

# UNOFFICIAL COPY

STATE OF ILLINOIS )  
 ) SS.  
COUNTY OF COOK )



Doc#: 0623639063 Fee: \$94.50  
Eugene "Gene" Moore  
Cook County Recorder of Deeds  
Date: 08/24/2006 03:50 PM Pg: 1 of 36

*This space reserved for Recorder's use only.*

## IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS COUNTY DEPARTMENT, COUNTY DIVISION

IN THE MATTER OF THE VILLAGE OF	)	
BROOKFIELD, COOK COUNTY, ILLINOIS,	)	VILLAGE OF BROOKFIELD
SPECIAL ASSESSMENT FOR ALLEY	)	
IMPROVEMENTS OF THE 4100 BLOCK	)	SPECIAL ASSESSMENT
BETWEEN DEYO AND RAYMOND AVENUES	)	NO. 339

### PETITION TO LEVY SPECIAL ASSESSMENT

Petitioner, THE VILLAGE OF BROOKFIELD, in Cook County, Illinois, respectfully states that on the 26<sup>th</sup> day of June, 2006, the President and Board of Trustees of the Village of Brookfield duly enacted Ordinance Number 2006-53 providing that a local improvement be made consisting of the improving of the alley of the 4100 block between Deyo and Raymond Avenues, as more fully described in the attached Ordinance marked as Exhibit "A", which is made a part hereof, the nature, character, locality and description of such improvement being fully set forth in the Ordinance.

The 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, and all hearings, notices and other proceedings required by law to be had, made, taken or given in connection with such assessment

AT

2006

*Dorothy Brown*  
*Abandon*

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have been properly performed, had, make, 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 marked as Exhibit "B" and "C", respectively, and made a part hereof.

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

VILLAGE OF BROOKFIELD

By:   
Michael J. Garvey, Village President

Richard J. Ramello  
STORINO, RAMELLO & DURKIN  
Eighth Floor  
9501 West Devon Avenue  
Rosemont, Illinois 60018  
847-318-9500  
Attorney No. 16203

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ORDINANCE NO. 2006 -53

**ORDINANCE PROVIDING FOR THE IMPROVEMENTS OF  
THE ALLEY BETWEEN THE 4100 BLOCKS OF DEYO AND RAYMOND AVENUES  
SPECIAL ASSESSMENT NO. 339**

Property of Cook County Clerk's Office

PASSED AND APPROVED BY  
THE PRESIDENT AND BOARD OF TRUSTEES  
THE 26<sup>TH</sup> DAY OF JUNE 2006

Published in pamphlet form  
by authority of the corporate  
authorities of the Village of  
Brookfield, Illinois, the  
26<sup>th</sup> day of June, 2006.



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## ORDINANCE NO. 2006 -53

### ORDINANCE PROVIDING FOR THE IMPROVEMENTS OF THE ALLEY BETWEEN THE 4100 BLOCKS OF DEYO AND RAYMOND AVENUES SPECIAL ASSESSMENT NO. 339

**WHEREAS**, a resolution was adopted by the Board of Local Improvements of the Village of Brookfield, Illinois (the "Board of Local Improvements") on May 8, 2006 proposing the construction of a local improvement consisting of:

the construction of an alley consisting of Portland cement concrete pavement, fourteen feet (14') in width, eight inches (8") in thickness, installed upon six inches (6") of crushed stone together with the installation of storm water drainage facilities, replacement of garage aprons to meet the new alley pavement, miscellaneous grading and landscaping along the edges of the new pavement and other necessary related work

on and along:

the north-south public alley located between the 4100 blocks of Deyo Avenue and Raymond Avenue and the east-west public alley located south of Ogden Avenue in the the 4100 blocks of Deyo Avenue and Raymond Avenue legally described as "THE PUBLIC ALLEY BETWEEN BLOCK 5 OF WEST GROSSDALE, A SUBDIVISION OF THE WEST ½ OF THE WEST ½ OF SECTION 3, TOWNSHIP 38 NORTH, RANGE 12 EAST, OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS."

setting a public hearing thereon and directing that notice of the public hearing be sent as provided by law, and

**WHEREAS**, notice of the time and place public hearing was sent by mail directed to the person who paid the general taxes for the last preceding year on each lot, block, tract, or parcel of land fronting on the proposed Local Improvement, and

**WHEREAS**, a public hearing was held by the Board of Local Improvements on the 12<sup>th</sup> day of June, 2006, on the question of the necessity of the construction of the Local Improvement. All persons interested in the Local Improvement who desired to be heard were heard, and no sufficient

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reason or objection was given or made to the proposed Local Improvement.

**WHEREAS**, the Board of Local Improvements has recommended that the village proceed with the Local Improvement and has forwarded this Ordinance for consideration.

**BE IT ORDAINED** by the President and Board of Trustees of the Village of Brookfield, Cook County, Illinois, as follows:

**Section 1:** The facts and statements contained in the preambles to this Ordinance are found to be true and correct and are hereby adopted as part of this Ordinance.

**Section 2:** Having reviewed the recommendation of the Board of Local Improvements, attached hereto, marked as Exhibit A and incorporated herein by reference, a majority of the corporate authorities of the Village of Brookfield, Illinois, concur with the Board of Local Improvements' recommendation that the Local Improvement be constructed in the Village of Brookfield. The construction of the proposed Local Improvement does not require the taking of property.

**Section 3:** The Local Improvement shall consist of the construction of an alley consisting of Portland cement concrete pavement, fourteen feet (14') in width, eight inches (8") in thickness, installed upon six inches (6") of crushed stone, together with the installation of storm water drainage facilities, replacement of garage aprons to meet the new alley pavement, miscellaneous grading and landscaping along the edges of the new pavement and other necessary related work, all as set forth in the estimate of cost attached hereto, marked as Exhibit B and incorporated herein by reference.

Village datum for the purpose of the Local Improvement is fixed and established as the official datum of the United States Geological Survey.

All materials of every kind and character to be used in the construction of the Local Improvement shall be first class quality, suitable for the purpose for which they are used, and subject

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to the inspection and approval of the Board of Local Improvements.

All work shall be constructed in a workmanlike manner under the superintendence of the Board of Local Improvements.

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" adopted January 1, 2002, as amended by the ERRATA to the Standard Specifications for Road and Bridge Construction, adopted January 1, 2002, and revised March 1, 2005, those Supplemental Specifications indicated on the Check Sheet included in the specifications, those Recurring Special Provisions and Recurring Local Roads and Streets Special Provisions, adopted March 1, 2005 indicated on the Check Sheet included in the specifications, and the latest edition of the "Manual on Uniform Traffic Control Devices," all issued by the State of Illinois, Department of Transportation and the "Standard Specifications for Water & Sewer Main Construction in Illinois," Fifth Edition, May 1996 issued by the Illinois Society of Professional Engineers, the Consulting Engineers Council of Illinois, the Illinois Chapter of the American Public Works Association, the Illinois Municipal League and the Associated General Contractors of Illinois, as supplemented and modified by the specifications prepared by Derek Treichel, P.E. of Edwin Hancock Engineering Company all of which are on file with the Village Clerk of the Village of Brookfield.

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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 the Local Improvement and the plans and specifications all hereto attached as Exhibit C and incorporated herein by reference be and the same hereby are approved.

**Section 5:** The Local Improvement shall be made and the cost thereof which is estimated to be \$\_\_\_\_\_.00 shall be paid for by special assessment in accordance with Article 9, Division 2 of the Illinois Municipal Code (65 ILCS 5/5-1-1 *et seq.*), an amount not exceeding \$143,300.00 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 but not including attorney's fees.

**Section 6:** The aggregate amount herein ordered to be assessed and each individual assessment shall be divided into ten (10) installments which shall bear interest at the rate of Six Percent (6%) per annum until paid all in the manner and in accordance with the provisions of the aforesaid Article 9, Division 2 of the Illinois Municipal Code (65 ILCS 5/5-1-1 *et seq.*).

**Section 7:** For the purpose of anticipating the collection of the second and succeeding installments of said assessment for said improvement, bonds shall be payable out of said installments, bearing interest at the rate of Six Percent (6%) 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 Article 9, Division 2 of the Illinois Municipal Code, as amended.

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**Section 8:** Michael J. Garvey, Village President of the Board of Trustees of the Village of Brookfield, is designated as the person to execute and cause to be filed a petition in the Circuit Court of Cook County, Illinois, as provided by law in the name of the Village of Brookfield, praying that steps may be taken to ascertain the just compensation to be made for private property taken or damaged to be acquired for the said improvement and to ascertain what property will be benefitted by said improvement and the amount of such benefit and also that steps 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 published in accordance with law, shall be in full force and effect from and after its passage and approval.

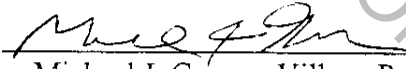
ADOPTED this 26<sup>th</sup> day of June, 2006.

AYES: Trustee Stevanovich, Ketchmark, Edwards, Hall, Dorobiala, and Towner.


NAYS:

ABSENT:

APPROVED: This 26<sup>th</sup> day of June, 2006.

  
Michael J. Garvey, Village President

ATTEST:

  
Dan J. Raddatz, Village Clerk

PUBLISHED: This 26<sup>th</sup> day of June, 2006.



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## EXHIBIT A

### RECOMMENDATION TO IMPROVE THE ALLEY BETWEEN THE 3100 BLOCKS OF CLEVELAND AVENUE AND MORTON AVENUE SPECIAL ASSESSMENT NO. 340

TO: Board of Trustees of the Village of Brookfield  
Cook County, Illinois

The Board of Local Improvements heretofore appointed and now serving in that capacity herewith recommends the improvement of the the north-south public alley located between the 4100 blocks of Deyo Avenue and Raymond Avenue and the east-west public alley located south of Ogden Avenue in the the 4100 blocks of Deyo Avenue and Raymond Avenue legally described as:

"THE PUBLIC ALLEY BETWEEN BLOCK 5 OF WEST GROSSDALE, A  
SUBDIVISION OF THE WEST ½ OF THE WEST ½ OF SECTION 3,  
TOWNSHIP 38 NORTH, RANGE 12 EAST, OF THE THIRD PRINCIPAL  
MERIDIAN, IN COOK COUNTY, ILLINOIS."

as described in the accompanying proposed ordinance which is hereby submitted for consideration.

We submit herewith an estimate of cost thereof by the Engineer of the Board of Local Improvements. We recommend the passage of the proposed ordinance and the making of the Local Improvement, the costs thereof to be paid for by special assessment.

DATED this 26<sup>th</sup> day of June, 2006.

VILLAGE OF BROOKFIELD, ILLINOIS  
BOARD OF LOCAL IMPROVEMENTS

\_\_\_\_\_  
Michael J. Garvey, President

\_\_\_\_\_  
Kit P. Ketchmark, Secretary

\_\_\_\_\_  
Catherine Colgrass-Edwards

\_\_\_\_\_  
Linda D. Stevanovich

\_\_\_\_\_  
C. P. Hall

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## EXHIBIT B

### **ESTIMATE OF COST TO IMPROVE THE ALLEY BETWEEN THE 4100 BLOCK OF DEYO AND RAYMOND AVENUES SPECIAL ASSESSMENT NO. 339**

Property of Cook County Clerk's Office

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## ESTIMATE OF COSTS FOR SPECIAL ASSESSMENT NO. 339

To the Board of Local Improvements  
Village of Brookfield  
Cook County, Illinois

Members of the Board of Local Improvements:

I hereby submit an Estimate of the costs for the construction of a Portland cement concrete pavement, together with storm water drainage facilities and other related work, in the "T-shaped" public alley in the 4100 block between Deyo Avenue and Raymond Avenue and legally described as the public alley in block 5 of West Grossdale, being a subdivision of part of the west  $\frac{1}{2}$  of the northwest  $\frac{1}{4}$  of Section 3, Township 38 North, Range 12 East, of the Third Principal Meridian, in Cook County, Illinois.

The Estimate includes the costs for furnishing all labor, materials, and equipment necessary for the excavation of the alley right-of-way, installation of storm water drainage facilities, construction of a Portland cement concrete pavement within the alley right-of-way, replacement of existing garages, restoration of disturbed landscaped areas adjacent to the alley right-of-way, and other related work as required for the construction of the local improvement; the cost for design and construction engineering; the cost for making, levying, and collecting the assessment; and all other costs attending same, as provided by Law.

The said Estimate is as follows:

<u>Quantity</u>	<u>Unit</u>	<u>Item</u>	<u>Unit Price</u>	<u>Amount</u>
20	Foot	Combination Curb and Gutter Removal	\$ 6.00	\$ 120.00
315	SqFt	Sidewalk Removal	1.00	315.00
200	SqYd	Driveway Pavement Removal	12.00	2,400.00
150	SqYd	Bituminous Surface Removal	10.00	1,500.00
150	SqYd	Pavement Removal	15.00	2,250.00
875	CuYd	Earth Excavation	30.00	26,250.00
736	Foot	8" Diameter, PVC Storm Sewer Pipe	50.00	36,800.00
3	Each	Inlet, Type A, Type 1 Frame, Open Lid	800.00	2,400.00
3	Each	Restricted Depth Catch Basin, 4' Diameter, Type 1 Frame, Open Lid	2,500.00	7,500.00
1	Each	Restricted Depth Manhole, 4' Diameter, Type 1 Frame, Closed Lid	3,500.00	3,500.00
375	CuYd	Trench Backfill	30.00	11,250.00
20	Foot	Combination Concrete Curb and Gutter, Type B-6.12	20.00	<u>400.00</u>
Subtotal				\$ 94,685.00

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Subtotal, Brought Forward

\$ 94,685.00

425	SqFt	Portland Cement Concrete Sidewalk, 5"	4.00	1,700.00
330	SqYd	Portland Cement Concrete Garage Apron, 7"	35.00	11,550.00
1,800	SqYd	Portland Cement Concrete Alley Pavement, 8"	42.00	75,600.00
90	Each	Deformed Tie Bars	7.00	630.00
2,200	SqYd	Protective Coat	1.00	2,200.00
40	Ton	Bituminous Concrete Surface Course, SUPERPAVE, "Mix D", N50	120.00	4,800.00
150	SqYd	Topsoil and Sod Restoration	8.00	1,200.00
375	SqYd	Landscaping Stone Restoration	8.00	3,000.00
1,800	SqYd	Geotechnical Fabric for Ground Stabilization	1.00	<u>1,800.00</u>

Total Estimated Construction Cost

\$ 197,165.00

Design and Construction Engineering

28,800.00

\$ 225,965.00

Deficiency in Interest (5%)

11,300.00

\$ 237,265.00

Cost of making, levying, and collecting  
the Assessment as provided by Law, not  
to exceed Six Percent (6%) of the  
Total Assessment

15,145.00

TOTAL ESTIMATE OF COST

\$ 252,410.00

Respectfully submitted,



Engineer for the Board of Local Improvements  
Village of Brookfield, Cook County, Illinois

I hereby certify, in my opinion, the above Estimate does not exceed the probable cost of the proposed Improvement and the lawful expenses attending the same.



Engineer for the Board of Local Improvements  
Village of Brookfield, Cook County, Illinois

Dated this 5<sup>th</sup> day of June, 2006.

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## EXHIBIT C

**PLANS AND SPECIFICATIONS TO IMPROVE THE ALLEY BETWEEN THE 4100  
BLOCK OF DEYO AND RAYMOND AVENUES  
SPECIAL ASSESSMENT NO. 339**

Property of Cook County Clerk's Office

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STATE OF ILLINOIS )  
 )  
 COUNTY OF COOK )

I, DAN J. RADDATZ, do certify that I am the duly qualified and acting Clerk of the Village of Brookfield, Cook County, Illinois, and as such officer, I am the keeper of the records and files of the President and Board of Trustees of said Village.

I do further certify that the attached is a true and correct copy of an Ordinance adopted by the President and Board of Trustees of the Village of Brookfield, Cook County, Illinois.

**Ordinance #2006-53 – An Ordinance Providing for the Improvement of the  
 Alley between 4100 block of Deyo and Raymond Avenues  
 Special Assessment #339**

I do further certify that the deliberations of the President and Board of Trustees in said meeting were taken openly; that the meeting was held at a specified time and place convenient to the public; that notice of said meeting was duly given to all newspapers; and that said meeting was called and held in strict accordance with the provisions of "AN ACT in relation to meetings", approved July 11, 1957, as amended, and that said President and Board of Trustees have complied with all the applicable provisions of said Act and its procedural rules.

IN WITNESS WHEREOF, I have hereunto affixed my official signature and seal of said Village this 26<sup>th</sup> day of June, 2006.



Dan J. Raddatz, Village Clerk  
 Village of Brookfield  
 Cook County, Illinois

VILLAGE SEAL

STATE OF ILLINOIS )  
 )  
 COUNTY OF COOK )

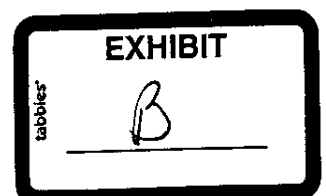
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RESOLUTION NO. BLI - 2006-495

**RESOLUTION OF THE BOARD OF LOCAL IMPROVEMENTS OF  
THE VILLAGE OF BROOKFIELD, ILLINOIS RECOMMENDING THE  
IMPROVEMENT OF THE ALLEY BETWEEN THE 4100 BLOCKS OF DEYO  
AVENUE AND RAYMOND AVENUE  
SPECIAL ASSESSMENT NO. 339**

PASSED AND APPROVED BY  
THE PRESIDENT AND BOARD OF LOCAL IMPROVEMENTS  
THE 26<sup>TH</sup> DAY OF JUNE, 2006

Published in pamphlet form  
by authority of the corporate  
authorities of the Village of  
Brookfield, Illinois, the  
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RESOLUTION NO. BLI - 2006-495

**RESOLUTION OF THE BOARD OF LOCAL IMPROVEMENTS OF  
THE VILLAGE OF BROOKFIELD, ILLINOIS RECOMMENDING THE  
IMPROVEMENT OF THE ALLEY BETWEEN THE 4100 BLOCKS OF DEYO  
AVENUE AND RAYMOND AVENUE  
SPECIAL ASSESSMENT NO. 339**

**WHEREAS**, a resolution was adopted by the Board of Local Improvements of the Village of Brookfield, Illinois (the "Board") on May 8, 2006 proposing the construction of a local improvement consisting of:

the construction of an alley consisting of Portland cement concrete pavement, fourteen feet (14') in width, eight inches (8") in thickness, installed upon six inches (6") of crushed stone together with the installation of storm water drainage facilities, replacement of garage aprons to meet the new alley pavement, miscellaneous grading and landscaping along the edges of the new pavement and other necessary related work

on and along:

the north-south public alley located between the 4100 blocks of Deyo Avenue and Raymond Avenue and the east-west public alley located south of Ogden Avenue in the the 4100 blocks of Deyo Avenue and Raymond Avenue legally described as "THE PUBLIC ALLEY BETWEEN BLOCK 5 OF WEST GROSSDALE, A SUBDIVISION OF THE WEST ½ OF THE WEST ½ OF SECTION 3, TOWNSHIP 38 NORTH, RANGE 12 EAST, OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS."

setting a public hearing thereon and directing that notice of the public hearing be sent as provided by law, and

**WHEREAS**, notice of the time and place public hearing was sent by mail directed to the person who paid the general taxes for the last preceding year on each lot, block, tract, or parcel of land fronting on the proposed Local Improvement, and

**WHEREAS**, a public hearing was held by the Board on the 12<sup>th</sup> day of June, 2006, on the question of the necessity of the construction of the Local Improvement. All persons interested in the Local Improvement who desired to be heard were heard, and no sufficient reason or objection was given or made to the proposed Local Improvement.



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**BE IT RESOLVED**, by the Board of Local Improvements of the Village of Brookfield, Cook County, Illinois, as follows:

**Section 1:** The facts and statements contained in the preambles to this Resolution are found to be true and correct and are hereby adopted as part of this Resolution.

**Section 2:** Based on the proof submitted to the Board, the Board finds that good and sufficient notices of the time and place public hearing was sent by mail directed to the person who paid the general taxes for the last preceding year on each lot, block, tract, or parcel of land fronting on the proposed Local Improvement as required by law.

**Section 3:** The proposed Local Improvement as originally described in the resolution passed by this Board on May 8, 2006, the estimate of cost of the Local Improvement, marked as Exhibit A, and the plans of the Local Improvement marked as Exhibit B, each attached hereto and made a part hereof, be approved, be adhered to and that the Board does hereby recommend to the corporate authorities of the Village of Brookfield that the village proceed with the Local Improvement.

**Section 4:** The Board submit to the corporate authorities of the Village of Brookfield its recommendation attached hereto, marked as Exhibit C and made a part hereof, that the proposed improvement be made, together with an ordinance therefore, and an estimate of cost thereof as prescribed by law, and this Board hereby approves the proposed draft of an ordinance providing for such an improvement, attached hereto, marked as Exhibit D and made a part hereof.

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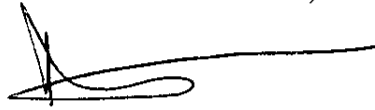
**ADOPTED BY THE BOARD OF LOCAL IMPROVEMENTS OF THE VILLAGE OF  
BROOKFIELD, ILLINOIS, the 26<sup>th</sup> day of June, 2006.**

**AYES: President Garvey, Trustee Stevanovich, Edwards, Ketchmark, and Hall.**

**NAYS:**

**ABSENT:**

BOARD OF LOCAL IMPROVEMENTS OF  
VILLAGE OF BROOKFIELD, ILLINOIS



---

Kit P. Ketchmark, Secretary

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## EXHIBIT A

### ESTIMATE OF COST



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## EXHIBIT B

### PLANS OF THE LOCAL IMPROVEMENT

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A handwritten signature in black ink, consisting of several overlapping loops and strokes, is positioned over the diagonal watermark text.

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## EXHIBIT C

### RECOMMENDATION TO IMPROVE THE ALLEY BETWEEN THE 4100 BLOCK OF DEYO AND RAYMOND AVENUES SPECIAL ASSESSMENT NO. 339

TO: Board of Trustees of the Village of Brookfield  
Cook County, Illinois

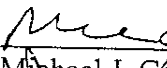
The Board of Local Improvements heretofore appointed and now serving in that capacity herewith recommends the improvement of the north-south public alley located between the 4100 blocks of Deyo Avenue and Raymond Avenue and the east-west public alley located south of Ogden Avenue in the the 4100 blocks of Deyo Avenue and Raymond Avenue, legally described as "THE PUBLIC ALLEY BETWEEN BLOCK 5 OF WEST GROSSDALE, A SUBDIVISION OF THE WEST ½ OF THE WEST ½ OF SECTION 3, TOWNSHIP 38 NORTH, RANGE 12 EAST, OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS," as described in the accompanying proposed ordinance which is hereby submitted for consideration.

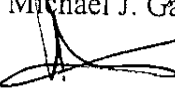
We submit herewith an estimate of cost thereof by the Engineer of the Board of Local Improvements.

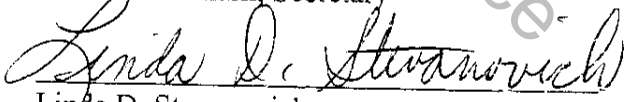
We recommend the passage of the proposed ordinance and the making of the Local Improvement, the costs thereof to be paid for by special assessment.


DATED this 26<sup>th</sup> day of June, 2006.

VILLAGE OF BROOKFIELD, ILLINOIS  
BOARD OF LOCAL IMPROVEMENTS

  
Michael J. Garvey, President

  
Kit P. Ketchmark, Secretary

  
Linda D. Stevanovich

  
Catherine Colgrass-Edwards

  
C. P. Hall

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## EXHIBIT D

**ORDINANCE PROVIDING FOR THE IMPROVEMENTS OF  
THE ALLEY BETWEEN THE 4100 BLOCK OF DEYO AND RAYMOND AVENUES  
SPECIAL ASSESSMENT NO. 339**

Property of Cook County Clerk's Office

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ORDINANCE NO. 2006 -53

ORDINANCE PROVIDING FOR THE IMPROVEMENTS OF  
THE ALLEY BETWEEN THE 4100 BLOCKS OF DEYO AND RAYMOND AVENUES  
SPECIAL ASSESSMENT NO. 339

Property of Cook County Clerk's Office

PASSED AND APPROVED BY  
THE PRESIDENT AND BOARD OF TRUSTEES  
THE 26<sup>TH</sup> DAY OF JUNE 2006

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## ORDINANCE NO. 2006 -53

### ORDINANCE PROVIDING FOR THE IMPROVEMENTS OF THE ALLEY BETWEEN THE 4100 BLOCKS OF DEYO AND RAYMOND AVENUES SPECIAL ASSESSMENT NO. 339

**WHEREAS**, a resolution was adopted by the Board of Local Improvements of the Village of Brookfield, Illinois (the "Board of Local Improvements") on May 8, 2006 proposing the construction of a local improvement consisting of:

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on and along:

the north-south public alley located between the 4100 blocks of Deyo Avenue and Raymond Avenue and the east-west public alley located south of Ogden Avenue in the the 4100 blocks of Deyo Avenue and Raymond Avenue legally described as "THE PUBLIC ALLEY BETWEEN BLOCK 5 OF WEST GROSSDALE, A SUBDIVISION OF THE WEST ½ OF THE WEST ½ OF SECTION 3, TOWNSHIP 38 NORTH, RANGE 12 EAST, OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS."

setting a public hearing thereon and directing that notice of the public hearing be sent as provided by law, and

**WHEREAS**, notice of the time and place public hearing was sent by mail directed to the person who paid the general taxes for the last preceding year on each lot, block, tract, or parcel of land fronting on the proposed Local Improvement, and

**WHEREAS**, a public hearing was held by the Board of Local Improvements on the 12<sup>th</sup> day of June, 2006, on the question of the necessity of the construction of the Local Improvement. All persons interested in the Local Improvement who desired to be heard were heard, and no sufficient



# UNOFFICIAL COPY

reason or objection was given or made to the proposed Local Improvement.

**WHEREAS**, the Board of Local Improvements has recommended that the village proceed with the Local Improvement and has forwarded this Ordinance for consideration.

**BE IT ORDAINED** by the President and Board of Trustees of the Village of Brookfield, Cook County, Illinois, as follows:

**Section 1:** The facts and statements contained in the preambles to this Ordinance are found to be true and correct and are hereby adopted as part of this Ordinance.

**Section 2:** Having reviewed the recommendation of the Board of Local Improvements, attached hereto, marked as Exhibit A and incorporated herein by reference, a majority of the corporate authorities of the Village of Brookfield, Illinois, concur with the Board of Local Improvements' recommendation that the Local Improvement be constructed in the Village of Brookfield. The construction of the proposed Local Improvement does not require the taking of property.

**Section 3:** The Local Improvement shall consist of the construction of an alley consisting of Portland cement concrete pavement, fourteen feet (14') in width, eight inches (8") in thickness, installed upon six inches (6") of crushed stone, together with the installation of storm water drainage facilities, replacement of garage aprons to meet the new alley pavement, miscellaneous grading and landscaping along the edges of the new pavement and other necessary related work, all as set forth in the estimate of cost attached hereto, marked as Exhibit B and incorporated herein by reference.

Village datum for the purpose of the Local Improvement is fixed and established as the official datum of the United States Geological Survey.

All materials of every kind and character to be used in the construction of the Local Improvement shall be first class quality, suitable for the purpose for which they are used, and subject

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to the inspection and approval of the Board of Local Improvements.

All work shall be constructed in a workmanlike manner under the superintendence of the Board of Local Improvements.

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" adopted January 1, 2002, as amended by the ERRATA to the Standard Specifications for Road and Bridge Construction, adopted January 1, 2002, and revised March 1, 2005, those Supplemental Specifications indicated on the Check Sheet included in the specifications, those Recurring Special Provisions and Recurring Local Roads and Streets Special Provisions, adopted March 1, 2005 indicated on the Check Sheet included in the specifications, and the latest edition of the "Manual on Uniform Traffic Control Devices," all issued by the State of Illinois, Department of Transportation and the "Standard Specifications for Water & Sewer Main Construction in Illinois," Fifth Edition, May 1996 issued by the Illinois Society of Professional Engineers, the Consulting Engineers Council of Illinois, the Illinois Chapter of the American Public Works Association, the Illinois Municipal League and the Associated General Contractors of Illinois, as supplemented and modified by the specifications prepared by Derek Treichel, P.E. of Edwin Hancock Engineering Company all of which are on file with the Village Clerk of the Village of Brookfield.

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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 the Local Improvement and the plans and specifications all hereto attached as Exhibit C and incorporated herein by reference be and the same hereby are approved.

**Section 5:** The Local Improvement shall be made and the cost thereof which is estimated to be \$ \_\_\_\_\_ .00 shall be paid for by special assessment in accordance with Article 9, Division 2 of the Illinois Municipal Code (65 ILCS 5/5-1-1 *et seq.*), an amount not exceeding \$143,300.00 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 but not including attorney's fees.

**Section 6:** The aggregate amount herein ordered to be assessed and each individual assessment shall be divided into ten (10) installments which shall bear interest at the rate of Six Percent (6%) per annum until paid all in the manner and in accordance with the provisions of the aforesaid Article 9, Division 2 of the Illinois Municipal Code (65 ILCS 5/5-1-1 *et seq.*).

**Section 7:** For the purpose of anticipating the collection of the second and succeeding installments of said assessment for said improvement, bonds shall be payable out of said installments, bearing interest at the rate of Six Percent (6%) 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 Article 9, Division 2 of the Illinois Municipal Code, as amended.

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**Section 8:** Michael J. Garvey, Village President of the Board of Trustees of the Village of Brookfield, is designated as the person to execute and cause to be filed a petition in the Circuit Court of Cook County, Illinois, as provided by law in the name of the Village of Brookfield, praying that steps may be taken to ascertain the just compensation to be made for private property taken or damaged to be acquired for the said improvement and to ascertain what property will be benefitted by said improvement and the amount of such benefit and also that steps 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 published in accordance with law, shall be in full force and effect from and after its passage and approval.

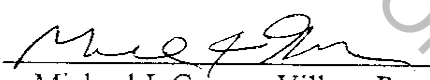
ADOPTED this 26<sup>th</sup> day of June, 2006.

AYES: Trustee Stevanovich, Ketchmark, Edwards, Hall, Dorobiala, and Towner.

NAYS:

ABSENT:

APPROVED: This 26<sup>th</sup> day of June, 2006.

  
Michael J. Garvey, Village President

ATTEST:

  
Dan J. Raddatz, Village Clerk

PUBLISHED: This 26<sup>th</sup> day of June, 2006.

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## EXHIBIT A

### RECOMMENDATION TO IMPROVE THE ALLEY BETWEEN THE 3100 BLOCKS OF CLEVELAND AVENUE AND MORTON AVENUE SPECIAL ASSESSMENT NO. 340

TO: Board of Trustees of the Village of Brookfield  
Cook County, Illinois

The Board of Local Improvements heretofore appointed and now serving in that capacity herewith recommends the improvement of the the north-south public alley located between the 4100 blocks of Deyo Avenue and Raymond Avenue and the east-west public alley located south of Ogden Avenue in the the 4100 blocks of Deyo Avenue and Raymond Avenue legally described as:

"THE PUBLIC ALLEY BETWEEN BLOCK 5 OF WEST GROSSDALE, A  
SUBDIVISION OF THE WEST ½ OF THE WEST ½ OF SECTION 3,  
TOWNSHIP 38 NORTH, RANGE 12 EAST, OF THE THIRD PRINCIPAL  
MERIDIAN, IN COOK COUNTY, ILLINOIS."

as described in the accompanying proposed ordinance which is hereby submitted for consideration.

We submit herewith an estimate of cost thereof by the Engineer of the Board of Local Improvements. We recommend the passage of the proposed ordinance and the making of the Local Improvement, the costs thereof to be paid for by special assessment.

DATED this 26<sup>th</sup> day of June, 2006.

VILLAGE OF BROOKFIELD, ILLINOIS  
BOARD OF LOCAL IMPROVEMENTS

\_\_\_\_\_  
Michael J. Garvey, President

\_\_\_\_\_  
Kit P. Ketchmark, Secretary

\_\_\_\_\_  
Catherine Colgrass-Edwards

\_\_\_\_\_  
Linda D. Stevanovich

\_\_\_\_\_  
C. P. Hall

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## EXHIBIT B

**ESTIMATE OF COST TO IMPROVE THE ALLEY BETWEEN THE 4100 BLOCK OF  
DEYO AND RAYMOND AVENUES  
SPECIAL ASSESSMENT NO. 339**

Property of Cook County Clerk's Office

# UNOFFICIAL COPY

## ESTIMATE OF COSTS FOR SPECIAL ASSESSMENT NO. 339

To the Board of Local Improvements  
Village of Brookfield  
Cook County, Illinois

Members of the Board of Local Improvements:

I hereby submit an Estimate of the costs for the construction of a Portland cement concrete pavement, together with storm water drainage facilities and other related work, in the "T-shaped" public alley in the 4100 block between Deyo Avenue and Raymond Avenue and legally described as the public alley in block 5 of West Grossdale, being a subdivision of part of the west ½ of the northwest ¼ of Section 3, Township 38 North, Range 12 East, of the Third Principal Meridian, in Cook County, Illinois.

The Estimate includes the costs for furnishing all labor, materials, and equipment necessary for the excavation of the alley right-of-way, installation of storm water drainage facilities, construction of a Portland cement concrete pavement within the alley right-of-way, replacement of existing garage aprons, restoration of disturbed landscaped areas adjacent to the alley right-of-way, and other related work as required for the construction of the local improvement; the cost for design and construction engineering; the cost for making, levying, and collecting the assessment; and all other costs attending same, as provided by Law.

The said Estimate is as follows:

<u>Quantity</u>	<u>Unit</u>	<u>Item</u>	<u>Unit Price</u>	<u>Amount</u>
20	Foot	Combination Curb and Gutter Removal	\$ 6.00	\$ 120.00
315	SqFt	Sidewalk Removal	1.00	315.00
200	SqYd	Driveway Pavement Removal	12.00	2,400.00
150	SqYd	Bituminous Surface Removal	10.00	1,500.00
150	SqYd	Pavement Removal	15.00	2,250.00
875	CuYd	Earth Excavation	30.00	26,250.00
736	Foot	8" Diameter, PVC Storm Sewer Pipe	50.00	36,800.00
3	Each	Inlet, Type A, Type 1 Frame, Open Lid	800.00	2,400.00
3	Each	Restricted Depth Catch Basin, 4' Diameter, Type 1 Frame, Open Lid	2,500.00	7,500.00
1	Each	Restricted Depth Manhole, 4' Diameter, Type 1 Frame, Closed Lid	3,500.00	3,500.00
375	CuYd	Trench Backfill	30.00	11,250.00
20	Foot	Combination Concrete Curb and Gutter, Type B-6.12	20.00	<u>400.00</u>
Subtotal				\$ 94,685.00

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Subtotal, Brought Forward \$ 94,685.00

425	SqFt	Portland Cement Concrete Sidewalk, 5"	4.00	1,700.00
330	SqYd	Portland Cement Concrete Garage Apron, 7"	35.00	11,550.00
1,800	SqYd	Portland Cement Concrete Alley Pavement, 8"	42.00	75,600.00
90	Each	Deformed Tie Bars	7.00	630.00
2,200	SqYd	Protective Coat	1.00	2,200.00
40	Ton	Bituminous Concrete Surface Course, SUPERPAVE, "Mix D", N50	120.00	4,800.00
150	SqYd	Topsoil and Sod Restoration	8.00	1,200.00
375	SqYd	Landscaping Stone Restoration	8.00	3,000.00
1,800	SqYd	Geotechnical Fabric for Ground Stabilization	1.00	<u>1,800.00</u>

Total Estimated Construction Cost \$ 197,165.00

Design and Construction Engineering 28,800.00  
\$ 225,965.00

Deficiency in Interest (5%) 11,300.00  
\$ 237,265.00

Cost of making, levying, and collecting the Assessment as provided by Law, not to exceed Six Percent (6%) of the Total Assessment 15,145.00

TOTAL ESTIMATE OF COST \$ 252,410.00

Respectfully submitted,



Engineer for the Board of Local Improvements  
Village of Brookfield, Cook County, Illinois

I hereby certify, in my opinion, the above Estimate does not exceed the probable cost of the proposed Improvement and the lawful expenses attending the same.



Engineer for the Board of Local Improvements  
Village of Brookfield, Cook County, Illinois

Dated this 5<sup>th</sup> day of June, 2006.



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## EXHIBIT C

**PLANS AND SPECIFICATIONS TO IMPROVE THE ALLEY BETWEEN THE 4100  
BLOCK OF DEYO AND RAYMOND AVENUES  
SPECIAL ASSESSMENT NO. 339**

Property of Cook County Clerk's Office

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STATE OF ILLINOIS )  
                                   )  
 COUNTY OF COOK    )


I, DAN J. RADDATZ, do certify that I am the duly qualified and acting Clerk of the Village of Brookfield, Cook County, Illinois, and as such officer, I am the keeper of the records and files of the President and Board of Trustees of said Village.

I do further certify that the attached is a true and correct copy of a Resolution adopted by the President and Board of Trustees of the Village of Brookfield, Cook County, Illinois.

**Resolution #2006-495 – A Resolution of the Board of Local Improvements of  
 the Village of Brookfield recommending the Improvement of the Alley  
 between the 4100 Blocks of Deyo and Raymond Avenues  
 Special Assessment #339**

I do further certify that the deliberations of the President and Board of Trustees in said meeting were taken openly; that the meeting was held at a specified time and place convenient to the public; that notice of said meeting was duly given to all newspapers; and that said meeting was called and held in strict accordance with the provisions of "AN ACT in relation to meetings", approved July 11, 1957, as amended, and that said President and Board of Trustees have complied with all the applicable provisions of said Act and its procedural rules.

IN WITNESS WHEREOF, I have hereunto affixed my official signature and seal of said Village this 26<sup>th</sup> day of June, 2006.

  
 \_\_\_\_\_  
 Dan J. Raddatz, Village Clerk  
 Village of Brookfield  
 Cook County, Illinois

VILLAGE SEAL

STATE OF ILLINOIS )  
 COUNTY OF COOK    )

# UNOFFICIAL COPY

## ESTIMATE OF COSTS FOR SPECIAL ASSESSMENT NO. 339

To the Board of Local Improvements  
Village of Brookfield  
Cook County, Illinois

Members of the Board of Local Improvements:

I hereby submit an Estimate of the costs for the construction of a Portland cement concrete pavement, together with storm water drainage facilities and other related work, in the "T-shaped" public alley in the 4100 block between Deyo Avenue and Raymond Avenue and legally described as the public alley in block 5 of West Grossdale, being a subdivision of part of the west ½ of the northwest ¼ of Section 3, Township 38 North, Range 12 East, of the Third Principal Meridian, in Cook County, Illinois.

The Estimate includes the costs for furnishing all labor, materials, and equipment necessary for the excavation of the alley right-of-way, installation of storm water drainage facilities, construction of a Portland cement concrete pavement within the alley right-of-way, replacement of existing garage aprons, restoration of disturbed landscaped areas adjacent to the alley right-of-way, and other related work as required for the construction of the local improvement; the cost for design and construction engineering; the cost for making, levying, and collecting the assessment; and all other costs attending same, as provided by Law.

The said Estimate is as follows:

<u>Quantity</u>	<u>Unit</u>	<u>Item</u>	<u>Unit Price</u>	<u>Amount</u>
20	Foot	Combination Curb and Gutter Removal	\$ 6.00	\$ 120.00
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Subtotal				\$ 94,685.00

EXHIBIT

C

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Subtotal, Brought Forward

\$ 94,685.00

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Total Estimated Construction Cost

\$ 197,165.00

Design and Construction Engineering

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\$ 225,965.00

Deficiency in Interest (5%)

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Cost of making, levying, and collecting  
the Assessment as provided by Law, not  
to exceed Six Percent (6%) of the  
Total Assessment

15,145.00

TOTAL ESTIMATE OF COST

\$ 252,410.00

Respectfully submitted,



Engineer for the Board of Local Improvements  
Village of Brookfield, Cook County, Illinois

I hereby certify, in my opinion, the above Estimate does not exceed the probable cost of the proposed Improvement and the lawful expenses attending the same.



Engineer for the Board of Local Improvements  
Village of Brookfield, Cook County, Illinois

Dated this 5<sup>th</sup> day of June, 2006.