

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. 6422

**ORDINANCE PROVIDING FOR
THE PAVING AND IMPROVING
OF PORTIONS OF KAPLAN COURT,
KRAMER AVENUE, PARKER DRIVE AND RESKIN ROAD
(SPECIAL ASSESSMENT NUMBER 217C)**

which said Ordinance was passed by the Board of Trustees of the Village of Lombard at a meeting held on the 3rd day of December, 2009, at which meeting a quorum was present and approved by the President of the Village of Lombard on the 3rd day of December, 2009.

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, WILSON, MOREAU, FITZPATRICK & WARE

NAYS: NONE

ABSENT: NONE

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 7th day of December, 2009.



Brigitte O'Brien, Village Clerk
Village of Lombard

[SEAL]



I, Brigitte O'Brien, hereby certify that I am the duly qualified Village Clerk of the **Village of Lombard**, DuPage County, Illinois, as authorized by Statute and provided by local Ordinance, and as such Deputy Village Clerk, I maintain and am safekeeper of the records and files of the President and Board of Trustees of said Village.

I further certify that attached hereto is a

copy of ORDINANCE 6422

AN ORDINANCE PROVIDING FOR THE PAVING AND
IMPROVING OF PORTIONS OF KAPLAN COURT,
KRAMER AVENUE, PARKER DRIVE AND
RESKIN ROAD
SPECIAL ASSESSMENT 217C

of the said Village as it appears from the official records of said Village duly approved December 3, 2009.

In Witness Whereof, I have hereunto affixed my official signature and the Corporate Seal of said **Village of Lombard**, Du Page County, Illinois this 7th day of December, 2009.





Brigitte O'Brien
Village Clerk
Village of Lombard
DuPage County, Illinois

ORDINANCE NO. 6422

**AN ORDINANCE PROVIDING FOR THE
PAVING AND IMPROVING OF PORTIONS OF
KAPLAN COURT, KRAMER AVENUE, PARKER DRIVE AND RESKIN ROAD
(SPECIAL ASSESSMENT NUMBER 217C)**

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:

Parker Drive from a point approximately six hundred thirty feet (630') north of the centerline of Sunset Avenue, southerly a distance of five hundred ninety-seven feet (597') to a point approximately thirty-three feet (33') north of the centerline of Sunset Avenue;

Kramer Avenue from a point approximately one thousand fifty feet (1050') north of the centerline of Kaplan Court, southerly a distance of one thousand fifty feet (1050') to the centerline of Kaplan Court;

Kaplan Court from a point approximately two hundred ten feet (210') west of the centerline of Kramer Avenue, easterly a distance of two hundred ten feet (210') to the centerline of Kramer Avenue;

Installation of street lighting along both sides of all aforementioned reconstructed streets for a total length of approximately one thousand seven hundred seventy feet (1770');

Reskin Road from a point approximately one hundred forty-one feet (141') west of the centerline of Kramer Avenue, easterly a distance of one hundred twenty-seven feet (127') to a point approximately fourteen feet (14') west of the centerline of Kramer Avenue will be replaced with topsoil and sod as a result of the proposed Parker Drive cul-de-sac;

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 revised Estimate of Cost, attached hereto and incorporated herein by reference.

SECTION 4: The Recommendation of the Board of Local Improvements, the revised 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 \$2,086,228.24, 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 \$125,173.69 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 13, 2009 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 _____, 2009.

First reading waived by action of the Board of Trustees this 3rd day of December, 2009.


Passed on second reading this 3rd day of December, 2009, pursuant to a roll call vote as follows:

AYES: Trustees Gron, Tross, Wilson, Moreau, Fitzpatrick and Ware

NAYS: None

ABSENT: None

APPROVED by me this 3rd day of December, 2009.


William J. Mueller, Village President

ATTEST:


Brigitte O'Brien, Village Clerk

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:

Parker Drive from a point approximately six hundred thirty feet (630') north of the centerline of Sunset Avenue, southerly a distance of five hundred ninety-seven feet (597') to a point approximately thirty-three feet (33') north of the centerline of Sunset Avenue;

Kramer Avenue from a point approximately one thousand fifty feet (1050') north of the centerline of Kaplan Court, southerly a distance of one thousand fifty feet (1050') to the centerline of Kaplan Court;

Kaplan Court from a point approximately two hundred ten feet (210') west of the centerline of Kramer Avenue, easterly a distance of two hundred ten feet (210') to the centerline of Kramer Avenue;

Installation of street lighting along both sides of all aforementioned reconstructed streets for a total length of approximately one thousand seven hundred seventy feet (1770');

Reskin Road from a point approximately one hundred forty-one feet (141') west of the centerline of Kramer Avenue, easterly a distance of one hundred twenty-seven feet (127') to a point approximately fourteen feet (14') west of the centerline of Kramer Avenue will be replaced with topsoil and sod as a result of the proposed Parker Drive cul-de-sac;

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 3rd day of December, 2009, 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 \$1,857,378.24, and the amount so estimated and apportioned to the property to be benefited being the sum of \$228,850.00; 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.


Michael Wolatz, Commissioner

Subscribed and Sworn To Before Me
this 7th day of December, 2009.


Notary Public



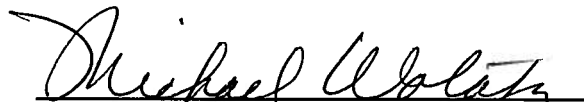
STATE OF ILLINOIS)
) SS
COUNTY OF DU PAGE)

AFFIDAVIT TO ROLL

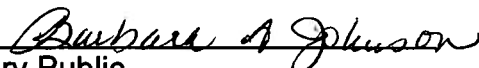
MICHAEL WOLATZ, being first duly sworn on oath, deposes and says that he has made a true and impartial assessment of the cost of the said improvement upon the property benefited by such improvement; that he verily believes that the amounts assessed against the public and against each lot, block, tract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


Michael Wolatz, Commissioner

Subscribed and Sworn To Before Me
this 7th day of December, 2009.


Notary Public



STATE OF ILLINOIS)
) SS
COUNTY OF DU PAGE)

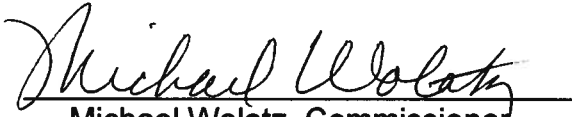
**IN THE CIRCUIT COURT FOR THE EIGHTEENTH JUDICIAL CIRCUIT
DU PAGE COUNTY, ILLINOIS**

**IN THE MATTER OF THE VILLAGE)
OF LOMBARD, DU PAGE COUNTY,)
ILLINOIS, SPECIAL ASSESSMENT)
FOR THE PAVING AND IMPROVING)
OF PORTIONS OF KAPLAN COURT,)
KRAMER AVENUE, PARKER DRIVE)
AND RESKIN ROAD,)
IN THE VILLAGE OF LOMBARD)**

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

OATH OF COMMISSIONER

I, MICHAEL WOLATZ, 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 KAPLAN COURT, KRAMER AVENUE, PARKER DRIVE AND RESKIN ROAD, 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.


Michael Wolatz, Commissioner

Subscribed and Sworn To Before Me
this 7th day of December, 2009.


Notary Public

Thomas P. Bayer
Lance C. Malina
J. Allen Wall
Jason A. Guisinger
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**

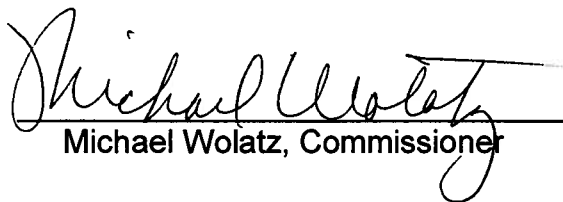
**IN THE MATTER OF THE VILLAGE)
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FOR THE PAVING AND IMPROVING)
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AND RESKIN ROAD,)
IN THE VILLAGE OF LOMBARD)**

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

**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:

Lot 22 in Block 2; Lots 4 through 20, inclusive, and the West 1/2 of vacated Westwood Avenue adjacent thereto, and Lots 23 and 24 (except that part used for Schraft's Resubdivision), in Block 3; and Lots 16 through 29, inclusive, in Block 4; all in Lombard Heights Subdivision of the part of the Northeast 1/4 of Section 5, Township 39 North, Range 11, East of the Third Principal Meridian; along with Lot 1 in Schraft's Resubdivision of part of Lots 23 and 24 in Block 3 in Lombard Heights Subdivision, aforesaid; all in DuPage County, Illinois.


Michael Wolatz, Commissioner

Thomas P. Bayer
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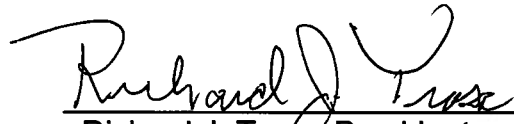
**IN THE CIRCUIT COURT FOR THE EIGHTEENTH JUDICIAL CIRCUIT
DU PAGE COUNTY, ILLINOIS**

**IN THE MATTER OF THE VILLAGE)
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FOR THE PAVING AND IMPROVING)
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KRAMER AVENUE, PARKER DRIVE)
AND RESKIN ROAD,)
IN THE VILLAGE OF LOMBARD)**

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

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 MICHAEL WOLATZ as Commissioner to make a true and impartial assessment of the cost of the paving and improving of portions of Kaplan Court, Kramer Avenue, Parker Drive and Reskin Road, as provided for in an Ordinance passed on December 3, 2009, 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

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