

ORDINANCE NO. 6281

**AN ORDINANCE PROVIDING FOR THE
PAVING AND IMPROVING OF PORTIONS OF EDGEWOOD AVENUE,
VISTA AVENUE, LE MOYNE AVENUE AND JOYCE AVENUE
(SPECIAL ASSESSMENT NUMBER 217B)**

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:

Pavement removal, curb and gutter removal, sidewalk removal, hot-mix asphalt surface removal and replacement, earth excavation; and removal and disposal of unsuitable material, porous granular embankment, subbase granular material, full depth hot-mix asphalt pavement, combination concrete curb and gutter, Portland cement concrete sidewalk, hot-mix asphalt and concrete driveway replacement, storm sewer and appurtenances for pavement drainage purposes, street lighting, water main, and adjust deficient portions of the existing sanitary sewer;

Making a pavement twenty-eight feet (28') wide as measured between the back of curbs on and along:

Edgewood Avenue from a point approximately nine hundred fifty feet (950') north of the center line of Sunset Avenue, southerly a distance of nine hundred seventeen feet (917') to a point approximately thirty three feet (33') north of the centerline of Sunset Avenue;

Vista Avenue from a point approximately nine hundred eighty feet (980') north of the center line of Sunset Avenue, southerly a distance of nine hundred sixty-seven feet (967') to a point approximately thirteen feet (13') north of the centerline of Sunset Avenue;

LeMoyne Avenue from a point approximately one thousand three hundred forty-five feet (1345') west of the center line of Kramer Avenue, easterly a distance of one thousand three hundred thirty-three feet (1333') to a point approximately twelve feet (12') west of the centerline of Kramer Avenue;

Joyce Avenue from a point approximately one thousand five hundred eighty-seven feet (1587') north of the center line of Sunset Avenue, southerly a distance of six hundred five feet (605') to a point approximately nine hundred eighty-two feet (982') north of the centerline of Sunset Avenue;

Installation of street lighting along both sides of all aforementioned reconstructed streets for a total length of approximately three thousand eight hundred feet (3800');

and all other incidental and appurtenant work necessary to complete the improvement as shown and described in the construction documents.

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 effective January 1, 2007, 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/or 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 \$4,056,763.77, 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 460/65, which the Village hereby elects to be applicable to this Special Assessment. An amount not exceeding \$243,405.82 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.

SECTION 6: The aggregate amount herein ordered to be assessed and each individual assessment shall be divided into fifteen (15) 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 460/65.

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 460/65.

SECTION 8: David A. Hulseberg, Village Manager for the Village of Lombard, is designated as the person to file a petition in the Circuit Court for the Eighteenth Judicial Circuit, 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.

SECTION 9: This Ordinance, having been previously published in pamphlet form, from November 14, 2008 to the date of its passage, 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 _____, 2008.

First reading waived by action of the Board of Trustees this 4th day of December, 2008.

Passed on second reading this 4th day of December, 2008, pursuant to a roll call vote as follows:

AYES: Trustees Gron, Tross, O'Brien, _____, Fitzpatrick & Soderstrom

NAYS: None

ABSENT: Moreau

APPROVED by me this 4th day of December 2008.



William J. Mueller, Village President

ATTEST:


Brigitte O'Brien, Village Clerk

STATE OF ILLINOIS)
) SS
COUNTY OF DU PAGE)

CLERK'S CERTIFICATE

I, BRIGITTE O'BRIEN, 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:

ORDINANCE NO. 6281

**ORDINANCE PROVIDING FOR THE PAVING AND IMPROVING OF
PORTIONS OF EDGEWOOD AVENUE, VISTA AVENUE,
LE MOYNE AVENUE AND JOYCE AVENUE
(SPECIAL ASSESSMENT NUMBER 217B)**

which said Ordinance was passed by the Board of Trustees of the Village of Lombard at a meeting held on the 4th day of December, 2008, at which meeting a quorum was present and approved by the President of the Village of Lombard on the 4th day of December, 2008.

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:

AYES: Trustees Gron, Tross, O'Brien, Fitzpatrick and Soderstrom

NAYS: None

ABSENT: Moreau

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.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the said Village of Lombard, this 4th day of December, 2008.



Brigitte O'Brien, Village Clerk
Village of Lombard

[SEAL]

STATE OF ILLINOIS)
) SS
COUNTY OF DU PAGE)

**IN THE CIRCUIT COURT FOR THE EIGHTEENTH JUDICIAL CIRCUIT
DU PAGE COUNTY, ILLINOIS**

**IN THE MATTER OF THE VILLAGE)
OF LOMBARD, DU PAGE COUNTY,)
ILLINOIS SPECIAL ASSESSMENT FOR) VILLAGE OF LOMBARD
THE PAVING AND IMPROVING OF) SPECIAL ASSESSMENT NO. 217B
PORTIONS OF EDGEWOOD AVENUE,)
VISTA AVENUE, LE MOYNE AVENUE)
AND JOYCE AVENUE,)
IN THE VILLAGE OF LOMBARD)**

PETITION

**To: THE HONORABLE JUDGE OF THE
CIRCUIT COURT OF DU PAGE COUNTY, ILLINOIS**

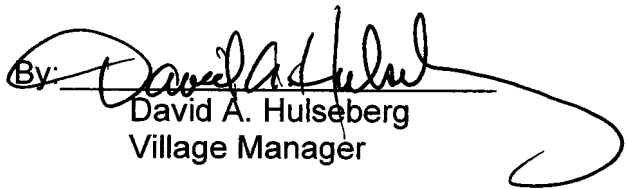
Your Petitioner, the VILLAGE OF LOMBARD, in DuPage County, Illinois, respectfully shows that heretofore on the 4th day of December, 2008, the President and Board of Trustees of the said Village duly enacted an Ordinance providing that a local improvement be made consisting of the paving and improving of portions of Edgewood Avenue, Vista Avenue, LeMoyne Avenue and Joyce Avenue, as more fully described in the attached Ordinance, which is made a part hereof, the nature, character, locality and description of such improvement being fully set forth in said Ordinance.

The said Ordinance was duly passed upon recommendation by the Board of Local Improvements as required by law, and all hearings, notices and other proceedings required by law to be had, made, taken or given in connection with such assessment have been properly performed, had, made taken and given. A copy of the

Recommendation of the Board of Local Improvements that said improvement be made, together with an Estimate of the Cost of such improvement, is attached hereto and made a part hereof.

WHEREFORE, your Petitioner prays that steps be taken to levy a special assessment for said improvement in accordance with the provisions of the said Ordinance, in the manner prescribed by law.

VILLAGE OF LOMBARD

By: 
David A. Hulseberg
Village Manager

Thomas P. Bayer
Lance C. Malina
J. Allen Wall
Jacob H. Karaca
Klein, Thorpe and Jenkins, Ltd.
20 North Wacker Drive
Suite 1660
Chicago, Illinois 60606-2903
(312) 984-6400
Attorney No. 44500

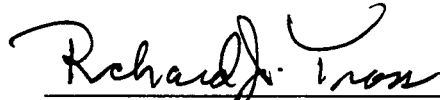
STATE OF ILLINOIS)
) SS
COUNTY OF DU PAGE)

**IN THE CIRCUIT COURT FOR THE EIGHTEENTH JUDICIAL CIRCUIT
DU PAGE COUNTY, ILLINOIS**

**IN THE MATTER OF THE VILLAGE)
OF LOMBARD, DU PAGE COUNTY,)
ILLINOIS SPECIAL ASSESSMENT FOR) VILLAGE OF LOMBARD
THE PAVING AND IMPROVING OF) SPECIAL ASSESSMENT NO. 217B
PORTIONS OF EDGEWOOD AVENUE,)
VISTA AVENUE, LE MOYNE AVENUE)
AND JOYCE AVENUE,)
IN THE VILLAGE OF LOMBARD)**

APPOINTMENT OF COMMISSIONER

The undersigned, RICHARD J. TROSS, President of the Board of Local Improvements of the Village of Lombard, pursuant to authority vested in him, hereby appoints JAMES MUSINSKI as Commissioner to make a true and impartial assessment of the cost of the paving and improving of portions of Edgewood Avenue, Vista Avenue, LeMoyne Avenue and Joyce Avenue, as provided for in an Ordinance passed on December 4, 2008, against the Village for public benefits and against each part and parcel of land to be benefited by such improvement as provided by law.


Richard J. Tross, President
Board of Local Improvements

Thomas P. Bayer
Lance C. Malina
J. Allen Wall
Jacob H. Karaca
Klein, Thorpe and Jenkins, Ltd.
20 North Wacker Drive
Suite 1660
Chicago, Illinois 60606-2903
(312) 984-6400
Attorney No. 44500

CERTIFICATE TO ROLL

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

Pavement removal, curb and gutter removal, sidewalk removal, hot-mix asphalt surface removal and replacement, earth excavation; and removal and disposal of unsuitable material, porous granular embankment, subbase granular material, full depth hot-mix asphalt pavement, combination concrete curb and gutter, Portland cement concrete sidewalk, hot-mix asphalt and concrete driveway replacement, storm sewer and appurtenances for pavement drainage purposes, street lighting, water main, and adjust deficient portions of the existing sanitary sewer;

Making a pavement twenty-eight feet (28') wide as measured between the back of curbs on and along:

Edgewood Avenue from a point approximately nine hundred fifty feet (950') north of the center line of Sunset Avenue, southerly a distance of nine hundred seventeen feet (917') to a point approximately thirty three feet (33') north of the centerline of Sunset Avenue;

Vista Avenue from a point approximately nine hundred eighty feet (980') north of the center line of Sunset Avenue, southerly a distance of nine hundred sixty-seven feet (967') to a point approximately thirteen feet (13') north of the centerline of Sunset Avenue;

LeMoyne Avenue from a point approximately one thousand three hundred forty-five feet (1345') west of the center line of Kramer Avenue, easterly a distance of one thousand three hundred thirty-three feet (1333') to a point approximately twelve feet (12') west of the centerline of Kramer Avenue;

Joyce Avenue from a point approximately one thousand five hundred eighty-seven feet (1587') north of the center line of Sunset Avenue, southerly a distance of six hundred five feet (605') to a point approximately nine hundred eighty-two feet (982') north of the centerline of Sunset Avenue;


Installation of street lighting along both sides of all aforementioned reconstructed streets for a total length of approximately three thousand eight hundred feet (3800');

and all other incidental and appurtenant work necessary to complete the improvement as shown and described in the construction documents.

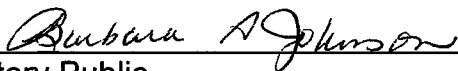
as provided for by a Resolution of the Board of Local Improvements and an Ordinance enacted by the corporate authorities of the Village, said Ordinance having been passed on the 4th day of December, 2008, does hereby certify:

That he 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 in the assessment roll.

He further certifies that he 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 the amount so estimated and apportioned to the Village as public benefit being the sum of \$3,091,460.37, and the amount so estimated and apportioned to the property to be benefited being the sum of \$965,303.40; 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.


James Musinski, Commissioner

Subscribed and Sworn To Before Me
this 8th day of December, 2008.


Notary Public



STATE OF ILLINOIS)
) SS
COUNTY OF DU PAGE)

AFFIDAVIT TO ROLL

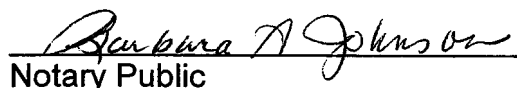
JAMES MUSINSKI, being first duly sworn on oath, deposes and says that he has made a true and impartial assessment of the cost of the said improvement upon the property benefited by such improvement; that he verily believes that the amounts assessed against the public and against each lot, block, tract and parcel of land assessed in the said assessment roll made by him 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.

The Affiant further states that he 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.

The Affiant further states that he 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).


James Musinski, Commissioner

Subscribed and Sworn To Before Me
this 8th day of December, 2008.


Notary Public



STATE OF ILLINOIS)
) SS
COUNTY OF DU PAGE)

IN THE CIRCUIT COURT FOR THE EIGHTEENTH JUDICIAL CIRCUIT
DU PAGE COUNTY, ILLINOIS

IN THE MATTER OF THE VILLAGE)
OF LOMBARD, DU PAGE COUNTY,)
ILLINOIS SPECIAL ASSESSMENT FOR)
THE PAVING AND IMPROVING OF)
PORTIONS OF EDGEWOOD AVENUE,)
VISTA AVENUE, LE MOYNE AVENUE)
AND JOYCE AVENUE,)
IN THE VILLAGE OF LOMBARD)

VILLAGE OF LOMBARD
SPECIAL ASSESSMENT NO. 217B

OATH OF COMMISSIONER

I, JAMES MUSINSKI, do solemnly swear that I will make a true and just assessment of the cost of the local improvement known as THE PAVING AND IMPROVING OF PORTIONS OF EDGEWOOD AVENUE, VISTA AVENUE, LE MOYNE AVENUE AND JOYCE AVENUE, by the construction of the proposed improvement thereon, as is set forth in the Ordinance therefor, now on file in this Court, upon the property to be benefited by said improvement, and upon the Village of Lombard, and will truly, faithfully and impartially perform all other duties and things by me to be performed as Commissioner in the premises according to the statute in such cases made and provided, to the best of my skill, ability and understanding.


James Musinski, Commissioner

Subscribed and Sworn To Before Me
this 8th day of December, 2008.


Notary Public



Thomas P. Bayer
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STATE OF ILLINOIS)
) SS
COUNTY OF DU PAGE)


**IN THE CIRCUIT COURT FOR THE EIGHTEENTH JUDICIAL CIRCUIT
DU PAGE COUNTY, ILLINOIS**

**IN THE MATTER OF THE VILLAGE)
OF LOMBARD, DU PAGE COUNTY,)
ILLINOIS SPECIAL ASSESSMENT FOR) VILLAGE OF LOMBARD
THE PAVING AND IMPROVING OF) SPECIAL ASSESSMENT NO. 217B
PORTIONS OF EDGEWOOD AVENUE,)
VISTA AVENUE, LE MOYNE AVENUE)
AND JOYCE AVENUE,)
IN THE VILLAGE OF LOMBARD)**

**REPORT OF COMMISSIONER IN REGARD
TO SANITARY SEWER DISTRICT BOUNDARIES**

Pursuant to Section 5/9-2-45 of Chapter 65 of the Illinois Compiled Statutes, the undersigned Commissioner, as the officer whose duty it was to investigate and report to the District which will be benefited by the proposed sanitary sewer construction work, hereby describes the District by boundaries as follows:

Lots 6 through 10, inclusive, in Block 1; Lots 1, 2, 3 and 22 through 45, inclusive, in Block 2; Lots 1 through 15, inclusive, and Lots 29 through 34, inclusive, in Block 4; Lots 1 through 30, inclusive, in Block 5; and Lots 1 and 15 through 28, inclusive, in Block 6; all in Lombard Heights Subdivision of the part of the Northeast ¼ of Section 5, Township 39 North, Range 11, East of the Third Principal Meridian, DuPage County, Illinois.


James Musinski, Commissioner

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ORDINANCE NO. 6281

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(SPECIAL ASSESSMENT NUMBER 217B)**

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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 effective January 1, 2007, 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/or 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 \$4,056,763.77, 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 460/65, which the Village hereby elects to be applicable to this Special Assessment. An amount not exceeding \$243,405.82 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.

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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 460/65.

SECTION 8: David A. Hulseberg, Village Manager for the Village of Lombard, is designated as the person to file a petition in the Circuit Court for the Eighteenth Judicial Circuit, 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.

SECTION 9: This Ordinance, having been previously published in pamphlet form, from November 14, 2008 to the date of its passage, 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 _____, 2008.

First reading waived by action of the Board of Trustees this 4th day of December, 2008.

Passed on second reading this 4th day of December, 2008, pursuant to a roll call vote as follows:

AYES: Trustees Gron, Tross, O'Brien, Fitzpatrick & Soderstrom

NAYS: None

ABSENT: Moreau

APPROVED by me this 4th day of December 2008.


William J. Mueller, Village President

ATTEST:


Brigitte O'Brien, Village Clerk

STATE OF ILLINOIS)
) SS
COUNTY OF DU PAGE)

CLERK'S CERTIFICATE

I, BRIGITTE O'BRIEN, 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:

ORDINANCE NO. 6281

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PORTIONS OF EDGEWOOD AVENUE, VISTA AVENUE,
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(SPECIAL ASSESSMENT NUMBER 217B)**

which said Ordinance was passed by the Board of Trustees of the Village of Lombard at a meeting held on the 4th day of December, 2008, at which meeting a quorum was present and approved by the President of the Village of Lombard on the 4th day of December, 2008.

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:

AYES: Trustees Gron, Tross, O'Brien, Fitzpatrick and Soderstrom

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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.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the said Village of Lombard, this 4th day of December, 2008.



Brigitte O'Brien, Village Clerk
Village of Lombard

[SEAL]

STATE OF ILLINOIS)
) SS
COUNTY OF DU PAGE)

**IN THE CIRCUIT COURT FOR THE EIGHTEENTH JUDICIAL CIRCUIT
DU PAGE COUNTY, ILLINOIS**

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**To: THE HONORABLE JUDGE OF THE
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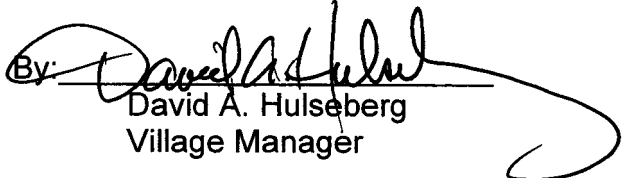
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Recommendation of the Board of Local Improvements that said improvement be made, together with an Estimate of the Cost of such improvement, is attached hereto and made a part hereof.

WHEREFORE, your Petitioner prays that steps be taken to levy a special assessment for said improvement in accordance with the provisions of the said Ordinance, in the manner prescribed by law.

VILLAGE OF LOMBARD

By: 
David A. Hulseberg
Village Manager

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COUNTY OF DU PAGE)

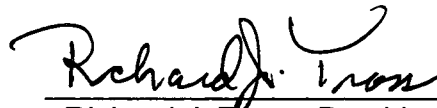
**IN THE CIRCUIT COURT FOR THE EIGHTEENTH JUDICIAL CIRCUIT
DU PAGE COUNTY, ILLINOIS**

**IN THE MATTER OF THE VILLAGE)
OF LOMBARD, DU PAGE COUNTY,)
ILLINOIS SPECIAL ASSESSMENT FOR)
THE PAVING AND IMPROVING OF)
PORTIONS OF EDGEWOOD AVENUE,)
VISTA AVENUE, LE MOYNE AVENUE)
AND JOYCE AVENUE,)
IN THE VILLAGE OF LOMBARD)**

**VILLAGE OF LOMBARD
SPECIAL ASSESSMENT NO. 217B**

APPOINTMENT OF COMMISSIONER

The undersigned, RICHARD J. TROSS, President of the Board of Local Improvements of the Village of Lombard, pursuant to authority vested in him, hereby appoints JAMES MUSINSKI as Commissioner to make a true and impartial assessment of the cost of the paving and improving of portions of Edgewood Avenue, Vista Avenue, LeMoyne Avenue and Joyce Avenue, as provided for in an Ordinance passed on December 4, 2008, against the Village for public benefits and against each part and parcel of land to be benefited by such improvement as provided by law.



Richard J. Tross, President
Board of Local Improvements

Thomas P. Bayer
Lance C. Malina
J. Allen Wall
Jacob H. Karaca
Klein, Thorpe and Jenkins, Ltd.
20 North Wacker Drive
Suite 1660
Chicago, Illinois 60606-2903
(312) 984-6400
Attorney No. 44500

CERTIFICATE TO ROLL

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

Pavement removal, curb and gutter removal, sidewalk removal, hot-mix asphalt surface removal and replacement, earth excavation; and removal and disposal of unsuitable material, porous granular embankment, subbase granular material, full depth hot-mix asphalt pavement, combination concrete curb and gutter, Portland cement concrete sidewalk, hot-mix asphalt and concrete driveway replacement, storm sewer and appurtenances for pavement drainage purposes, street lighting, water main, and adjust deficient portions of the existing sanitary sewer;

Making a pavement twenty-eight feet (28') wide as measured between the back of curbs on and along:

Edgewood Avenue from a point approximately nine hundred fifty feet (950') north of the center line of Sunset Avenue, southerly a distance of nine hundred seventeen feet (917') to a point approximately thirty three feet (33') north of the centerline of Sunset Avenue;

Vista Avenue from a point approximately nine hundred eighty feet (980') north of the center line of Sunset Avenue, southerly a distance of nine hundred sixty-seven feet (967') to a point approximately thirteen feet (13') north of the centerline of Sunset Avenue;

LeMoyne Avenue from a point approximately one thousand three hundred forty-five feet (1345') west of the center line of Kramer Avenue, easterly a distance of one thousand three hundred thirty-three feet (1333') to a point approximately twelve feet (12') west of the centerline of Kramer Avenue;

Joyce Avenue from a point approximately one thousand five hundred eighty-seven feet (1587') north of the center line of Sunset Avenue, southerly a distance of six hundred five feet (605') to a point approximately nine hundred eighty-two feet (982') north of the centerline of Sunset Avenue;

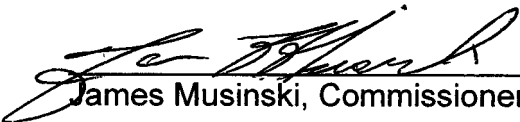
Installation of street lighting along both sides of all aforementioned reconstructed streets for a total length of approximately three thousand eight hundred feet (3800');

and all other incidental and appurtenant work necessary to complete the improvement as shown and described in the construction documents.

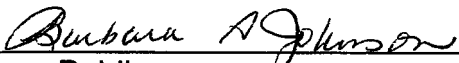
as provided for by a Resolution of the Board of Local Improvements and an Ordinance enacted by the corporate authorities of the Village, said Ordinance having been passed on the 4th day of December, 2008, does hereby certify:

That he 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 in the assessment roll.

He further certifies that he 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 the amount so estimated and apportioned to the Village as public benefit being the sum of \$3,091,460.37, and the amount so estimated and apportioned to the property to be benefited being the sum of \$965,303.40; 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.


James Musinski, Commissioner

Subscribed and Sworn To Before Me
this 5th day of December, 2008.


Notary Public



STATE OF ILLINOIS)
) SS
COUNTY OF DU PAGE)

AFFIDAVIT TO ROLL

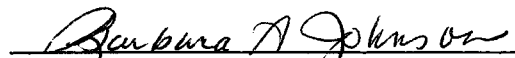
JAMES MUSINSKI, being first duly sworn on oath, deposes and says that he has made a true and impartial assessment of the cost of the said improvement upon the property benefited by such improvement; that he verily believes that the amounts assessed against the public and against each lot, block, tract and parcel of land assessed in the said assessment roll made by him 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.

The Affiant further states that he 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.

The Affiant further states that he 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).


James Musinski, Commissioner

Subscribed and Sworn To Before Me
this 8th day of December, 2008.


Notary Public



STATE OF ILLINOIS)
) SS
COUNTY OF DU PAGE)

IN THE CIRCUIT COURT FOR THE EIGHTEENTH JUDICIAL CIRCUIT
DU PAGE COUNTY, ILLINOIS

IN THE MATTER OF THE VILLAGE)
OF LOMBARD, DU PAGE COUNTY,)
ILLINOIS SPECIAL ASSESSMENT FOR)
THE PAVING AND IMPROVING OF)
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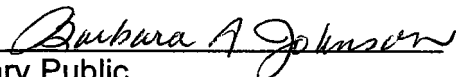
VILLAGE OF LOMBARD
SPECIAL ASSESSMENT NO. 217B

OATH OF COMMISSIONER

I, JAMES MUSINSKI, do solemnly swear that I will make a true and just assessment of the cost of the local improvement known as THE PAVING AND IMPROVING OF PORTIONS OF EDGEWOOD AVENUE, VISTA AVENUE, LE MOYNE AVENUE AND JOYCE AVENUE, by the construction of the proposed improvement thereon, as is set forth in the Ordinance therefor, now on file in this Court, upon the property to be benefited by said improvement, and upon the Village of Lombard, and will truly, faithfully and impartially perform all other duties and things by me to be performed as Commissioner in the premises according to the statute in such cases made and provided, to the best of my skill, ability and understanding.


James Musinski, Commissioner

Subscribed and Sworn To Before Me
this 8th day of December, 2008.


Notary Public



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STATE OF ILLINOIS)
) SS
COUNTY OF DU PAGE)

**IN THE CIRCUIT COURT FOR THE EIGHTEENTH JUDICIAL CIRCUIT
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**VILLAGE OF LOMBARD
SPECIAL ASSESSMENT NO. 217B**

**REPORT OF COMMISSIONER IN REGARD
TO SANITARY SEWER DISTRICT BOUNDARIES**

Pursuant to Section 5/9-2-45 of Chapter 65 of the Illinois Compiled Statutes, the undersigned Commissioner, as the officer whose duty it was to investigate and report to the District which will be benefited by the proposed sanitary sewer construction work, hereby describes the District by boundaries as follows:

Lots 6 through 10, inclusive, in Block 1; Lots 1, 2, 3 and 22 through 45, inclusive, in Block 2; Lots 1 through 15, inclusive, and Lots 29 through 34, inclusive, in Block 4; Lots 1 through 30, inclusive, in Block 5; and Lots 1 and 15 through 28, inclusive, in Block 6; all in Lombard Heights Subdivision of the part of the Northeast ¼ of Section 5, Township 39 North, Range 11, East of the Third Principal Meridian, DuPage County, Illinois.


James Musinski, Commissioner

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K T J

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MEMORANDUM

To: Barb Johnson, Deputy Village Clerk, Village of Lombard

From: Tom Bayer, Village Attorney

Via e-mail only

Date: November 26, 2008

Re: **Lombard Special Assessment No. 217B – Edgewood Avenue,
Vista Avenue, LeMoyné Avenue and Joyce Avenue Street Improvements**

Enclosed please find the following documents relative to the above-captioned matter:

1. Petition;
2. Clerk's Certificate;
3. Appointment of Commissioner;
4. Certificate to Roll;
5. Affidavit to Roll;
6. Oath of Commissioner; and
7. Report of Commissioner in Regard to Sanitary Sewer District Boundaries.

Please have **two copies of each** of the enclosed documents executed by the appropriate parties, notarized where necessary, **after the adoption of the Ordinance on December 4, 2008**, and returned to me **along with a copy of the Ordinance**, for filing with the Court.

As the Public Works Department would like to award the construction contract in February, it is important that I receive all documents as soon as possible after the adoption of the Ordinance.

If there are any questions, please feel free to call.

encls.

cc: Richard J. Tross, President of the Board of Local Improvements (via e-mail; w/ encls.)
David A. Hulseberg, Village Manager (via e-mail; w/ encls.)
Carl Goldsmith, Director of Public Works (via e-mail; w/ encls.)
David Dratnol, Village Engineer (via e-mail; w/ encls.)
Ray Schwab, Civil Engineer (via e-mail; w/ encls.)