



**CITY OF URBANA, ILLINOIS
DEPARTMENT OF PUBLIC WORKS**

MEMORANDUM

TO: Mayor Laurel Lunt Prussing and Members of the City Council

FROM: William R. Gray, P.E.

DATE: September 11, 2008

RE: An Intergovernmental Agreement Regarding The Detachment of Certain Lands Drainage District No. 3 in the Town of St. Joseph and the City of Urbana

Please note the changes to the agreement that are highlighted in yellow. This will help clarify the parcels to be detached.

EXHIBIT B

AN INTERGOVERNMENTAL AGREEMENT REGARDING THE DETACHMENT OF CERTAIN LANDS DRAINAGE DISTRICT NO. 3 IN THE TOWN OF ST. JOSEPH AND THE CITY OF URBANA

This Agreement made this _____ day of _____, 2008, between the City of Urbana (“City”), a municipal corporation, and Drainage District No. 3 in the town of St. Joseph (“Drainage District”), a drainage district organized and existing under the laws of the State of Illinois and located solely within Champaign County, Illinois.

WHEREAS, City and Drainage District find it to be in the best interest of the Drainage District and the City if those portions of the City which are located within the Drainage District and described below (hereinafter “coterminus area”), **are** detached from the Drainage District as provided in the “Master Agreement Providing For The Automatic Detachment Of Parcels In The Drainage District No. 3 In The Town Of St. Joseph”, approved by the Circuit Court of Champaign County in Docket Number 97-MC-21, as provided in Section 5/11-15.2-1 of the Illinois Municipal Code.

Now therefore, in consideration of the mutual promises herein, the parties agree as follows:

Section 1. That those lands described in Attachment A, **coterminous with and in the corporate limits of the City of Urbana** shall be detached from the Drainage District effective immediately upon filing of the Certificate provided for in 65 ILCS 5/11-15.2-1 with the County Clerk and Drainage District Clerk.

See Attachment A.

Section 2. The Drainage District represents that based upon the best information available to it, that the Drainage District map attached as Attachment B is a complete list of all

Drainage District drains and drainage structures as defined in the Drainage Code (70 ILCS 605/1-2), owned by or under control of the Drainage District as of the date of this Certificate. Attachment C is a listing of all easements pertaining to the coterminus area.

Section 3. Within thirty (30) days of the date of this certificate, the Drainage District will deliver to the City, the unrestricted maintenance funds from the Thomas Paine subdistrict in the amount of Thirty Thousand Dollars (\$30,000), which represents what the parties agree compensates the City for delayed maintenance of drainage structures in the coterminus area.

Section 4. The City agrees to pay the Drainage District 40% of the amount of disbursements by the Drainage District for maintenance, limited however, to the proportionate share of historical assessments of such parcels in the coterminus area compared to all parcels located west of High Cross Road based on the 2007 Annual Maintenance roll of the Drainage District and continuing for twenty (20) years from the date that the Certificate is filed with the Champaign County Clerk. Such amount should be paid within thirty (30) days of receipt by the City of an invoice for the amount due and payable and a certified true copy of the current fiscal year's Annual Treasurer Statement of the Drainage District.

DRAINAGE DISTRICT NO. 3 OF THE
THE TOWN OF ST. JOSEPH, CHAMPAIGN
COUNTY, ILLINOIS

CITY OF URBANA, ILLINOIS

By: _____
Commissioner

By: _____
Mayor

Dated: _____

Dated: _____

By: _____
Commissioner

ATTEST:

Dated: _____

City Clerk

By: _____
Commissioner

Dated: _____