



MEMORANDUM

TO: Mayor Laurel Lunt Prussing and Members of the City Council
FROM: William R. Gray, Public Works Director
Bradley M. Bennett, Assistant City Engineer
DATE: May 19, 2016
RE: Ownership Transfer for Country Club Road Storm Sewer

INTRODUCTION

The Urbana-Champaign Sanitary District desired to abandon an overflow pipe from its pump station along the north side of Country Club Road between Broadway Avenue and the Saline Branch. The Public Works Department converted a portion of the overflow pipe into a storm sewer to address drainage problems that persisted in the north ditch line.

The portion of the overflow pipe converted into a storm sewer is a 445-foot long 12-inch diameter clay pipe located in the middle of the drainage ditch along the north side of Country Club Road. (Please see Exhibit A for the location of the storm sewer.) The overflow pipe upstream of the portion to be converted into a City storm sewer has been properly sealed off back to the pump station and abandoned by the Sanitary District. Public Works has televised the overflow pipe and it is in good condition. The City installed three inlets on the overflow pipe to allow stormwater to enter from the ditch into the storm sewer. This pipe conversion has improved the drainage along Country Club Road and the adjacent property.

FISCAL IMPACT

The proposed ownership transfer will cost the City ten dollars. The City will be responsible for the future maintenance, repair, and replacement of the storm sewer.

RECOMMENDATION

It is recommended that the City Council approve the attached ordinance entitled, “**AN ORDINANCE AUTHORIZING THE TRANSFER AND ASSIGNMENT OF WEST COUNTRY CLUB ROAD OVERFLOW PIPE.**”

Attachments: “AN ORDINANCE AUTHORIZING THE TRANSFER AND ASSIGNMENT OF WEST COUNTRY CLUB ROAD OVERFLOW PIPE”
Exhibit A – Location Map of Storm Sewer
Exhibit B - Transfer and Assignment Agreement

ORDINANCE NO. 2016-05-042

**AN ORDINANCE AUTHORIZING THE TRANSFER AND ASSIGNMENT OF WEST
COUNTRY CLUB ROAD OVERFLOW PIPE**

WHEREAS, Urbana City Code Section 20-104, in pertinent part, provides that the acceptance or release of an interest in real property other than an easement shall be by actions of the City Council; and

WHEREAS, the City desires to purchase certain real property consisting of a storm sewer overflow pipe located in the right-of-way north of West Country Club Road, and further described herein, for the management of stormwater; and

WHEREAS, the City Council expressly finds and declares that said storm sewer overflow pipe is needed for governmental purposes of the City of Urbana.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Urbana, Champaign County, Illinois, as follows:

Section 1.

The purchase of a storm sewer overflow pipe, located in the right-of-way north of West Country Club Road between County Road 1700 N and North Broadway Avenue in Urbana, Illinois, being more particularly described and depicted on the map attached hereto as Exhibit A, and substantially on such terms as contained in the Transfer and Assignment attached hereto as Exhibit B, both of which exhibits are incorporated herein, is hereby approved.

Section 2.

The Mayor of the City of Urbana, Illinois, be and the same is hereby authorized to execute and deliver and the City Clerk of the City of Urbana, Illinois, be and the same is hereby authorized to attest to said execution of said Transfer and Assignment as so authorized and approved for and on behalf of the City of Urbana, Illinois.

Section 3.

The Mayor of the City of Urbana, Illinois, or her designee, be and hereby is authorized to perform all acts necessary on behalf of the City of Urbana to effectuate the acquisition of the storm sewer overflow pipe.

Section 4.

This Ordinance shall not be construed to affect any suit or proceeding pending in any court, or any rights acquired, or a liability incurred, or any cause or causes of action acquired or existing prior to the effective date of this Ordinance; nor shall any right or remedy of any character be lost, impaired, or affected by this Ordinance.

Section 5.

This Ordinance shall be in full force and effect from and after its passage.

This Ordinance is hereby passed by the affirmative vote, the "ayes" and "nays" being called, of a majority of the members of the Council of the City of Urbana, Illinois, at a meeting of said Council.

PASSED BY THE CITY COUNCIL this ____ day of _____, _____.

AYES:

NAYS:

ABSENT:

ABSTAINED:

Phyllis D. Clark, City Clerk

APPROVED BY THE MAYOR this ____ day of _____, _____.

Laurel Lunt Prussing, Mayor



W Country Club Rd

Urbana Country Club

445 Lineal Feet (+/-) of 12" storm sewer "Pipe" transferred from UCSD ownership to the City of Urbana ownership

W Country Club Rd

Anita Purves Nature Center

N Broadway Ave

Exhibit A



EXHIBIT B

Transfer and Assignment

KNOW ALL MEN BY THESE PRESENTS, that the Urbana & Champaign Sanitary District, an Illinois Municipal Corporation, ("Transferor"), in consideration of the sum of Ten Dollars (\$10.00), and other good and valuable consideration, in hand paid, the receipt of which is hereby acknowledged, does hereby convey, transfer, assign and deliver unto the City of Urbana, an Illinois Municipal Corporation, all of Transferor's right, title and interest in and to approximately 445 feet of Overflow Sewer Pipe (the "Pipe") located on the north Side of Country Club Road which said Pipe is located in the area depicted on the Attached Exhibit A which is made a part hereof.

Transferee accepts the Pipe and further accepts responsibility for all future maintenance, replacement or repair.

OTHERWISE, THE TRANSFEROR MAKES NO EXPRESS OR IMPLIED WARRANTIES TO TRANSFEEE CONCERNING THE PIPE. TRANSFEEE IS ACCEPTING SUCH PIPE "AS IS", "WHERE IS", "WITH ALL DEFAULTS", AND THE UNDERSIGNED EXPRESSLY DISCLAIMS THE WARRANTIES OF MERCHANTABILITY AND FITNESS FOR PURPOSE.

Dated: APRIL 7, 2016

TRANSFEEE

City of Urbana, a Municipal Corporation.

By: _____
Its: _____

TRANSFEROR:

Urbana & Champaign Sanitary District, a Municipal Corporation

By: Kiana Drenik
Its: President