

CITY OF LEROY
COUNTY OF MCLEAN
STATE OF ILLINOIS

ORDINANCE NO. 699

AN ORDINANCE APPROVING A JOINT AGREEMENT BETWEEN THE STATE OF ILLINOIS AND THE CITY OF LEROY, ILLINOIS, PROVIDING FOR THE TRANSFER OF JURISDICTION OF A PORTION OF THE STATE OF ILLINOIS HIGHWAY SYSTEM TO THE CITY OF LEROY, AS DESCRIBED IN THE AGREEMENT.

ADOPTED BY THE CITY COUNCIL OF THE CITY OF LE ROY THIS 3rd
DAY OF September, 1996.

PRESENTED: September 3rd, 1996

PASSED: September 3rd, 1996

APPROVED: September 3rd, 1996

RECORDED: September 3rd, 1996

PUBLISHED: September 3rd, 1996


In Pamphlet Form

Voting "Aye" 6

Voting "Nay" 0

The undersigned being the duly qualified and Acting City Clerk of the City of LeRoy does hereby certify that this document constitutes the publication in pamphlet form, in connection with and pursuant to Section 1-2-4 of the Illinois Municipal Code, of the above-captioned ordinance and that such ordinance was presented, passed, approved, recorded and published as above stated.

(SEAL)

X 
Acting City Clerk of the City of LeRoy,
McLean County, Illinois

Dated: September 3, 1996.

ORDINANCE NO. 699

AN ORDINANCE APPROVING A JOINT AGREEMENT BETWEEN THE STATE OF ILLINOIS AND THE CITY OF LEROY, ILLINOIS, PROVIDING FOR THE TRANSFER OF JURISDICTION OF A PORTION OF THE STATE OF ILLINOIS HIGHWAY SYSTEM TO THE CITY OF LEROY, AS DESCRIBED IN THE AGREEMENT.

WHEREAS, the Mayor and City Council find that it is in the best interests of the City of LeRoy, McLean County, Illinois, an Illinois municipal corporation, to enter into a joint agreement with the State of Illinois, providing for the transfer of jurisdiction of a part of the state highway system to the City of LeRoy, as described in the aforesaid joint agreement;

NOW, THEREFORE, BE IT ORDAINED, by the City Council of the City of LeRoy, in lawful meeting assembled, as follows:

Section 1. That the City Council hereby approves the agreement set forth in Exhibit "A," attached hereto and incorporated herein by reference.

Section 2. The Mayor and City Clerk are hereby directed and authorized to sign the original and as many copies as appropriate of that agreement as set forth in Exhibit "A" attached hereto, being certain to obtain one or more fully signed copies for the records of the City.

Section 3. This ordinance shall be in full force and effect from and after its passage, approval and publication in pamphlet form as required by law.

PASSED by the City Council of the City of LeRoy, Illinois, upon the motion by

Dave McClelland, seconded by Ron Litherland

_____ by roll call vote on the 3rd day of September, 1996, as follows:


Aldermen elected 6 Aldermen present 6

VOTING AYE: Ron Litherland, Dave McClelland, Lois Parkin, Fred Dodson, Dawn Thompson
(full names) Bill Swindle


VOTING NAY: None
(full names)

ABSENT, ABSTAIN, OTHER: None
(full names)


and deposited and filed in the office of the Acting City Clerk in said municipality on the 3rd day of
September, 1996.

X 
Sue Marcum, Acting City Clerk of the City of
LeRoy, McLean County, Illinois

APPROVED BY the Mayor of the City of LeRoy, Illinois, this 3rd day of
September, 1996.

X 
Jerry C. Davis, Mayor of the City of LeRoy, McLean
County, Illinois

ATTEST: (SEAL)

X 
Sue Marcum, Acting City Clerk, City of
LeRoy, McLean County, Illinois

A JOINT AGREEMENT BETWEEN THE STATE OF ILLINOIS
AND THE CITY OF LEROY, ILLINOIS

Regarding: Interstate Route 74 Service Road (Hemlock Street)
Including: OR 9
Constructed Under (FAI 74) State Section 57-23 &
SBI Route 119A Spur #24.88
State Section 102
McLean County
(City of LeRoy, Illinois)

Exhibit A

WHEREAS, the CITY's estimated total cost of the highway improvement is \$118,000 which includes engineering and construction costs.

WHEREAS, the CITY is desirous of the said improvement and jurisdictional transfer of said highway in that same will be of immediate benefit to CITY residents and permanent in nature; and

WHEREAS, the CITY has expressed its willingness to participate in financing all cost of the said project in excess of the STATE's \$65,000 share of funding.

NOW, THEREFORE, in consideration of the mutual covenants contained herein, the parties agree as follows:

1. The CITY agrees to make the surveys, prepare plans and specifications, receive bids and award the contract, furnish engineering inspection during construction, and cause the improvement to be built in accordance with the plans, specifications, and contract.
2. The CITY agrees to pay all construction and engineering costs for OR 9 and SBI Route 119A Spur No. 24.88 subject to the \$65,000 credit by the STATE to be applied to the CITY's cost for the U.S. Route 150 project.
3. The CITY agrees to comply with the applicable executive orders and Federal Highway acts pursuant to the Equal Employment Opportunity and non-discrimination regulations required by the Illinois Department of Transportation.
4. The CITY shall maintain, for a minimum of five years after the completion of the described improvement, adequate books, records, and supporting documents to verify the amounts, recipients, and uses of all disbursements of funds passing in conjunction with this agreement. All books, records, and supporting documents related to the project shall be available for review and audit by the Auditor General and other STATE auditors and the CITY agrees to cooperate fully with any audit conducted by the Auditor General and other STATE auditors and to provide full access to all relevant materials. Failure to maintain the books, records, and supporting documents, required by this paragraph, shall establish a presumption in favor of the STATE for the recovery of any funds paid by the STATE under this agreement for which adequate books, records, and supporting documentation are not available to support their purported disbursement.
5. The CITY agrees to assume jurisdiction of the subject portions of OR 9 and SBI Route 119A Spur No. 24.88, effective 21 calendar days after execution of this agreement, as described in forms 1600 which are attached hereto as Exhibits No. 1 and 2 and made a part hereof.
6. The CITY has passed an ordinance adding the said portions of OR 9 and SBI Route 119A Spur No. 24.88 to its municipal street system; a copy of which is attached hereto as Addendum No. 2 and made a part hereof.

AGREEMENT

This agreement, entered into the _____ day of _____, 1996 by and between the State of Illinois, through its Department of Transportation, hereinafter called the STATE, and the city of LeRoy of McLean County, hereinafter called the CITY.

WHEREAS, the STATE and the CITY in order to facilitate the free flow of traffic and ensure safety to the motoring public are desirous of cooperating in the improvement of highway commonly referred to as Hemlock Street, located in the southwest quadrant of the Interstate 74 and FAS Route 1478 interchange functioning as a service road and comprised of the following two unmarked state routes and sections:

- a. OR #9 - Constructed under FAI Route 74, State Section 57-23, beginning at its intersection with FAS Route 1478 (LeRoy Spur) and extending ± 0.18 kilometer (± 0.11 mile) northwesterly and north; and
- b. SBI Route 119A Spur No. 24.88 - Constructed under State Section 102, beginning at the north end of OR 9 and extending ± 0.16 kilometers (± 0.10 mile) north to Empire Township Road No. 517 (N400 Road) located at the city of LeRoy's west corporate limits.

See location map attached hereto as Addendum No. 1 and made a part hereof.

WHEREAS, the STATE and CITY have mutually determined it is in the interest of each party to transfer jurisdiction of the said portions of OR 9 and SBI 119A Spur (Hemlock Street) from the state highway system to the CITY's street system.

WHEREAS, the authority to enter into this contract is granted the STATE by Section 4-409 of the Illinois Highway Code and the deletion from the state highway system is granted under Section 2-101 of the Illinois Highway Code.

WHEREAS, the authority to make changes to the municipal street system is granted to the CITY by Section 7-101 of the Illinois Highway Code.

WHEREAS, the STATE will provide a predetermined \$65,000 of funds to be applied towards the improvement of the aforescribed portions of OR 9 and SBI Route 119A Spur (Hemlock Street) contingent upon the CITY assuming jurisdiction and improving the said portions of highways.

WHEREAS, the STATE's share of fund participation will be applied as a \$65,000 credit toward the CITY's share of credit toward the CITY's share of cost for sidewalk construction and storm sewer upsizing relating to the STATE's proposed improvement of U.S. Route 150 (SBI Route 39), State Section (3)W&RS-2 (Washington, Walnut, and Cedar Streets) through the city of LeRoy.

LEROY3

7. The CITY agrees to award a contract for the improvement of the said portions of Other Route 9 and SBI Route 119A Spur No. 24.88 by November 1, 1996. If not, this agreement is null and void.

This agreement shall be binding upon and inure to the benefit of the parties, their successors, and assigns.

Executed on Behalf of the STATE OF ILLINOIS,
DEPARTMENT OF TRANSPORTATION

Executed on Behalf of the
CITY OF LEROY

Director of Highways

The Honorable Jerry Davis
Mayor of LeRoy

Date

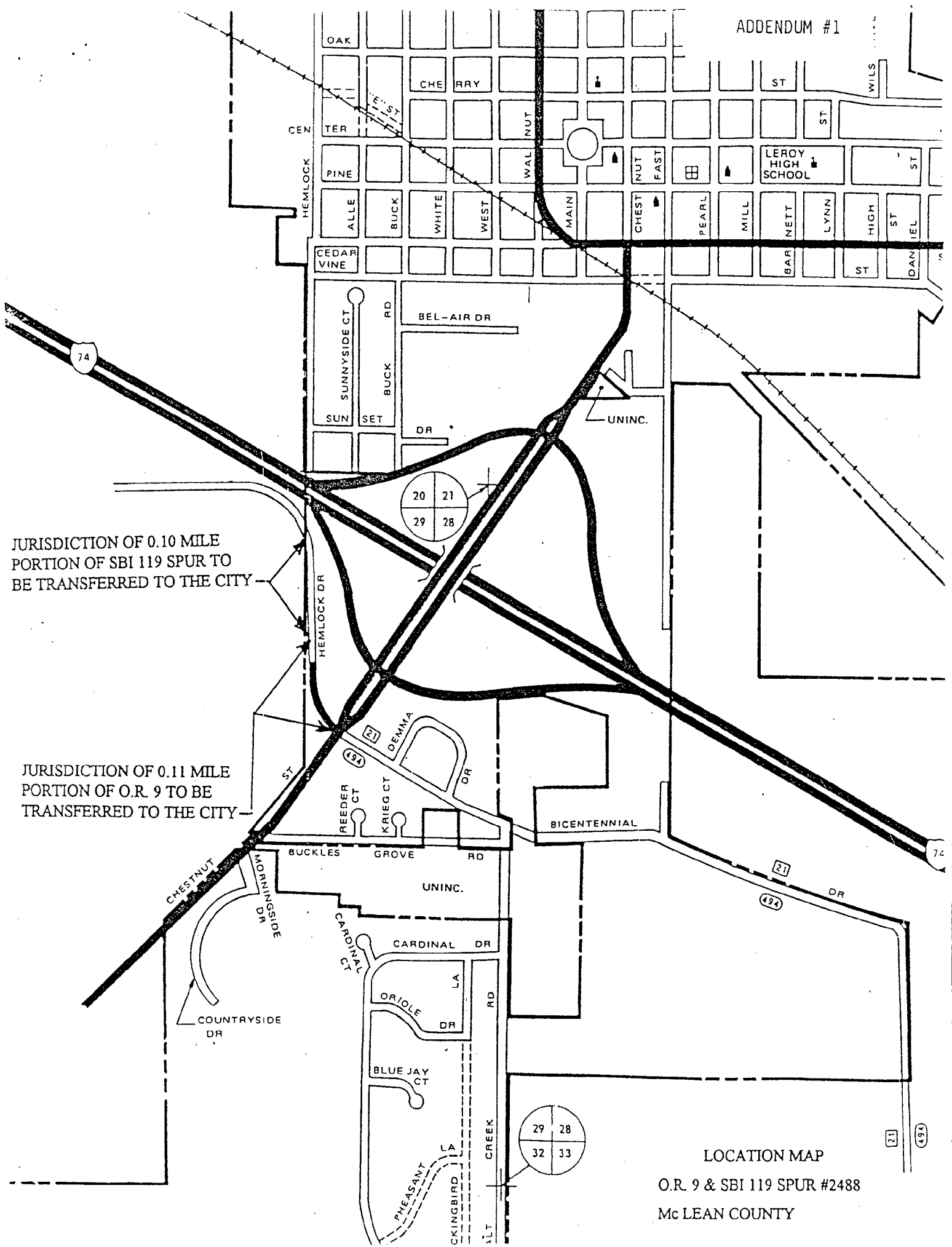
Date

ATTEST

City Clerk

Date

(SEAL)



JURISDICTION OF 0.10 MILE
 PORTION OF SBI 119 SPUR TO BE
 TRANSFERRED TO THE CITY

JURISDICTION OF 0.11 MILE
 PORTION OF O.R. 9 TO BE
 TRANSFERRED TO THE CITY

LOCATION MAP
 O.R. 9 & SBI 119 SPUR #2488
 Mc LEAN COUNTY

ORDINANCE FOR THE ADDITION OF AN I-74 INTERCHANGE SERVICE ROAD TO LEROY'S CITY STREET SYSTEM

WHEREAS, the city of LeRoy, McLean County, Illinois, hereinafter called the CITY, and the state of Illinois, by and through its Department of Transportation, hereinafter called the STATE, did enter into an agreement for the improvement and jurisdictional transfer of the service road located in the southwest quadrant of the Interstate 74 and FAS Route 1478 (LeRoy Spur) interchange; consisting of and identified as Other Route 9 and SBI Route 119A Spur, State Section 57-23 and 102 respectively, also known as Hemlock Street.

NOW, THEREFORE, BE IT ORDAINED by the City Council of LeRoy, McLean County, Illinois, that effective 21 calendar days after the execution of the related city-state jurisdictional transfer agreement, the CITY agrees to assume jurisdiction of the following portions of highways:

- a. Other Route 9 (Hemlock Street) - From the west edge of pavement of FAS Route 1478 (LeRoy Spur) and extending ±0.18 kilometers (±0.11 mile) to the northwest and north.
- b. SBI Route 119A Spur No. 24.88 (Hemlock Street) - From the north end of Other Route 9 (located 0.11 mile/0.18 km northwest and north of FAS 1478/LeRoy Spur) extending northerly ±0.16 km (0.10 mile) to Empire Township Road 517 (N400 Road) located at the city of LeRoy's west corporate limits.

This ordinance shall be in full force and effect from and after its passage, approval, and publication.

Passed by the City Council of the city of LeRoy, Illinois on the _____ day of _____, 1996.

Ayes _____

Nayes _____

Absent _____


APPROVED:

The Honorable Jerry C. Davis
Mayor of LeRoy

Sue Marcum, Acting City Clerk
(SEAL)

Date

Date

 <p>Illinois Department of Transportation</p> <p>LOCAL AGENCY-STATE JURISDICTIONAL TRANSFER</p>	Local Agency		Type of Systems Transfer	
	Municipality Le Roy		TYPE 1 From State Highway System To Local Highway System	TYPE 2 From Local Highway System To State Highway System
	Township/ Road District		Indicate Type of Systems Transfer	
	County		1	
	Section No. (FAI 74) 57-23 (For Transfers Involving an Improvement)			

The above local agency, and the state of Illinois, acting by and through its Department of Transportation, agree to transfer the jurisdiction of the designated location in the manner indicated above under TYPE OF SYSTEMS TRANSFER.

Location Description

Name Hemlock St. Route OR 9 Length 177 Meters/±591' Miles ±0.18 Km/±0.11 Mile

Termini From the west edge of pavement of FAS Route 1478 (LeRoy Spur) and extending ±0.18 kilometer (±0.11 mile) to the northwest and north.

This transfer does not include Structure No. N/A.

WHEREAS, the authority to enter into this contract is granted the STATE by Section 4-409 of the Illinois Highway Code and the authority to make changes in the State Highway System is granted the STATE under Section 2-101 of the Illinois Highway Code, and

Include for Municipalities Only

WHEREAS, the authority to make changes to the Municipal Street System is granted to the Municipality by Section 7-101 of the Illinois Highway Code.

NOW THEREFORE IT IS AGREED that the corporate authority of said municipality will pass an ordinance providing for the transfer of the above location and shall attach hereto and make a part hereof a copy of a location map as Addendum No. 1 and a copy of the ordinance as Addendum No. 2, and

Include for Counties Only

WHEREAS, the authority to make changes to the County Highway System is granted to the County by Section 5-105 of the Illinois Highway Code.

NOW THEREFORE IT IS AGREED that the County Board of said County will pass a resolution providing for the transfer of the above location and shall attach hereto and make a part hereof a copy of a location map as Addendum No. 1 and a copy of the resolution as Addendum No. 2, and

Include for Township/Road Districts Only

WHEREAS, the authority to make changes to the Township/Road District System is granted to the Highway Commissioner under Section 6-201.3 of the Illinois Highway Code and said Highway Commissioner shall attach hereto and make a part hereof a copy of a location map as Addendum No. 1, and

IT IS MUTUALLY AGREED, that this jurisdictional transfer will become effective 21 calendar days after:

(Check One)


- | | |
|---|---|
| <input type="checkbox"/> Final Inspection by the State (Type " ") | <input type="checkbox"/> Final Inspection by the Local Agency |
| <input type="checkbox"/> Acceptance by the State | <input type="checkbox"/> Acceptance by the Local Agency |
| <input checked="" type="checkbox"/> Execution by Agreement | |

Supplements

Additional information and/or stipulations, if any, are hereby attached and identified below as being a part of this jurisdictional transfer.

Supplement _____
(Insert supplement numbers of letters and page numbers, if applicable.)

IT IS FURTHER AGREED, that the provisions of this jurisdictional transfer shall be binding upon and inure to the benefit of the parties hereto, their successors, and assigns.

 <p>Illinois Department of Transportation</p> <p>LOCAL AGENCY-STATE JURISDICTIONAL TRANSFER</p>	Local Agency		Type of Systems Transfer	
	Municipality <p style="text-align: center;">Le Roy</p>		TYPE 1 From	TYPE 2 From
	Township/ Road District		State Highway System To	Local Highway System To
	County		Local Highway System	State Highway System
	Section No. 102 (For Transfers Involving an Improvement)		Indicate Type of Systems Transfer <p style="text-align: center;">1</p>	

The above local agency, and the state of Illinois, acting by and through its Department of Transportation, agree to transfer the jurisdiction of the designated location in the manner indicated above under TYPE OF SYSTEMS TRANSFER.

Location Description

Name Hemlock St. Route SBI 119 Spur 2488 Length 161 Meters/528' Miles ±0.16 Km/±0.10 Mi.

Termini From the north end of OR 9 (located 0.11 mile/0.18Km) northwest and north of FAS 1478/LeRoy Spur extending northerly ±0.16Km (0.10 mile) to Empire Township Road 517 (N400 Road) located at the city of LeRoy's west corporate limits.

This transfer does not include Structure No. N/A.

WHEREAS, the authority to enter into this contract is granted the STATE by Section 4-409 of the Illinois Highway Code and the authority to make changes in the State Highway System is granted the STATE under Section 2-101 of the Illinois Highway Code, and

Include for Municipalities Only

WHEREAS, the authority to make changes to the Municipal Street System is granted to the Municipality by Section 7-101 of the Illinois Highway Code.

NOW THEREFORE IT IS AGREED that the corporate authority of said municipality will pass an ordinance providing for the transfer of the above location and shall attach hereto and make a part hereof a copy of a location map as Addendum No. 1 and a copy of the ordinance as Addendum No. 2, and

Include for Counties Only

WHEREAS, the authority to make changes to the County Highway System is granted to the County by Section 5-105 of the Illinois Highway Code.

NOW THEREFORE IT IS AGREED that the County Board of said County will pass a resolution providing for the transfer of the above location and shall attach hereto and make a part hereof a copy of a location map as Addendum No. 1 and a copy of the resolution as Addendum No. 2, and

Include for Township/Road Districts Only

WHEREAS, the authority to make changes to the Township/Road District System is granted to the Highway Commissioner under Section 6-201.3 of the Illinois Highway Code and said Highway Commissioner shall attach hereto and make a part hereof a copy of a location map as Addendum No. 1, and

IT IS MUTUALLY AGREED, that this jurisdictional transfer will become effective 21 calendar days after:

(Check One)

- | | |
|--|---|
| <input type="checkbox"/> Final Inspection by the State (Type " ") | <input type="checkbox"/> Final Inspection by the Local Agency |
| <input type="checkbox"/> Acceptance by the State | <input type="checkbox"/> Acceptance by the Local Agency |
| <input checked="" type="checkbox"/> Execution by Agreement | |

Supplements

Additional information and/or stipulations, if any, are hereby attached and identified below as being a part of this jurisdictional transfer.

Supplement _____
(Insert supplement numbers of letters and page numbers, if applicable.)

IT IS FURTHER AGREED, that the provisions of this jurisdictional transfer shall be binding upon and inure to the benefit of the parties hereto, their successors, and assigns.

CERTIFICATE

I, Sue Marcum, certify that I am the duly appointed and acting municipal clerk of the City of LeRoy, of McLean County, Illinois.

I further certify that on September 3, 1996, the Corporate Authorities of such municipality passed and approved Ordinance No. 699, entitled:

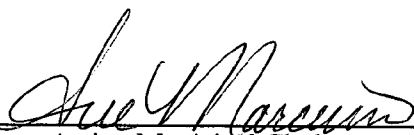
AN ORDINANCE APPROVING A JOINT AGREEMENT BETWEEN THE STATE OF ILLINOIS AND THE CITY OF LEROY, ILLINOIS, PROVIDING FOR THE TRANSFER OF JURISDICTION OF A PORTION OF THE STATE OF ILLINOIS HIGHWAY SYSTEM TO THE CITY OF LEROY, AS DESCRIBED IN THE AGREEMENT,

which provided by its terms that it should be published in pamphlet form.

The pamphlet form of Ordinance No. 699, including the Ordinance and a cover sheet thereof, was prepared, and a copy of such Ordinance was posted at the municipal building, commencing on September 3, 1996, and continuing for at least ten days thereafter. Copies of such Ordinance were also available for public inspection upon request in the office of the municipal clerk.

Dated at LeRoy, Illinois, this 3rd day of September, 1996.

(SEAL)



Acting Municipal Clerk

STATE OF ILLINOIS)
) SS:
COUNTY OF McLEAN)

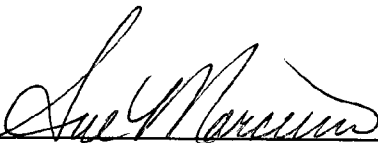
I, Sue Marcum, do hereby certify that I am the duly qualified and Acting City Clerk of the City of LeRoy, McLean County, Illinois, and as such Acting City Clerk that I am the keeper of the records and files of the Mayor and the City Council of said City.

I do further certify that the foregoing is a true, correct and complete copy of an ordinance entitled:

AN ORDINANCE APPROVING A JOINT AGREEMENT BETWEEN THE STATE OF ILLINOIS AND THE CITY OF LEROY, ILLINOIS, PROVIDING FOR THE TRANSFER OF JURISDICTION OF A PORTION OF THE STATE OF ILLINOIS HIGHWAY SYSTEM TO THE CITY OF LEROY, AS DESCRIBED IN THE AGREEMENT.

I do further certify said ordinance was adopted by the City Council of the City of LeRoy at a regular meeting on the 3rd day of September, 1996, and prior to the making of this certificate the said ordinance was spread at length upon the permanent records of said City where it now appears and remains as a faithful record of said ordinance in the record books.

Dated this 3rd day of September, 1996.

X 
Acting City Clerk

(SEAL)