

ORDINANCE NO. 0-166-87

AN ORDINANCE PROVIDING FOR PRO RATE REIMBURSEMENT OF THE COST OF CERTAIN IMPROVEMENTS 88117268

WHEREAS, the Village of Palatine has agreed to permit Kimball Hill, Inc. (hereinafter referred to as "the Owners"), of the following described property, to-wit:

Abbey Hill Subdivision recorded May 11, 1987, in Cook County Illinois as Document 87252154

(hereinafter referred to as the "Premises") to construct a single family subdivision in accordance with a subdivision plan and engineering plans approved and accepted by the President and Board of Trustees on the Village of Palatine on April 13, 1987, pursuant to which the Owners will construct the following improvements:

Installation of sanitary sewer and watermain along Dorset Ave. between Quentin Rd. and Crescent Ave.

and

WHEREAS, said improvements, if constructed, will benefit properties other than the Premises; and

WHEREAS, the Village of Palatine has determined to recover from other property owners benefiting by the said improvements a pro-rata share of the cost of said improvements:

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Palatine, County of Cook, Illinois acting in the exercise of their home rule power:

SECTION 1: For the purposes of this ordinance, "Non-Contributing Owner" shall mean any person or persons who paid no part of the construction cost of the said improvements to be installed by the Owners and whose property benefits therefrom, including subsequent purchasers of such property with prior notice of this Ordinance.

SECTION 2: Attached hereto and made a part of this Ordinance are:

- (a) Evidence of the nature, extent and location of said improvements labeled as Exhibit A.
- (b) Total cost of watermain improvements labeled Exhibit B.
- (c) Total cost of sanitary sewer improvement labeled Exhibit C.

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(d) The legal description of all parcels of land benefiting from said improvements; and the recommended apportionment of the aforesaid costs among such parcels of Non-Contributing Owners at the time such recommendation is filed, labeled Exhibit D.

(e) Evidence of costs of construction labeled as Exhibits E, F,G, and H.

SECTION 3: Whenever any NON-CONTRIBUTING OWNER applies to the Village for the right to tap into or make connection with said improvement(s), the Village Manager shall certify to such applicant the amount due from him under this Ordinance. The amount so certified shall be collected from such applicant before issuing him any permit to tap into or make connection therewith. The amount so collected shall be remitted by the Village to the Developer, less three per cent (3%) thereof to cover processing and administrative costs. The amounts to be collected from NON-CONTRIBUTING OWNERS under this paragraph shall be in addition to and exclusive of fees required and fixed by any other Ordinance for inspection of, or permits for, connections with or taps into sewer lines or water lines.

SECTION 4: This Ordinance shall be effective upon its passage and approval according to law and shall expire ten (10) years from the date of passage.

SECTION 5: The Village Clerk of the Village of Palatine hereof is authorized and directed to file with the Recorder of Deeds of Cook County, Illinois a certified copy of this Ordinance.

PASSED: This 9th day of November, 19 87.

AYES: 6 NAYS: 0 ABSENT: 0 PASS: 0

APPROVED by me this 9th day of November, 19 87.

Frank R. Munch

President of the Village of Palatine

ATTESTED and FILED in the Office of the Village Clerk this 9th day of November, 19 87.

Patricia L. Mullins
Village Clerk

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EXHIBIT "A" - ENGINEERING PLANS ON FILE IN THE
DEPT. OF COMMUNITY DEVELOPMENT - VILLAGE OF
PALATINE

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EXHIBIT B

WATERMAIN

640 L.F. 8" watermain @ \$16.00/L.F.	=	\$10,240.00	
8" valve @ \$400.00 each	=	800.00	
8" pressure tap @\$1800.00 ea.	=	1,800.00	
3 Fire hydrants @ \$1300 each	=	3,900.00	
50 L.F. trench backfill @ \$9.90/L.F.	=	495.00	
48" vault @ \$800.00	=	800.00	
60" vault @ \$1000.00	=	<u>1,000.00</u>	
		Watermain	\$19,035.00
Engineering 7%			<u>1,332.45</u>
		Total subject to recapture	20,367.45

Abbey Hill front footage	555 L.F.	
North Dorset front footage	<u>586 L.F.</u>	
	1141 L.F.	total Recapturable front footage

Watermain Recapture per front footage $20367.45/1141 = \$17.85/L.F.$

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EXHIBIT C

SANITARY SEWER

550 L.F. 8" sanitary sewer @ \$17.00/L.F.	=	\$9,350.00
3 manholes @ \$1,200.00	=	3,600.00
50 L.F. trench backfill @ \$16.00/L.F.	=	800.00
550 L.F. T.V. inspection @ \$2.00/L.F.	=	<u>1,100.00</u>
		\$14,850.00
Engineering 7%	=	<u>\$1,039.50</u>
TOTAL sanitary sewer subject to recapture	=	\$15,889.50

Abbey Hill Front Footage	555 L.F.	
North Dorset Front Footage	<u>586 L.F.</u>	
	1141 L.F.	TOTAL Recapturable front footage

Sanitary Sewer Recapture per front footage $\$15889.50 / 1141 = \$13.92/L.F.$

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EXHIBIT D

NON- CONTRIBUTING PARCELS

TP BAO

1. 824 W. Dorset Avenue *02-21-223-009-L0T3 02-21-223-010 L0T4*

Lots 3 and 4 in block 16 in Arthur T. McIntosh and Company's Palatine Hills, being a subdivision of part of the east half of the Northeast Quarter of Section 21, Township 42, North, Range 10 East of the Third Principal Meridian, according to the plat thereof recorded February 15, 1928, as Document No. 392915, in volume 375 of Register on Page 290, in Cook County, Illinois.

Dorset Ave. frontage -132 L.F.
Watermain recapture amount \$2,356.20
Sanitary sewer recapture amount - \$1,837.44

2. 836 W. Dorset Ave. *02-21-223-018 TP BAO*

Lot 5 (except the west 60 feet thereof) in Block 16, in Arthur T. McIntosh and Company's Palatine Hills, a subdivision of the east half of the Northeast Quarter of Section 21, Township 42, North, Range 10, East of the Third Principal Meridian in Cook County, Illinois

Dorset Ave. frontage - 90 L.F.
Watermain recapture amount \$1,606.50
Sanitary sewer recapture amount \$1,252.80

3. 848 W. Dorset Ave. *02-21-223-018 TP ALL BAO*

The west 60 feet of Lot 5 and the east 30.00 feet of Lot 6 in Block 16 in Arthur T. McIntosh and Company's Palatine Hills, being a subdivision of part of the east half of the Northeast Quarter of Section 21, Township 42, North, Range 10, East of the Third Principal Meridian in Cook County, Illinois

Dorset Ave. frontage - 90 L.F.
Watermain recapture amount \$1,606.50
Sanitary sewer recapture amount \$1,252.80

4. 854 W. Dorset Ave. *02-21-223-017 TP BAO*

Lot 6 (Except the east 30.00 feet thereof and except the west 30.00 feet thereof) in Block 16 in Arthur T. McIntosh and Company's Palatine Hills, being a subdivision of part of the east half of the Northeast Quarter of Section 21, Township 42, North, Range 10 East of the Third Principal Meridian in Cook County, Illinois.

Dorset Ave. frontage - 90 L.F.
Watermain recapture amount \$1,606.50
Sanitary sewer recapture amount \$1,252.80

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-2 EXHIBIT D, (cont'd)

5. 870 W. Dorset Ave. 02-21-223-015 TP BAO

The west 30.00 feet of Lot B and the west 60.00 feet of Lot 7, in Block 16 in Arthur T. McIntosh and Company's Palatine Hills, being a subdivision of the east half of the Northeast Quarter of Section 21, Township 42 North, Range 10, East of the Third Principal Meridian in Cook County Illinois

Dorset Ave. frontage

-90 L.F.

Watermain recapture amount \$1,606.50

Sanitary sewer recapture amount \$1,252.80

6. 884 W. Dorset Ave.

02-21-223-016 TP BAO

The west 93.99 feet of Lot 7 in Block 16 in Arthur T. McIntosh and Company's Palatine Hills, being a subdivision of part of the east half of the Northeast Quarter of Section 2, Township 42, North, Range 10 East of the Third Principal Meridian in Cook County, Illinois.

Dorset Ave. frontage

- 93.99 L.F.

Watermain recapture amount \$1,677.72

Sanitary Sewer recapture amount \$1,308.34

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PROPERTY

FORM OF AGREEMENT

1. THIS AGREEMENT, made and concluded this 1ST day of JUNE, 1987

between KIMBALL HILL, INC hereinafter referred to as the owner, the party of the first part and PLANNED PLUMBING his/their executors, administrators, successors or assigns, hereinafter referred to as the Contractor, the party of the second part.

2. WITNESSETH: That for and in consideration of the payments and agreements mentioned in the Proposal hereto attached, to be made and performed by the party of the first part, and according to the terms expressed in the Contract (Performance) Bond referring to these presents, the party of the second part agrees with said party of the first part at his/their own proper cost and expense to do all the Work, furnish all materials and all labor necessary to complete the Work in accordance with the Drawings and Specifications hereinafter described and in full compliance with all of the plans of this Agreement and the requirements of the Engineer under it.

3. And it is also understood and agreed that the Notice to Bidders, Proposal, Contract and other Bonds hereto attached, and the Drawings, Specifications, Special Provisions, and Special Conditions

for WATERMAIN, SANITARY SEWER, STORM SEWER are all essential documents of this Agreement and are a part hereof. This agreement shall not be modified except in writing and agreed to by both parties.

4. IN WITNESS WHEREOF, the said parties have executed these presents on date above mentioned.

OWNER KIMBALL HILL, INC.

BY LARRY JOHANNESSEN

[Signature]

(name & title)

SR. J.S.

CONTRACTOR PLANNED PLUMBING

BY *[Signature]* _____

(name & title)

Proposal Attached: Pages 1 thru. 3
Attest

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EXHIBIT F

PROPOSAL

Name of Bidder **PLANNED PLUMBING**
Address **25 EAST UNIVERSITY**
ARLINGTON HEIGHTS, ILLINOIS 60004

To: **KIMBALL HILL, INC.**
5999 New Wilke Road - Suite 504
Rolling Meadows, Illinois 60008

Name of Engineer: **FLETCHER ENGINEERING** Project Name: **ABBEY HILL**

The undersigned declares that he has carefully examined the Proposal, Specifications, Form of Agreement, Contract attached and other bonds (if required), Special Provisions and Special Conditions (if any), Soil Borings and Analysis, and that he has inspected in detail the site of the proposed Work, and that he has familiarized himself with all the local conditions and the detailed requirements of construction, and understands that in making this Proposal he waives all right to plead any misunderstanding regarding the same.

The undersigned further understands and agrees that if this Proposal is accepted, he is to furnish and provide all necessary machinery, tools, apparatus, and other means of construction and to do all of the Work, and to furnish all of the materials specified in the Contract Documents, in the manner and at the time therein prescribed, in accordance with the requirements therein set forth, and at the prices shown in the attached schedule.

The undersigned proposes to do all of the work listed on the attached schedule.

The undersigned proposes to do all of the work listed on the attached quantities sheets for the following prices:

Plan# 40341 By **FLETCHER ENG.** Dated: **2/5/87** Last Revised **3/17/87**

TOTAL COST \$ **208,958.50**

It is understood that all quantities for paving, gravel, curbs, storm and sanitary sewers, and water mains shown in the proposal are estimated and that final payment will be made on actual quantities constructed as measured in the field.

BID SUBMITTED BY: _____

SIGNED BY: _____

NAME AND TITLE: _____

DATE: _____

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EXHIBIT C

FILE 881-268

DIVISION OF PUBLIC WORKS
 STATE OF ILLINOIS
 DECEMBER 1987

A 1

W A T E R M A I N				
200012	5" DIP CL-52 CEM-LINED	L. F.	35	@ 14.00 = 490.00
200013	6" DIP CL-52 CEM-LINED	L. F.	1240	@ 16.00 = 21,440.00
200033	6" VALVE	EACH	2	@ 400.00 = 800.00
200041	U.P. TAP-IN VALVE & SLEEVE	EACH	2	@ 1,800.00 = 3,600.00
200045	48" PRECAST VAULT	EACH	2	@ 800.00 = 1,600.00
200046	60" PRECAST VAULT	EACH	2	@ 1,000.00 = 2,000.00
200050	FIRE HYDRANT W/PAUK. VALVE	EACH	5	@ 1,300.00 = 6,500.00
200053	TRENCH BACKFILL	L. F.	370	@ 9.90 = 2,673.00
200000	PVMT SAW-CUT REM&REPL.	S. Y.	50	@ ----- = -----
200000	C&G SAW-CUT REM. & REPL.	L. F.	50	@ ----- = -----
				SUB TOTAL \$ 39,103.00

S A N I T A R Y S E W E R				
200000	8" ABS TRUSS PIPE	L. F.	1262	@ 17.00 = 21,454.00
200225	MANHOLE TYPE-A 48"	EACH	9	@ 1,200.00 = 10,800.00
200503	TRENCH BACKFILL	L. F.	300	@ 16.00 = 4,800.00
200000	PVMT SAW-CUT REM&REPL.	S. Y.	30	@ ----- = -----
200000	TV INSPECTION	L. F.	1262	@ 2.00 = 2,524.00
200000	SPECIAL CROSSING	EACH	1	@ 1,000.00 = 1,000.00
200000	STRUCTURE ADJUSTMENT	EACH	1	@ 200.00 = 200.00
				SUB TOTAL \$ 40,778.00

S T O R M S E W E R				
200304	12" RCP CL-III	L. F.	2387	@ 13.50 = 32,224.50
200425	INLET TYPE-A 24"	EACH	5	@ 500.00 = 2,500.00
200435	MANHOLE T-A 48"	EACH	12	@ 950.00 = 11,400.00
200440	C. BASIN T-A 48"	EACH	17	@ 960.00 = 16,320.00
200451	RESTRICTOR	EACH	4	@ 200.00 = 800.00
200504	TRENCH BACKFILL (0'-8')	L. F.	490	@ 8.00 = 3,920.00
200000	SPECIAL CROSSING	EACH	5	@ 500.00 = 2,500.00
200000	CONNECTION TO C&G	EACH	3	@ 500.00 = 1,500.00
200000	CONNECTION TO VILLAGE	EACH	2	@ 500.00 = 1,000.00
200000	PVMT R&R	S. Y.	10	@ ----- = -----
				SUB TOTAL \$ 72,164.50

200000	12" CMP CULVERT	L. F.	130	@ 16.00 = 2,080.00
200504	TRENCH BACKFILL (0'-8')	L. F.	130	@ 8.00 = 1,040.00
200000	12" CMP PIS	EACH	10	@ 125.00 = 1,250.00
				SUB TOTAL \$ 4,370.00

EROSION CONTROL	ACRE	8	@ ----- = 1,000.00	
				SUB TOTAL \$ 1,000.00

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FLETCHER ENGINEERING COMPANY

79 NORTH BROADWAY, DES PLAINES, ILLINOIS 60016
312-298-6630

EXHIBIT H

53-24

April 7, 1987

Mr. David Hill
Kimball Hill, Inc.
Suite 504
5999 New Wilke Road
Rolling Meadows, Illinois 60008

RE: Abbey Hill Subdivision
Quentin Road, Palatine
Our Project No.: 40341

Dear Mr. Hill:

- A. For this proposed project we shall be pleased to provide the following Civil Engineering Services:
1. Prepare all necessary exhibits and reports (Including Preliminary Cost Estimate) and testify at zoning meetings and hearings.
 2. Prepare detailed engineering drawings for sanitary sewer service, water service, fire hydrants, street lights, curb and gutter, paving, sidewalks, rough grading of the site and the required storm water detention. Prepare detailed estimate of probable cost.
 3. Prepare construction specifications for all elements listed in Paragraph A.2 and prepare "proposals" for competitive bidding by contractors of your choice.
 4. Prepare and submit the necessary permit applications to the Municipality, the Metropolitan Sanitary District, the Illinois Environmental Protection Control Agency, the Division of Public Water Supplies and the Division of Water Pollution Control. Provide the road contractor with plans and specifications in order that he may obtain the necessary permits from the governing Highway Department.

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5. Provide field staking and periodic inspection for all the elements listed in Paragraph A.2.
 6. Field measure and count the construction as it progresses and certify quantities for periodic payments to the contractors.
- B. Services listed below are not included in this proposal as it is assumed they will be provided by others.
1. Property survey or topo.
 2. Plat of Sub-division or site plan.
 3. Soil borings and materials testing.
 4. Preparation of legal plats and documents.
- C. Our fees for the services specified in this contract, payable by the signer of this contract, his assigns or successors, are as follows:
1. A retainer of -0- payable upon acceptance of this proposal, to be credited against the final billing of the total fee.
 2. For any additional services performed as described in Paragraph A.1 fees shall be billed currently at the rates listed in the attached schedule and shall be payable on receipt.
 3. For services described in paragraphs A. 2, 3, 4, 5 and 6 the fee will be 7% of construction cost, payable as follows:
 - a. Three (3) percent of the estimated cost payable upon delivery of completed master plans, permit applications and estimate of probable cost.
 - b. Two (2) percent of the estimated cost payable upon approval of the final plans.
 - c. Two (2) percent of the construction cost payable upon presentation of certifications of progress of construction and in amounts in the proportion the construction to date bears to the total contract.

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STATE OF ILLINOIS)
)SS
COUNTY OF COOK)

I, RITA L. MULLINS, do hereby certify that I am the duly elected, qualified and acting Clerk of the Village of Palatine, Cook County, Illinois, and that I am the keeper of the records, journals, entries, ordinances and resolutions of the said Village of Palatine.


I do further certify that the foregoing Ordinance is a true and correct copy of an ordinance passed and adopted by the Board of Trustees of the Village of Palatine at a _____ meeting held on the 9th day of November, 1987, and that said ordinance as aforesaid was deposited and filed in the office of the Village Clerk on the 9th day of November, 1987.

I do further certify that the original, of which the foregoing is a true copy, is entrusted to my care for safe-keeping and that I am the keeper of the same.

I further certify that the vote of the Board of Trustees on the motion to adopt said ordinance was as follows:

AYES: 6 NAYS: 0 ABSENT: 0 PASS: 0

BY WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the Village of Palatine this 21 day of March, 1988.



Rita L. Mullins, Village Clerk
Village of Palatine, Illinois

(S E A L)

DEPT-09 MISC.
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#5281 # B *--58-11726
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