron frames, grates and lids; twelve inch (12") reinforced concrete storm sewer, drainage and utility structures to be removed, reconstructed and adjusted; backfilling with trench backfill of trenches under pavement area, driveways and sidewalks; Portland Cement Concrete sidewalk five feet (5') wide and five inches (5") thick; reggrading and replacement of four inches (4") of topsoil in the parkways and disturbed area including fertilizing and sodding such areas; construction of concrete curb six inches (6") high above a concrete gutter twelve inches (12") wide; construction of concrete curb six inches (6") high above a concrete gutter twenty-four inches (24") wide; construction of concrete curb two inches (2") high above a concrete gutter twelve inches (12") wide; construction of rigid

pavement consisting of four inches (4") stabilized sub-base material and ten inches (10") Portland Cement Concrete pavement; construction of four inch (4") stabilized median surface; and all other incidental and appurtenant work necessary to complete the improvement.

**On-site SAA/Incidental Utility Relocations**

The installation of eight inch (8") through twelve inch (12") ductile iron watermain and watermain location; fire hydrants with auxiliary valve and valve box; ten inch (10") through twelve inch (12") water quality water valves and watermain fittings; backfilling with trench backfill of trenches under pavement area; the installation of eight inch (8") through twelve inch (12") sanitary sewer, type 1; the installation of four foot (4') diameter sanitary structures with cast iron frames; connecting to existing sanitary manholes; Commonwealth Edison utility lines burial and relocation; Media One utility lines burial and relocation and all other incidental and appurtenant work necessary to complete the improvements.

**SECTION 2:** All materials of every kind and character to be used in the construction of this

improvement will be first class quality, suitable for the purpose for which they are to be used, and subject to the inspection and approval of the Village of Lombard.

All work shall be constructed in a workmanlike manner.

The quantities and types of materials to be used are as set forth in the plans and specifications for the project and are incorporated herein by reference as if fully set forth herein and are approved.

All construction methods and materials used in construction of the improvements herein provided for shall conform with the requirements of the Standard Specifications for Road and Bridge Construction, issued by the State of Illinois Department of Transportation, adopted January 1, 1997, and the most recent edition of the Standard Specifications for Water and Sewer Main Construction in Illinois, published by the Illinois Society of Professional Engineers, copies of which are on file with

the Village Clerk in the Village of Lombard.

**SECTION 3:** The quantities and types of materials to be used are as set forth in the Estimate

of Cost, attached hereto and incorporated herein by reference.

**SECTION 4:** The Recommendation of the Board of Local Improvements, the Estimate of

Cost thereof and the plans all hereto attached and incorporated herein by reference, be and the same

are hereby approved.

**SECTION 5:** That said improvement shall be made and the cost thereof, which is estimated

to be \$4,335,949.09, shall be paid for by special assessment in accordance with 65 ILCS 5/9-2-1

through 5/9-2-144, as supplemented by the Special Assessment Supplemental Bond and Procedures

Act, 50 ILCS 460/1 through 460/60, which the Village hereby elects to be applicable to this Special

Assessment. An amount not exceeding \$260,156.94 is hereby provided for to apply towards the

payment of all lawful costs and expenses incurred in making, levying and collecting the assessment

for said improvement. In addition, in accordance with the Estimate of Cost for said improvement,

an amount not exceeding \$148,413.33 is hereby provided to pay capitalized interest.

**SECTION 6:** The aggregate amount herein ordered to be assessed and each individual

assessment shall be divided into nineteen (19) installments which shall bear interest at the rate of nine

percent (9%) per annum until paid, subject to reduction upon issuance of the special assessment

bonds, all in the manner and in accordance with the provisions of 65 ILCS 5/9-2-1 through 5/9-2-144,

as supplemented by the provisions of 50 ILCS 460/1 through 460/60. Said nineteen installments shall

be in the following amounts:

<u>Installment No.</u>	<u>Date Due</u>	<u>AMOUNT</u>
1	January 2, 2000	\$145,949.09
2	January 2, 2001	150,000.00
3	January 2, 2002	155,000.00

165,000.00	January 2, 2003	4
170,000.00	January 2, 2004	5
180,000.00	January 2, 2005	6
190,000.00	January 2, 2006	7
200,000.00	January 2, 2007	8
205,000.00	January 2, 2008	9
220,000.00	January 2, 2009	10
230,000.00	January 2, 2010	11
240,000.00	January 2, 2011	12
255,000.00	January 2, 2012	13
265,000.00	January 2, 2013	14
280,000.00	January 2, 2014	15
295,000.00	January 2, 2015	16
315,000.00	January 2, 2016	17
330,000.00	January 2, 2017	18
345,000.00	January 2, 2018	19

**SECTION 7:** For the purposes of anticipating the collection of the installments of said

assessment for said improvement, bonds and/or vouchers shall be issued payable out of said installments, bearing interest at the rate of not more than nine percent (9%) per annum, payable annually, and signed by the President of the Village and attested by the Village Clerk, under the corporate seal of the Village. The bonds shall be issued in accordance with, and shall in all respects conform to, the provisions of 65 ILCS 5/9-2-1 through 5/9-2-144, as supplemented by 50 ILCS 460/1 through 460/60.

**SECTION 8:** WILLIAM T. LICHTER, Village Manager for the Village of Lombard, is designated as the person to file a petition in the Circuit Court of DuPage County, Illinois, as provided by law in the name of the Village, praying that steps may be taken to levy a special assessment for said improvement in accordance with the provisions of this Ordinance and in the manner prescribed by law.



This Ordinance, having been previously published in pamphlet form in accordance with law, shall be in full force and effect from and after its passage and approval.

PASSED on first reading this \_\_\_\_\_ day of \_\_\_\_\_, 1998.

First reading waived by action of the Board of Trustees this 7<sup>th</sup> day of May, 1998.

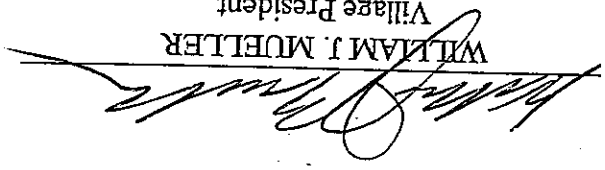
PASSED on second reading this 7<sup>th</sup> day of May, 1998.

AYES: Trustees Borgatell, Tross, Schafter, Jaugilas, Gatz and Kuftrin

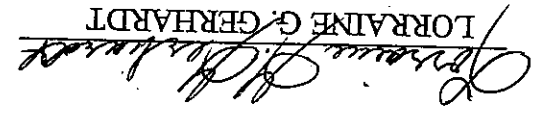
NAYS: None

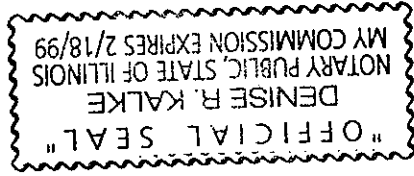
ABSENT: None

APPROVED by me this 7<sup>th</sup> day of May, 1998.

  
WILLIAM J. MUELLER  
Village President

ATTEST:

  
LORRAINE G. GERHARDT  
Village Clerk



SUBSCRIBED AND SWORN TO BEFORE  
me this 11<sup>th</sup> day of May  
1998.  
*Denise R. Kalke*  
NOTARY PUBLIC

*C.J. Broyles*  
C.J. BROYLES, COMMISSIONER

The affiant further states that she has fully complied with all of the requirements as set forth in Section 9-2-47 of the Illinois Municipal Code (65 ILCS 5/9-2-47).

The affiant further states that she made or caused to be made a diligent search of the records maintained by the Collector of general taxes in this County showing the persons who paid general taxes during the last preceding year in which taxes were paid on the premises above-described subject to this assessment, and has made a diligent search for the residences of such persons, and the report herewith filed correctly states such persons and residences as so ascertained.

C.J. BROYLES, being first duly sworn on oath, deposes and says that she has made a true and impartial assessment of the cost of the said improvement upon the property benefitted by such improvement; that she verily believes that the amounts assessed against the public and against each lot, block, tract and parcel of land assessed in the said assessment roll made by her in pursuance thereof, attached hereto, are just and equitable and do not exceed the benefits which will be in each case derived from said improvements; that no lot, block, tract or parcel of land has been assessed more than its proportionate share of the cost of said improvement.

**AFFIDAVIT TO ROLL**

STATE OF ILLINOIS  
)  
) SS  
) COUNTY OF DU PAGE  
)

**CERTIFICATE TO ROLL**

The undersigned Commissioner, duly appointed to make a true and impartial assessment of the cost of an improvement consisting of:

**A. 22<sup>nd</sup> Street**

Pavement removal, curb and gutter removal, inlet and catch basin removal, guardrail removal, earth excavation, removal and disposal of unsuitable material, Portland Cement Concrete pavement, aggregate base course, combination concrete curb and gutter, Portland Cement Concrete sidewalk, bituminous concrete roadway, butuminous driveway replacement, storm sewer and appurtenances for pavement drainage purposes, street lighting, pavement marking, traffic signals, parkway restoration and landscaped median; making a pavement seventy-one feet (71') wide as measured between the back of curbs.

**B. Meyers Road - (Enhancement to Meyers is part of DuPage County Roadway Improvement abutting the SAA)**

Curb and gutter removal; earth excavation and embankment; removal and disposal of unsuitable material; bituminous concrete surface course and binder course; sub-base granular material; bituminous base course; combination concrete curb and gutter; storm sewer and appurtenances for pavement drainage purposes; pavement marking and parkway restoration; adding a southbound right turn lane and a northbound left turn lane both twelve feet (12') wide measured from edge of pavement to edge of pavement.

**C. Butterfield Road**

Median removal and replacement, curb and gutter removal, inlet and manhole removal, guardrail removal and replacement, earth excavation and embankment, removal and disposal of unsuitable material, Portland Cement Concrete pavement, sub-base granular material, stabilized subbase, combination concrete curb and gutter, Portland Cement Concrete sidewalk, box culvert extension and installation, storm sewer and appurtenances for pavement drainage purposes, pavement marking and traffic signals; adding a right turn lane and two (2) left turn lanes twelve feet (12') wide measured from edge of pavement to edge of pavement.

as provided for by a Resolution of the Board of Local Improvements and an Ordinance enacted by the corporate authorities of the Village, said Ordinance having been passed on the 7<sup>th</sup> day of May, 1998, does hereby certify:

That she has completed the attached assessment roll showing a list of all the lots, blocks, tracts and parcels of land assessed for the proposed improvement; the amount assessed against each; the name of the person who paid the taxes on each parcel during the preceding year in which taxes were paid as shown upon the books of the County Collector; the residence of the person so paying the taxes where the same could be found; and the assessment having been divided into installments, the amount of each installment is stated.

She further certifies that she estimated what portion of the total cost of such improvement would be of benefit to the public and what portion thereof would be of benefit to the property to be benefited and apportioned the same between the Village and such property so that each will bear its relative equitable proportion; that no amount was estimated and apportioned to the Village as public benefit, and the amount so estimated and apportioned to the property to be benefited being the sum of \$4,335,949.09; and having found such amounts the undersigned did apportion and assess the amount so found to be of benefit to the property upon the several lots, blocks, tracts and parcels of land in the proportion in which they will severally be benefited by such improvement; and that no lot, block, tract or parcel of land has been assessed a greater amount than it will be actually benefited.

C. J. BROYLES, COMMISSIONER



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**SECTION 2:** That it is, therefore, recommended that the Estimate of Cost, as attached to this Resolution, be approved, and that the Village proceed with such improvement in accordance with the plans and Estimate of Cost, and that this Board transmit to the governing body of the Village of Lombard its recommendation that the proposed improvement be made, together with an Ordinance

hearing were given and mailed as required by law.

the proof submitted to this Board, this Board finds that good and sufficient notices of said public and no sufficient reason or objection was given or made to the proposed improvement, and based on hereto. All persons interested in said proposed improvement who desired to be heard were heard, adopted by this Board on April 8, 1998, and the Estimate of Cost of said improvement as attached work, including all labor and materials, complete in place, all as described in the original Resolution the installation of watermains, in relation to the Fountain Square Development, and all appurtenant sidewalks and traffic signal improvements at certain locations, the installation of sanitary sewers and the 22<sup>nd</sup> Street, Meyers Road and Butterfield Road right-of-ways, including the construction of question of the necessity of the proposed improvement consisting of the improving of portions of **SECTION 1:** A public hearing was held by this Board on the 22<sup>nd</sup> day of April, 1998, on the

DuPage County, Illinois, as follows:

**BE IT RESOLVED** by the Board of Local Improvements of the Village of Lombard,

**SECOND RESOLUTION OF THE BOARD OF LOCAL IMPROVEMENTS  
RECOMMENDING THE IMPROVING OF PORTIONS OF THE 22<sup>ND</sup> STREET,  
MEYERS ROAD AND BUTTERFIELD ROAD RIGHT-OF-WAYS, AND THE INSTALLA-  
TION OF SANITARY SEWERS AND WATERMAINS - FOUNTAIN SQUARE  
(SPECIAL ASSESSMENT NUMBER 215)**

NO. \_\_\_\_\_

therefor, as prescribed by law, and this Board hereby approves the proposed draft of an Ordinance attached hereto providing for such an improvement.

**ADOPTED** by the Board of Local Improvements of the VILLAGE OF LOMBARD,

ILLINOIS this 22<sup>nd</sup> day of April, 1998, pursuant to a roll call vote as follows:

**AYES:** *James J. DeBorja, Richard L. ...*

**NAYS:** NONE

**ABSENT:** Tom Sherman

**APPROVED** by me this 22<sup>nd</sup> day of April, 1998.

*James J. DeBorja*  
President of the Board of Local Improvements

**ATTEST:**

*[Signature]*

Secretary for the Board of Local Improvements

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**RECOMMENDATION IN REGARD TO THE IMPROVING  
OF PORTIONS OF THE 22<sup>ND</sup> STREET, MEYERS ROAD AND BUTTERFIELD ROAD  
OF RIGHT-OF-WAYS, AND THE INSTALLATION OF SANITARY SEWERS AND  
WATERMANS - FOUNTAIN SQUARE  
(SPECIAL ASSESSMENT NUMBER 215)**

TO: Board of Trustees of the Village of Lombard  
DuPage County, Illinois

The Board of Local Improvements heretofore appointed and now serving in that capacity herewith submits a draft of an Ordinance for the improving of portions of the 22<sup>nd</sup> Street, Meyers Road and Butterfield Road right-of-ways, including the construction of sidewalks and traffic signal improvements at certain locations, the installation of sanitary sewers and the installation of watermains, in relation to the Fountain Square Development, all as described in the accompanying Ordinance attached hereto and made a part hereof.

We submit herewith the Estimate of Cost thereof by the Engineer for the Board of Local

Improvements.

We recommend the passage of the said Ordinance and the making of the said improvement,

the costs thereof to be paid for by special assessment.

**DATED** this 22<sup>th</sup> day of April, 1998.

BOARD OF LOCAL IMPROVEMENTS

*James P. Decker*  
*Richard J. Neal*  
*James W. Hooper*  
*Lawrence A. Barry*



**FIRST RESOLUTION  
VILLAGE OF LOMBARD, ILLINOIS  
SPECIAL ASSESSMENT NO. 215  
(Fountain Square Sanitary Sewers, Watermains and Roadway Improvements)**

**BE IT RESOLVED** by the Board of Local Improvements of the VILLAGE OF LOMBARD,

Illinois, that there be considered the construction of a local improvement consisting of the paving and improving of certain streets and right-of-ways, including the construction of sidewalks and traffic signal improvements at certain locations, the installation of sanitary sewers and the installation of watermains all as more fully described and indicated in the Estimate of Cost attached hereto, and made a part hereof, incorporated herein by reference as if it were fully set forth herein, and signed by MICHAEL LACH of BOLLINGER, LACH & ASSOCIATES, INC., Engineer for the Board of Local Improvements. Said Estimate of Cost is hereby approved. The entire improvement shall be constructed in public streets, right-of-ways and public easements using all new materials of the best quality, and in the best workmanlike manner, subject to the approval of and acceptance by the Board of Local Improvements of the said Village.

**BE IT FURTHER RESOLVED** that this Board fix April 22, 1998, at the hour of 3:00 p.m. in the office of the Board of Local Improvements of the Village of Lombard in the Village Hall, Community Room, located at 255 East Wilson Avenue, Lombard, Illinois, as the time and place for public consideration of the said proposed improvements.

**BE IT FURTHER RESOLVED** that a notice of the time and place for such public

consideration be prepared and mailed in the manner provided by law.

**BE IT FURTHER RESOLVED** that this Resolution be at once transcribed into the records

of this Board.

**ADOPTED** by the Board of Local Improvements of the VILLAGE OF LOMBARD, Illinois,

the 8<sup>th</sup> day of April, 1998, pursuant to a roll call vote as follows:

**AYES:** Lorraine G. Gerhardt, Richard Tross, Laurence Barry

**NAYS:**

**ABSENT:** James Hogan, Tom Sherman

**APPROVED** by me this 8<sup>th</sup> day of April, 1998.

*[Signature]*  
President of the Board of Local Improvements

**ATTEST:**

Secretary for the Board of Local Improvements

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