

**UNOFFICIAL COPY**

**AN ORDINANCE PRORATING THE COST  
OF THE CONSTRUCTION OF A SANITARY SEWER MAIN  
IN HAVEN STREET IN THE VILLAGE OF ARLINGTON HEIGHTS**

91360704

*Re-Recorded to Correct Legal Description*

WHEREAS, Hans D. Seitz, 517 East Noyes Street, Arlington Heights, Illinois, 60005, ("SEITZ") has caused to be constructed and has paid the costs of a sanitary sewer main, and appurtenances thereto, in Haven Street, approximately 97 feet (97') west of Douglas Street (the "IMPROVEMENT"); and

WHEREAS, the costs of the IMPROVEMENT, as completed under plans prepared by JKL Consulting Civil Engineers, Ltd., dated December 3, 1990, including engineering and inspection, totals \$7,900.00; and

WHEREAS, the IMPROVEMENT is the property of the Village of Arlington Heights (the "VILLAGE") and as constructed can serve and directly benefits other properties within the VILLAGE; and

WHEREAS, Seitz constructed the IMPROVEMENT by private contract with the understanding that the VILLAGE would adopt an ordinance requiring owners of any property benefiting therefrom to reimburse SEITZ, his successors or assigns for a proportionate share of the cost of the IMPROVEMENT; and

WHEREAS, the property directly benefited from the installed IMPROVEMENT, without previously bearing any costs thereof, is described as follows:

That part of the Northwest Quarter of the Southwest Quarter of Section 10, Township 41 North, Range 11, East of the Third Principal Meridian, described as follows: Commencing at a point which is 335.26 feet South, 259.86 feet West of the Northeast corner of said Northwest quarter of the Southwest quarter of said Section 10, running thence South 335.25 feet parallel to the East line of said quarter section, thence West 141.40 feet, thence North 335.20 feet parallel to the East line of said quarter section, thence East 141.40 feet to the place of beginning, in Cook County, Illinois.

(the "BENEFITED PROPERTY"); and

WHEREAS, SEITZ has agreed to reimburse the VILLAGE for the costs of preparation and publication of this ordinance.

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF ARLINGTON HEIGHTS:

SECTION ONE: As a condition of connecting to the IMPROVEMENT, the owner of the BENEFITED PROPERTY, or any portion thereof to be so connected, shall pay a proportionate share of the cost of the IMPROVEMENT based upon the front foot of the property to be served by the IMPROVEMENT, which charge is hereby established as \$52.67 per frontage foot for SANITARY SEWER MAIN.

SECTION TWO: That no person, firm or corporation owning or interested in, nor any contractor, agent or other representative of such owner or party interested in the BENEFITED PROPERTY shall connect a sanitary sewer line located on such property to the IMPROVEMENT without first having obtained a permit from the VILLAGE

VILLAGE OF ARLINGTON HEIGHTS  
33 S. Arlington Heights Road  
Arlington Heights, IL 60005  
LEGAL DEPARTMENT

OFFICIAL BUSINESS

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ORDINANCE RECAPTURE # 112/LMB, LMB

*William C. ...*  
Village Clerk

COOK COUNTY RECORDER

40017 E \* - 91 - 060464

Village President

ATTEST:

*[Signature]*

PASSED AND APPROVED this 22nd day of January, 1991.

AYES: WALTON, SILES, DAY, DADAY, AGRAN, WALSH, JOLLY, MAKI  
NAYS: NONE

SECTION SEVEN: This ordinance shall be in full force and effect from and after its passage, approval and publication in the manner provided by law, and shall be recorded with the Recorder of Cook County, Illinois, upon payment to the Village of the amount established in SECTION FOUR of this ordinance.

SECTION SIX: The IMPROVEMENT is a public improvement owned by the VILLAGE and nothing herein contained shall be construed to vest any proprietary rights of any nature whatsoever, in the IMPROVEMENT in any other person, firm or corporation.

SECTION FIVE: Any person, firm or corporation owning or interested in the BENEFITED PROPERTY, or any portion thereof, and any contractors, agent or representative of any such owner or person in interest who make connections with the IMPROVEMENT, without first receiving a permit from the VILLAGE and paying the fees and charges provided for herein, shall be subject to a fine of not less than one hundred dollars (\$100.00) nor more than five hundred dollars (\$500.00). Any connections to the IMPROVEMENT made without a permit shall be subject to removal by the VILLAGE.

SECTION FOUR: SEITZ shall pay to the VILLAGE, in consideration of its costs in preparation and publication of this ordinance, an amount equal to TWENTY DOLLARS (\$20.00) per subdivided lot capable of being served by the IMPROVEMENT, but no more than TWO HUNDRED DOLLARS (\$200.00).

SECTION THREE: All monies collected by the VILLAGE from the owners of the BENEFITED PROPERTY for the use of SEITZ, his successors or assigns pursuant to this ordinance, less four percent (4%) to be retained by the VILLAGE for the cost of collection, shall, within thirty (30) days after receipt thereof by the VILLAGE, be paid to SEITZ, his successors or assigns.

No such permit shall be issued unless the applicant shall first pay to the VILLAGE, for the use of SEITZ, his successors or assigns, an amount equal to the frontage of the property to be serviced by the improvement, multiplied by the amount per front foot established in SECTION ONE of this ordinance, which charge shall be in addition to any other charges payable to the VILLAGE for making sewer main connections.

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COOK COUNTY RECORDER