

ORDINANCE NO. 193

**AN ORDINANCE AUTHORIZING UNITED REGIONAL WATER COOPERATIVE, INC., ITS SUCCESSORS AND ASSIGNS, TO CONSTRUCT, OPERATE AND MAINTAIN A WATER DISTRIBUTION SYSTEM WITHIN THE VILLAGE OF MT. AUBURN, COUNTY OF SANGAMON, STATE OF ILLINOIS**

**WHEREAS**, the Village of Mt. Auburn, Illinois, has the authority, pursuant to 65 ILCS 5/11-80-2, to regulate the use of streets located within the corporate boundaries of the Village of Mt. Auburn; and,

**WHEREAS**, URWC operates a public water system on a not for profit, cooperative basis in Sangamon County, Illinois, and will further operate a 1,200,000 gpd water treatment facility near Illiopolis, Illinois, in Illiopolis Township, Sangamon County, Illinois, known as the URWC Water Treatment Plant; and,

**WHEREAS**, United Regional Water Cooperative, Inc., an Illinois not for profit corporation, has requested permission from the Village of Mt. Auburn to do certain work, occupy certain right of way, erect, construct, install and lay and thereafter use, operate, inspect, repair, maintain, abandon, replace, and remove underground water lines and above and below ground appurtenances thereto (hereinafter referred to as "Improvements") over, in, under, along, and through the streets, avenues, alleys, and public places, as the same now exists or may hereafter be extended within the corporate boundaries of the Village of Mt. Auburn, Illinois; and,

**WHEREAS**, the Village of Mt. Auburn deems it to be in the public interest to grant said permission to United Regional Water Cooperative, Inc.

**NOW THEREFORE, BE IT HEREBY ORDAINED BY THE VILLAGE BOARD OF TRUSTEES OF THE VILLAGE OF MT. AUBURN, ILLINOIS, THAT:**

**Section 1:** There is hereby given and granted to United Regional Water Cooperative, Inc., its successors and assigns, hereinafter referred to as "Grantee", the right, privilege and authority to construct, operate and maintain within the corporate limits, as the same now exists or may hereafter be extended, of the Village of Mt. Auburn, hereinafter referred to as "Municipality", underground water lines and above and below ground appurtenances thereto in, along and under the streets, avenues, alleys and public places of said municipality for the transmission, distribution and sale of water, together with the right, privilege and authority, to construct, operate and maintain all necessary pipes and equipment in, along and under the said streets, avenues, alleys and public places for such purposes.

**Section 2:** A certain Right of Way Permit, a true and accurate copy of which is attached hereto as Exhibit A, and hereby incorporated by reference as though fully stated herein, is hereby approved and accepted.

**Section 3:** That the Village President is hereby authorized to execute said Right of Way Permit.

**Section 4:** The provisions of this ordinance shall be binding upon and inure to the benefit of the successors and assigns of the parties hereto.

**Section 5:** All rights, privileges and authority granted by this ordinance shall, upon its acceptance by Grantee, be and remain in full force and effect for and during the term of 99 years from and after its passage and approval.

**Section 6:** All ordinances or parts of ordinances in conflict herewith are hereby repealed.

**Section 7:** This ordinance shall be in full force and effect from and after its passage, approval and, if necessary, its publication as required by law.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

Vote:

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

YEAS: \_\_\_\_\_

NAYS: \_\_\_\_\_

  
\_\_\_\_\_  
, Village President

ATTEST:

\_\_\_\_\_  
, Village Clerk

## RIGHT OF WAY PERMIT

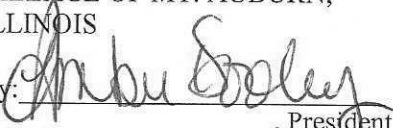
**Applicant:** United Regional Water Cooperative, Inc.  
**Address:** P.O. Box 8  
Dieterich, Illinois 62424  
**Telephone:** (217)925-5566  
**Facsimile:** (217)925-5565  
**Contact Person:** \_\_\_\_\_  
**E-mail:** \_\_\_\_\_

1. The Applicant, its successors and assigns, are hereby granted permission and authority to erect, construct, install and lay and thereafter use, operate, inspect, repair, maintain, abandon, replace, and remove underground water lines and above and below ground appurtenances thereto (hereinafter referred to as "Improvements") over, in, under, along, and through the streets, avenues, alleys, and public places, as the same now exists or may hereafter be extended, of the Municipality, in accordance with the applicable rules and regulations of the Illinois Department of Transportation and the Illinois Environmental Protection Agency.
2. The Applicant shall supply the Municipality with As-Built Plans when the construction of the Improvements are completed.
3. Applicant shall promptly repair any and all damages caused to the streets, avenues, alleys, and public places caused by Applicant by reason of the initial construction and installation of the Improvements, or otherwise caused during the operation, reconstruction, inspection, relocation, replacement, operation, maintenance or removal of the Improvements. All road repair, if necessary, shall be done according to applicable rules and regulations of the Illinois Department of Transportation.
4. All Improvements shall be located so as to not injure unnecessarily any pipes, conduits, sewers, drains or other like public improvements and Applicant shall repair any and all damages caused to such public improvements by reason of the initial construction and installation of the Improvements, or during the operation, reconstruction, inspection, relocation, replacement, maintenance or removal of the Improvements.

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Granted this \_\_\_\_ day of \_\_\_\_\_, 2020.

VILLAGE OF MT. AUBURN,  
ILLINOIS

By: , President

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This permit is hereby accepted and its provisions agreed to this \_\_\_\_ day of \_\_\_\_\_, 2020.

Signed:   
United Regional Water  
Cooperative, Inc.