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Prepared by: *FW*

City of Troy
116 E. Market Street
Troy, Illinois 62294

2022R36341
STATE OF ILLINOIS
MADISON COUNTY
11/15/2022 10:14 AM
DEBRA D. MING-MENDOZA
CLERK & RECORDER
REC FEE: 50.00
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50.00 CTU

Ordinance No. 2022-47

**AN ORDINANCE AUTHORIZING THE JURISDICTIONAL TRANSFER
OF A CERTAIN HIGHWAY FROM PIN OAK TOWNSHIP TO THE
CITY OF TROY**

**WHITWORTH ROAD FROM NORTH EDGE OF PAVEMENT OF BOUSE
ROAD NORTHERLY TO EOR, IN ITS ENTIRETY, .26 MILES**

**ADOPTED BY THE CITY COUNCIL
OF THE CITY OF TROY, ILLINOIS
THIS 3RD DAY OF OCTOBER, 2022**

WHEREAS, Section 7-101 of the Illinois Highway Code (605 ILCS 5/7-101) authorizes a municipality to make changes to its municipal street system; and

WHEREAS, Section 4-409 of the Illinois Highway Code (605 ILCS 5/4-409) authorizes any local highway authority, with the approval of the Illinois Department of Transportation (IDOT), to enter into a written contract with any other highway authority for the jurisdiction, maintenance, administration, engineering, or improvement of any highway or portion thereof; and

WHEREAS, Pin Oak Township has jurisdiction over Whitworth Rd from north edge of pavement of Bouse Road northerly to EOR, in its entirety, .26 miles; and

WHEREAS, the City is willing to accept jurisdiction over said Whitworth Road; and

WHEREAS, Pin Oak Township, IDOT, and the City must execute a Local Agency Agreement for Jurisdictional Transfer before the transfer of the aforementioned portion of Bouse Rd. from the Pin Oak Township street system to the City's street system can occur; and

WHEREAS, Pin Oak Township, IDOT, and the City desire to enter into such Local Agency Agreement for Jurisdictional Transfer as herein provided; and

WHEREAS, the City Council, after due consideration, finds that accepting jurisdiction over from north edge of pavement of Bouse Road northerly to EOR, in its entirety, .26 miles, is in the best interests of the residents of the City and is desirable for the welfare of the City's government and affairs.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Troy, Illinois as follows:

Section 1.

Local Agency Agreement for Jurisdictional Transfer between Pin Oak Township, the Illinois Department of Transportation, and the City of Troy, Illinois, in substantially 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.

The Mayor of the City of Troy, Illinois, is hereby authorized to execute and deliver and the City Clerk of the City of Troy, Illinois, is hereby authorized to attest to execution of said Agreement as so authorized and approved for and on behalf of the City of Troy, Illinois.

Section 3.

That Whitworth Road from north edge of pavement of Bouse Road northerly to EOR, in its entirety, .26 miles is hereby accepted, and jurisdiction is hereby transferred to the City of Troy, Illinois, to be part of, and incorporated into, the City of Troy's municipal street system, effective October 3, 2022.

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 of existing prior to the effective date of this Ordinance; not shall any right or remedy of any character be lost, impaired, or affected by this Ordinance.

Building & Zoning Dept.

Section 5.

Upon approval of this Ordinance, the City Clerk is directed to transmit three signed originals, including addendums, to IDOT Region 8 office, and one certified copy to Robert Helms, Pin Oak Township Road Commissioner.

Section 6.

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

Section 7.


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 Troy, Illinois, at a meeting of said Council.

PASSED by the City Council of the City of Troy, Madison County, Illinois, approved by the Mayor, and deposited in the office of the City Clerk this 3rd day of October 2022.

Aldermen Vote:

Dan Dawson	<u>AYE</u>	Sam Italiano	<u>AYE</u>	Ayes:	<u>7</u>
Tim Flint	<u>AYE</u>	Debbie Knoll	<u>AYE</u>	Nays:	<u>0</u>
Elizabeth Hellrung	<u>AYE</u>	Tony Manley	<u>AYE</u>	Absent:	<u>1</u>
Nathan Henderson	<u>ABSENT</u>	Troy Turner	<u>AYE</u>	Abstain:	<u>0</u>

APPROVED:



 David Nonn
 Mayor, City of Troy, Illinois

ATTEST:



 Kimberly Thomas, City Clerk



Building & Zoning Dept.



CONVEYOR

Local Public Agency No. 1

Pin Oak Township

LPA Type

Township/RD

County

Madison

RECIPIENT

Local Public Agency No. 2

City of Troy

LPA Type

Municipality

County

Madison

In accordance with authority granted in Section 4-409 of the Illinois Highway Code, this agreement is made and entered into between the above Local Public Agency No. 1 hereinafter referred to as "Conveyor" and the above Local Public Agency No. 2, hereinafter referred to as "Recipient", to transfer the jurisdiction of the designated location from the Conveyor to the Recipient.

Location Description

Road Name	Route(s)	Length (miles)
Whitworth Drive	TR 188 A	0.26

Key Route(s) Information

060 70188A000000 (Station 0.00 to .26)

Termini

From north edge edge of pavement of Bouse Road northerly to EOR, in its entirety.

This transfer does not does include NBIS Structure No(s). N/A

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. The Conveyor Agrees to prepare a map of the above location and attach a copy of such location map hereto as Addendum No. 1

Include For Municipalities Only

WHEREAS, the authority to make changes to the Municipal Street System is granted to the Municipality of 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 thereof a copy of a location map as Addendum No. 1 and an original of the ordinance as an Addendum, and

IT IS MUTUALLY AGREED, that this jurisdictional transfer will become effective (check one):

Upon IDOT approval [] calendar days after [] other []

Attachments

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

Location Map (Addendum No.1) []

Ordinance/Resolution (Addendum No. 2) []

IT IS FURTHER AGREED, that the provisions of this agreement shall be binding upon and inures to the benefit of the parties hereto, their successor and assigns.

Signatures

APPROVED BY CONVEYOR		APPROVED BY RECIPIENT	
Name of Local Public Agency Official		Name of Local Public Agency Official	
Robert Helms		David Nonn	
Title		Title	
Highway Commissioner		Mayor, City of Troy	
Local Public Agency Official	Date	Local Public Agency Official	Date
	10/17/22		10-5-22

STATE OF ILLINOIS
DEPARTMENT OF TRANSPORTATION

APPROVED

Director

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Office of Highways Project Implementation Signature Date

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BLR 05212 Instructions

This form shall be used when a Local Public Agency (LPA) and the State of Illinois desire a jurisdictional transfer of a roadway. For more information see Chapter 5 of the Bureau of Local Roads and Street Manual (BLRS Manual). For signature requirements, refer to Chapter 2, Section 3.05(b) of the BLRS Manual.

Conveyor

Local Public Agency No. 1 Insert the name of LPA who is the conveyor for the jurisdictional transfer

LPA Type Select LPA Type of the Conveyor (i.e. County, Municipal, Township/Road District)

County Insert the name of the county in which the LPA is located.

Recipient

Local Public Agency No. 2 Insert the name of LPA who is the recipient for the jurisdictional transfer

LPA Type Select LPA Type of the Recipient (i.e. County, Municipal, Township/Road District)

County Insert the name of the county in which the LPA is located.

Location Description

Local Name Insert the local(common) name of the roadway involved in the transfer.

Route Insert the route number of the roadway involved in the transfer.

Length Insert the length of the transfer in miles to the nearest hundredth.

Key Route Information Insert the key route(s) information of the roadway involved in the transfer. This information will need to be obtained from the Department of Transportation. It will be a 14 digit code.

Termini Insert the beginning and ending termini of the transfer. When describing the limits of the jurisdictional transfer the wording of the termini description should be consistent between the agreement itself and any ordinances, or resolutions that may be included with the agreement. If not enough room insert page.

Structure Transfer Check the appropriate box as to the status of the transfer of any structures located within termini of the roadway transfer. List structures on the line provided. If no structure exists then insert N/A on the line. **Any structure not specifically excluded is considered part of the jurisdictional transfer. The number must be the NBIS number.** If there is not enough room to list all NBIS structures, then attach list of structures on a separate piece of paper as an addendum.

Effective Jurisdictional

Transfer Date Check the appropriate box as to when the jurisdictional transfer will become effective. For a number of calendar days transfer insert the number of calendar days and the date after. For other check the box and insert when effective, example upon final acceptance.

Attachments: Attach as required a location map of the jurisdictional transfer as Addendum No.1, and if required a resolution or ordinance as Addendum No. 2, along with any other required attachments. All attachments must be legible and in black and white.

Signatures

Local Public Agency (Conveyor) The LPA shall insert their name, title then sign and date.

Local Public Agency (Recipient) The LPA shall insert their name, title then sign and date.

State of Illinois Upon approval the Department of Transportation shall sign and date here.

A minimum of three (3) signed originals must be submitted to the Regional Engineer's District office.

Following the IDOT's Approval, distribution will be as follows:

Local Public Agency Clerk (one for each LPA)
District File (Electronically after execution)
Bureau of Local Roads and Streets Central Office
Bureau of Operations District Office (Electronically after execution)
District Roadway Inventory (Electronically after execution)



Illinois Department of Transportation Jurisdictional Transfer

Madison Count

Pin Oak Township to City of Troy

Whitworth Drive: JT 5067 From north edge of pavement of Bouse Road northerly to EOR, and Bouse Road JT 5068 From east edge of pavement of Old Troy Road easterly to west edge of pavement of Formosa Road, in their entireties.

