

CITY OF AURORA, ILLINOIS
ORDINANCE NO. _____
DATE OF PASSAGE _____

**AN ORDINANCE PROHIBITING ENCROACHMENTS
WITHIN THE STATE OF ILLINOIS RIGHT OF WAY ALONG ILLINOIS ROUTE 59**

WHEREAS, the City of Aurora has a population of more than 25,000 persons and is, therefore, a home rule unit under subsection (a) of Section 6 of Article VII of the Illinois Constitution of 1970; and

WHEREAS, subject to said section, a home rule unit may exercise any power and perform any function pertaining to its government and affairs for the protection of the public health, safety, morals and welfare; and

WHEREAS, the State of Illinois acting by and through its Department of Transportation is desirous of improving IL Route 59 from approximately 550 feet north of North Aurora Road to 800 feet south of Aurora Avenue/New York Street known as FAP Route 338, State Section (112 & 113) WRS-7, in the CITY OF AURORA; and

WHEREAS, a portion of this project runs through the City of Aurora, is intended to facilitate the free flow of traffic and ensure safety to the motoring public.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Aurora, in the Counties of Kane, DuPage, Will and Kendall, in the State of Illinois, as follows:

Section One: That no person, firm, corporation or other entity shall install, place, maintain or construct any structure that encroaches upon the State of Illinois right of way on Illinois Route 59 within the city limits of the City of Aurora.

Section Two: That the City Clerk is hereby authorized and directed to attach a copy of this Ordinance to the Agreement dated _____, 20____ by and between the State of Illinois and the City of Aurora.

Section Three: That this Ordinance shall be in full force and effect, and shall be controlling immediately upon passage and approval.

Section Four: That all ordinances or parts of ordinances thereof in conflict herewith are hereby repealed to the extent of any such conflict.

Section Five: That any Section or provision of this Ordinance that is construed to be invalid or void shall not affect the remaining sections or provisions which shall remain in full force and effect thereafter.

PASSED by the City Council of the City of Aurora, Illinois on _____.

AYES _____ NAYS _____

APPROVED AND SIGNED by the Mayor of the City of Aurora, Illinois, on _____.

MAYOR

ATTEST:

CITY CLERK

City of Aurora
Law Department
44 East Downer Place
Aurora, IL 60507
(630) 256-3060

Exhibit F

PLAN APPROVAL

WHEREAS, in order to facilitate the improvement of IL Route 59 from approximately 1600 feet south of North Aurora Road to 800 feet south of Aurora Avenue/New York Street known as FAP Route 338, State Section (112 & 113) WRS-7, the CITY agrees to that portion of the plans and specifications relative to the CITY's financial and maintenance obligations described herein, prior to the STATE's advertising for the aforescribed proposed improvement.

Approved _____

Title _____

Date _____