

RESOLUTION NO. 8990-R1

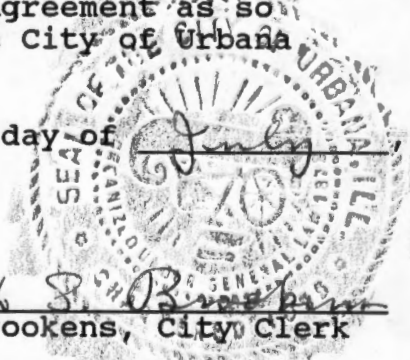
A RESOLUTION  
APPROVING AND AUTHORIZING THE EXECUTION  
OF AN AGREEMENT BETWEEN THE ILLINOIS DEPARTMENT  
OF TRANSPORTATION AND THE CITY OF URBANA, ILLINOIS

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF URBANA,  
ILLINOIS, as follows:

Section 1. That an Agreement by and between the City of Urbana, Illinois, and the Illinois Department of Transportation, in the form of the copy of said Agreement attached hereto and hereby incorporated by reference, be and the same is hereby authorized and approved.

Section 2. That 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 Agreement as so authorized and approved for and on behalf of the City of Urbana Illinois.

1989. PASSED by the City Council this 17<sup>th</sup> day of July

A circular seal of the City of Urbana, Illinois, featuring a central emblem and the text "SEAL OF THE CITY OF URBANA, ILLINOIS" around the perimeter.  
Ruth S. Brookens  
Ruth S. Brookens, City Clerk

1989. APPROVED by the Mayor this 24<sup>th</sup> day of July,

Jeffrey T. Markland  
Jeffrey T. Markland, Mayor

THIS IS THE ATTACHMENT WHICH IS REFERRED TO IN  
RESOLUTION NO. 8990-R1 AND IS INCORPORATED  
THEREIN BY REFERENCE.

Ruth S. Brookens  
Ruth S. Brookens, City Clerk

Date July 20, 1989

F.A.I. Route 74  
Frontage Road #1517  
State Section (28X-1)TS  
City Section 88-00262-00TL  
City of Urbana

#### AGREEMENT

This Agreement made and entered into this \_\_\_\_ day of \_\_\_\_\_, A.D., 19\_\_\_\_, by and between the State of Illinois, acting by and through its Department of Transportation, hereinafter referred to as the STATE, and the City of Urbana, of the State of Illinois, hereinafter referred to as the CITY.

#### WITNESSETH

WHEREAS, the CITY, in order to facilitate the free flow of traffic and insure safety to the motoring public, is desirous of improving U.S. Route 45 at its intersection with Kenyon Road, in the corporate limits of the CITY, by installing new traffic control signals and upgrading the intersections geometrics, and by performing all other work necessary to complete the improvement in accordance with approved plans and specifications; and

WHEREAS, the STATE is desirous of said improvement in that same will be of immediate benefit to the STATE and permanent in nature;

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

1. The CITY agrees to make the surveys, prepare the roadway 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, subject to reimbursement by the STATE as hereinafter stipulated.
3. Upon completion of the improvement and so long as U.S. Route 45 (Cunningham Avenue) is used as a State highway, the STATE agrees to maintain or cause to be maintained the four (4) through traffic lanes (2 lanes in each direction), lying on either side of the centerline and/or concrete median, each lane being

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twelve feet and variable in width, the left-turn lanes, the curb and gutter south of Kenyon Road intersection, and the shoulders and open-ditch cross-section within the STATE right-of-way north of the Kenyon Road intersection, in their entirety adjacent to those traffic lanes and turn lanes to be maintained by the STATE.

4. It is mutually agreed by and between the parties hereto that the estimated cost of the improvement is as follows:

Total Construction Costs: \$150,280

5. Upon final inspection of the project and receipt of a satisfactory invoice, the STATE agrees to reimburse the CITY a lump sum of \$35,000 in consideration for new traffic control signals.
6. Upon acceptance by the STATE and the CITY of the new traffic signal installations, the financial responsibility for maintenance and electrical energy for the operation of the signals shall be proportioned as follows:

The intersection of:  
Cunningham Avenue (U.S. Route 45) at Kenyon Road  
Level of Maintenance Required: Level 1

	<u>Maintenance</u>	<u>Electrical Energy</u>
STATE Share	50%	0%
CITY Share	50%	100%

It is mutually agreed that the actual signal maintenance will be performed by the CITY, either with its own forces or through an ongoing contractual agreement.

It is further agreed that the signals shall be maintained to at least the Levels of Maintenance shown and specified in the attached "Exhibit 1" made a part hereof.

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Upon acceptance by the STATE and the CITY of the new traffic signal installations included herein the responsibility for maintenance and energy outlined above shall become a part of the Master Agreement executed by the STATE and the CITY on October 1, 1980.

The CITY agrees to make arrangements with the local power company to furnish the electrical energy for the operation of the traffic signals. The CITY agrees to pay their proportionate share of this cost as billed by the local power company.

7. The CITY shall retain the records for STATE audit for a period of three years after the completion of the improvement.
8. The CITY agrees to comply with all applicable Executive Orders and Federal Highway Acts pursuant to the Equal Employment Opportunity and non-discrimination regulations required by the Illinois Department of Transportation.
9. The STATE agrees to provide prior to the CITY's advertising for the work to be performed hereunder approval of the plans and specifications as prepared, by issuing a permit.
10. Upon completion of the improvement, the CITY agrees to maintain or cause to be maintained, those portions of the improvement which are not to be maintained by the STATE, including but not limited to intersecting side streets and their curbs and gutter flags, and all sidewalks, manholes, catch basins, storm sewers, utilities, and appurtenances.
11. The CITY shall exercise its franchise right to cause private utilities to be relocated at no expense to the STATE.

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12. The CITY and the STATE have agreed to a jurisdictional transfer for Kenyon Road east from U.S. Route 45 (Cunningham Avenue) in its entirety from STATE jurisdiction to the CITY Street System as described in this Agreement. A copy of the jurisdictional transfer is attached as "Exhibit A", and made a part hereof.
13. This Agreement and the covenants contained herein shall be null and void in the event the contract covering the construction work contemplated herein is not awarded by May 1, 1991.

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

CITY OF URBANA


\_\_\_\_\_  
Mayor

\_\_\_\_\_, 19\_\_

STATE OF ILLINOIS  
DEPARTMENT OF TRANSPORTATION

\_\_\_\_\_  
Director of Highways

\_\_\_\_\_, 19\_\_

 <b>Illinois Department of Transportation</b>  <b>LOCAL AGENCY-STATE JURISDICTIONAL TRANSFER</b>	<b>Local Agency</b>		<b>Type of Systems Transfer</b>	
	Municipality	Urbana	<b>TYPE 1</b> From State Highway System To Local Highway System	<b>TYPE 2</b> From Local Highway System To State Highway System
	Township/ Road District	--		
	County	--	Indicate Type of Systems Transfer	
Section No. (for transfers involving an improvement)	(28X-1)TS	1		

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 Kenyon Road Route F.A.I. 74, FR 1517 Length \_\_\_\_\_ Miles 0.15  
 Termini east from U.S. Route 45 (Cunningham Avenue) in its entirety.

This transfer does/does not include Structure No. --

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.~~

IT IS MUTALLY AGREED, that this jurisdictional transfer will become effective upon final inspection by the State.

**Supplements**

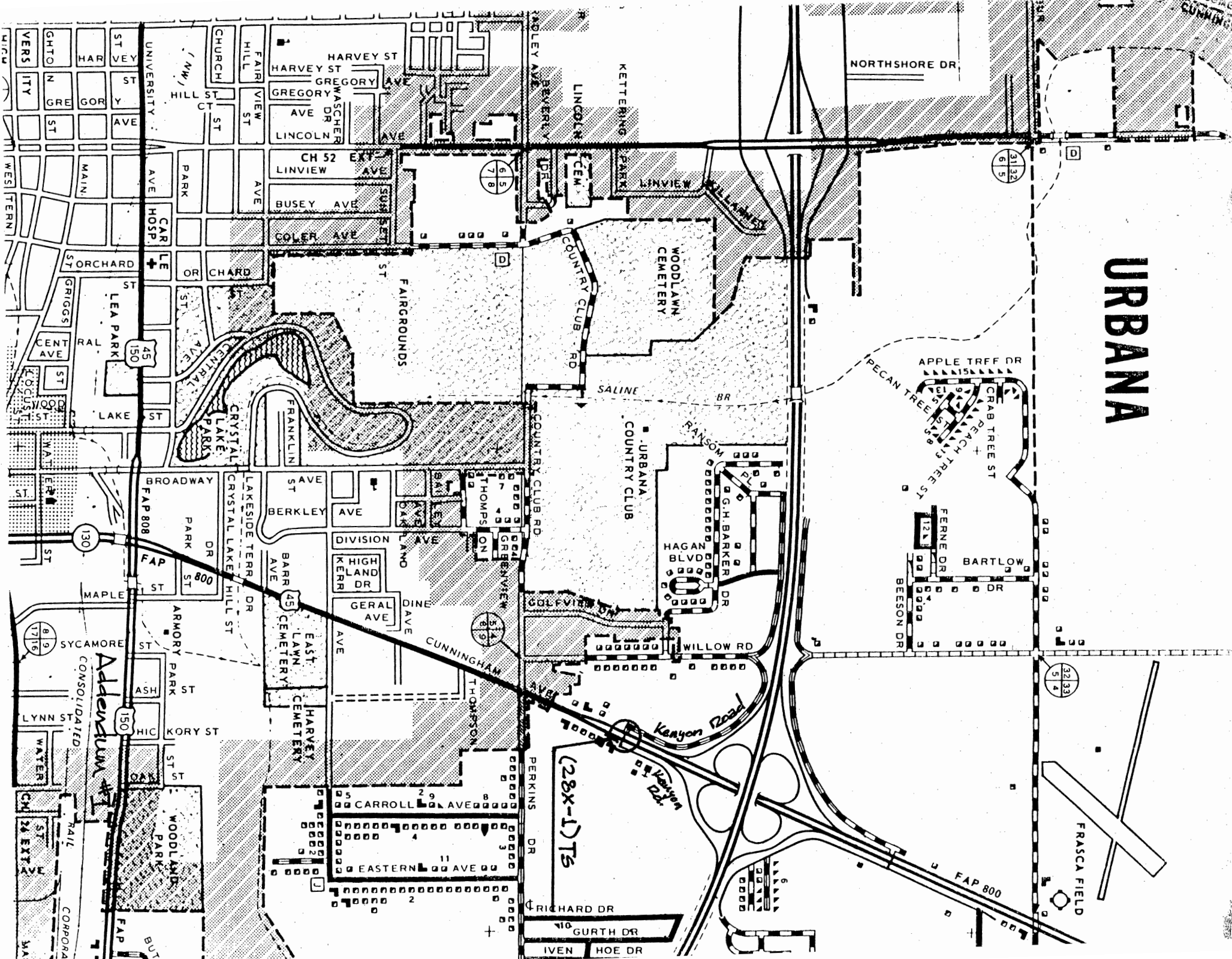
Additional information and/or stipulations, if any, are hereby attached and identified below as being a part of this jurisdictional transfer.

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.

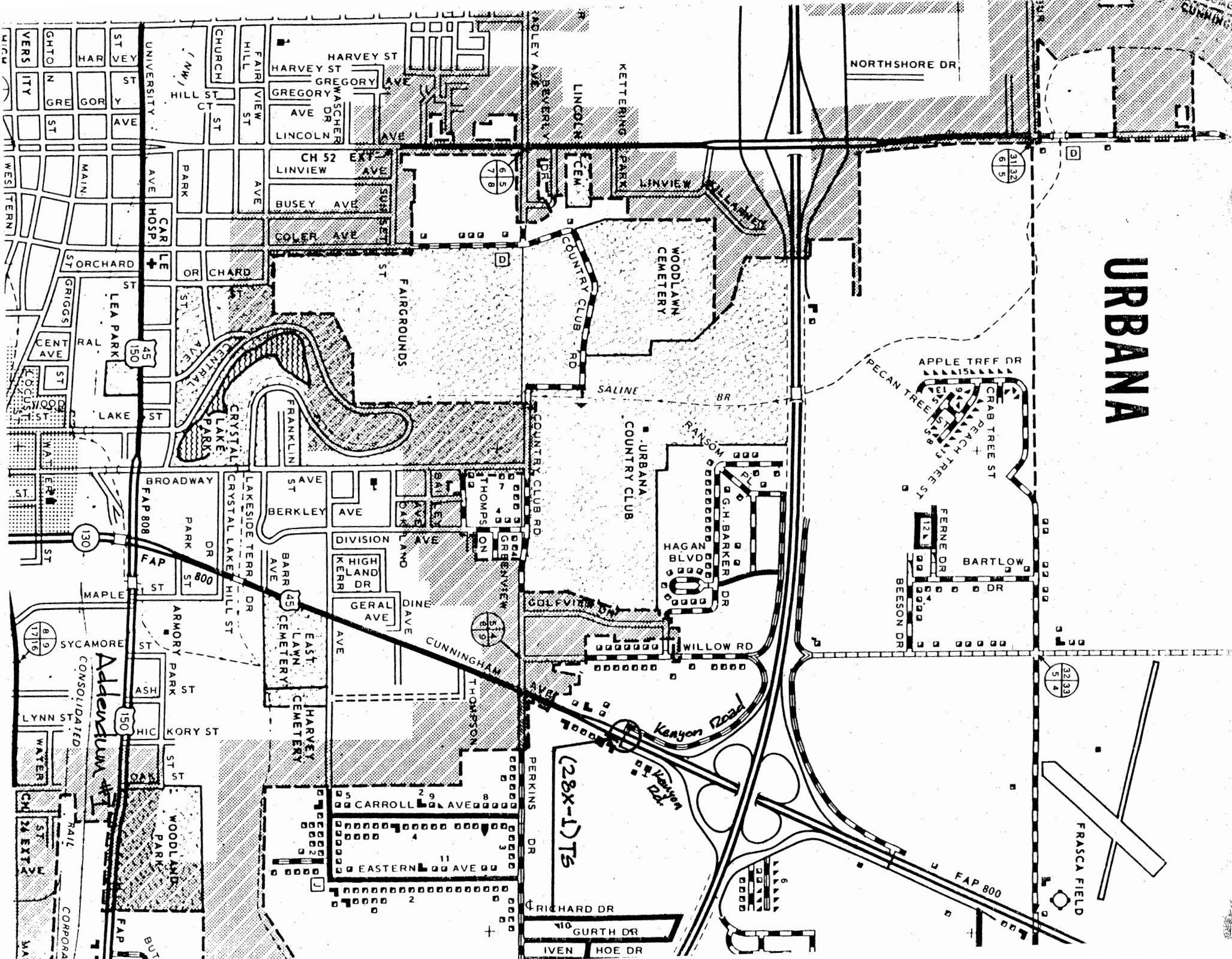


# URBANA



Addendum #1

(28X-1)TS



Addendum #1

(28X-1)TS