

ORCHARDR.DAG/TXT5/RESOLUTI.ON
11/23/92
JAN/lgd

CITY OF AURORA, ILLINOIS
RESOLUTION NO. R92-499
DATE OF PASSAGE December 1, 1992

A RESOLUTION FOR
INTERGOVERNMENTAL AGREEMENT WITH KANE COUNTY FOR
THE IMPROVEMENT OF ORCHARD ROAD

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 City currently has an agreement with Kane County concerning cost participation for expansion of Orchard Road; and

WHEREAS, in this agreement the City is responsible for 100% of the widening costs from Prairie Street to Indian Trail; and

WHEREAS, Kane County has agreed to a modification whereby they would participate in 50% of the widening improvement of all sections of Orchard Road if the City would agree to construct all traffic signals from Jericho Road to the I-88 tollroad;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Clerk be and are hereby authorized to execute the attached Intergovernmental Agreement with Kane County for construction and maintenance of Orchard Road from Jericho Road north to the I-88 Tollroad.

PASSED AND APPROVED ON December 1, 1992.

Les Wacker
Alfred A. Roberts
John B. Carter
Robert Plummer
Aldermen
AYES 10

Michael B. Saville
Chet Davis
Judith A. Morrison
Jim Morrison
Aldermen
NAYS 0 NOT VOTING 0

ATTEST:

Cheryl Vonhoff, by
City Clerk
Darlene Surman
Dep. City Clerk

David Pierce
Mayor David Pierce

STATE OF ILLINOIS
SS
COUNTY OF KANE

RESOLUTION NO. 92-276

AUTHORIZING CHAIRMAN TO EXECUTE INTERGOVERNMENTAL AGREEMENT
FOR THE IMPROVEMENT OF ORCHARD ROAD
CITY OF AURORA AND COUNTY OF KANE

WHEREAS, it is deemed necessary in order to facilitate the free flow of traffic and to insure safety to the motoring public to improve Orchard Road between the I-88 Tollroad and Jericho Road; and,

WHEREAS, the "CITY" and "COUNTY" are desirous of making said improvement in that the same will be of immediate benefit to the "CITY'S" and "COUNTY'S" residents and permanent in nature; and,


WHEREAS, it will be necessary to enter into a joint agreement embodying such provisions between Kane County and the City of Aurora.

NOW, THEREFORE BE IT RESOLVED, by the Kane County Board that the Chairman of the Board is authorized to execute an intergovernmental agreement with the City of Aurora for the improvement of Orchard Road between the I-88 Tollroad and Jericho Road.

PASSED by the Kane County Board on November 10, 1992.

ATTEST:


County Clerk, County Board
Kane County, Illinois


Chairman, County Board
Kane County, Illinois



AMMENDED
MEMORANDUM OF AGREEMENT

ORCHARD ROAD
BETWEEN
CITY OF AURORA AND THE COUNTY OF KANE

This Memorandum of Agreement made and entered into this 10th day of November, 1998 A.D., by and between the City of Aurora, Kane County, Illinois, hereinafter referred to as the "City" and Kane County, Illinois hereinafter referred to as the "County".

WITNESSETH:

WHEREAS, the City and the County propose to jointly construct a highway to be known as the Orchard Road from the East-West Tollroad (Illinois Route 88) extending south-westerly in a curve to the approximate west line of Aurora Township and thence in a southerly direction along said West line to the intersection with Jericho Road (County Highway 24), and

WHEREAS, it is desirable that the various segments of this improvement be constructed jointly by the City and County and that the responsibility of the City and County be defined for each segment in order to permit orderly completion of the total project,

WHEREFORE, it is agreed that the various segments of the project shall be constructed as follows:

1. Orchard Road from intersection of the south right-of-way line of the East-West Tollroad (Illinois Route 88) extending southwest-erly in a curve to the approximate West line of Aurora Township and thence in a southerly direc-tion along said West line to the North right-of-way line of Indian Trail.
 - a. Any additional right-of-way cost and acquisi-tion by the County. Any local share of construction cost by the County including the future full interchange of Orchard Road and the East-West Tollroad. Maintenance by the County except for tollway maintenance of the entrance and exit ramps.
 - b. Traffic Signals - County 100% maintenance and operation. Energy costs 100% City. Progression and signal timing by the County with input from the City.
2. Orchard Road from the north right-of-way line of Indian Trail to the south right-of-way line of Jericho Road.

- a. Construction by the County with the city reimbursing the County for 50% of the costs expended for construction and engineering services including the Burlington Railroad Underpass, and the resulting relocation of Prairie Street and the Fox Valley Park District trail.
- b. Maintenance of this segment shall be as follows:
 - i. All traffic signals within this segment of Orchard Road will be operated, timed and maintained by the County. All signals to be energized and constructed by the City.
 - ii. Maintenance and operation of any necessary pump stations at the proposed underpass will be the responsibility of the City
 - iii. Normal roadway maintenance will be the responsibility of the City. However, major road repair and resurfacing will be shared 50%-50% City/County at the County's option with a two (2) year advance notice to the City.
3. Any future widening or improvements, including right-of-way acquisition to the various segments shall be performed in accordance with the above division of responsibility. Included herein is all work necessary for a 10 foot asphalt trail on the east side of the roadway. The County shall reimburse the City for 50% of the cost of the walkway that will extend from Galena to Illinois Avenue. The City will use its best efforts to obtain an additional ten foot (10') easement for said trail.
4. (a) The cross section for the Orchard Road segment from the I-88 Tollway to approximately 600 feet south of the Galena Boulevard intersection shall be two full lanes in both directions with a full 16 foot wide raised median and landscaping. This median would be utilized for all necessary left turn storage and the City will pay all additional costs for the B6.07 raised median. Includes maintenance and any landscaping limited to grass and small bushes and trees of less than four inch (4") in diameter.

(b) The cross section for the segment between Galena Boulevard and Jericho Road shall be two full lanes in both directions with a painted median. This median would be utilized for necessary left turn storage and the costs will be included in the project for cost participation.

(c) Concrete curb and gutter/storm sewer will be required on both sides of the roadway for the full length of the project from I-88 tollroad to Jericho Road including paved shoulders. All widening within this section shall be all to the west of the existing roadway where possible as limited by existing right-of-way.

5. The City and County shall jointly approve the construction plans for the various segments in the areas of 50%/50% funding prior to advertising for bids being authorized by the County.
6. This Agreement supersedes certain Agreements pertaining to this subject dated January 15, 1974 and April 15, 1986.
7. The City and the County agree to design, construct and sign this roadway as a Class II (80,000 lb.) roadway. Should the County want to create a Class II roadway prior to the widening project, the costs will be shared 50%/50% of the local share of any request strengthening pavement work.
8. Should the City desire any of these roadway improvements constructed prior to the County's established timeframe, the City shall fund the improvement. The County shall pay to the City its 50% upon its scheduled expenditure.

IN WITNESS WHEREOF, the City of Aurora, has caused these present to be signed by its Mayor and its Corporate Seal to be hereunto affixed and attested by its City Clerk; and the County of Kane has caused these present to be signed by the Chairman of the Kane County Board and its Corporate Seal to be hereunto affixed and attested by its County Clerk, the day and year first above written.

ATTEST:

CITY OF AURORA, ILLINOIS

Cheryl Vonhoff, by
Aurora City Clerk
Darlene Surman, Dep. City Clerk

BY

[Signature]
MAYOR

ATTEST:

KANE COUNTY, ILLINOIS

Lorraine P. Lova
KANE COUNTY CLERK

BY

Warren Kummerow, Jr.
CHAIRMAN OF COUNTY BOARD

