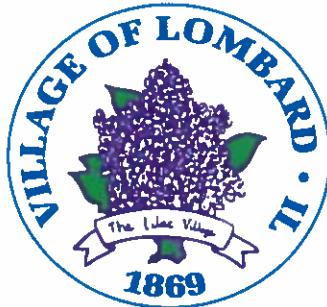


ORDINANCE 7116

PAMPHLET

**FIRST AMENDMENT TO THE BOUNDARY LINE AGREEMENT
BETWEEN THE VILLAGE OF LOMBARD AND GLEN ELLYN**



PUBLISHED IN PAMPHLET FORM THIS 4th DAY OF SEPTEMBER, 2015, BY ORDER
OF THE CORPORATE AUTHORITIES OF THE VILLAGE OF LOMBARD, DUPAGE
COUNTY, ILLINOIS.


Sharon Kuderna
Village Clerk

ORDINANCE NO. 7116

AN ORDINANCE AUTHORIZING THE EXECUTION OF A FIRST AMENDMENT TO A BOUNDARY LINE AGREEMENT WITH THE VILLAGE OF GLEN ELLYN

WHEREAS, the 1970 Illinois Constitution and Division 12 of Article 11 of the Illinois Municipal Code (65 ILCS 5/11-12-1, et seq.) authorizes municipalities to enter into contracts and agreements to further intergovernmental cooperation; and

WHEREAS, the corporate authorities of the Village of Glen Ellyn and the Village of Lombard have discussed the advisability of entering into a new and modified boundary agreement between the municipalities; and

WHEREAS, Lombard and Glen Ellyn entered into a Common Boundary Agreement dated March 1, 2012 and recorded on July 18, 2012, with DuPage County Recorder's Office as document numbers R2012-092711 and R2012-092712 (hereinafter referred to as the "Original Agreement"); and

WHEREAS, the Original Agreement established an ultimate municipal boundary line between Lombard and Glen Ellyn, designating the anticipated extent of the respective municipalities as well as the planning jurisdiction relative to adjacent unincorporated areas; and

WHEREAS, the municipal boundary line as depicted in "Exhibit "A" to the Original Agreement, and legally described in Exhibit "B" to the Original Agreement, bisects property located at 21W551 Bemis Road and utilized by the Glenbard Wastewater Authority for a joint municipal sanitary sewer treatment facility (hereinafter referred to as the "Bemis Road Facility"); and

WHEREAS, Lombard and Glen Ellyn have jointly determined that the Bemis Road Facility should be depicted and described to be wholly within the ultimate municipal jurisdiction of Glen Ellyn; and

WHEREAS, 65 ILCS 5/11-12-9 provides authority for jurisdictional boundary lines such as approved by the Original Agreement;

NOW THEREFORE BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF LOMBARD, DUPAGE COUNTY, ILLINOIS, as follows:

SECTION 1: That the President and Clerk are authorized to enter into a modified

boundary agreement with the Village of Glen Ellyn, as attached hereto and made a part hereof.

SECTION 2: That this Ordinance shall be in full force and effect from and after its passage, approval and publication in pamphlet form as provided by law.

SECTION 3: That said Agreement shall become effective after copies thereof, certified as to adoption by the Municipal Clerks of the respective municipalities, have been filed in the Office of the Recorder of Deeds of DuPage County, Illinois, and placed on file in the Office of the Clerk of each municipality.

Passed on first reading this ____ day of ____, 2015.

First reading waived by action of the Board of Trustees this 3rd day of September, 2015.

Passed on second reading this 3rd day of September, 2015.

Ayes: Trustee Whittington, Fugiel, Foltyniewicz, Johnston, Pike and Ware


Nays: None

Absent: None

Approved this 3rd day of September, 2015.


Keith T. Giagnorio
Village President

ATTEST:


Sharon Kuderna
Village Clerk

Published by me in pamphlet form on this 4th day of September, 2015.


Sharon Kuderna
Village Clerk

**FIRST AMENDMENT TO COMMON BOUNDARY AGREEMENT BETWEEN
THE VILLAGE OF LOMBARD AND THE VILLAGE OF GLEN ELLYN**

THIS FIRST AMENDMENT TO COMMON BOUNDARY AGREEMENT (hereinafter referred to as the "First Amendment"), made and entered into this 4th day of September, 2015, between the Village of Glen Ellyn, an Illinois municipal corporation (hereinafter referred to as "Glen Ellyn") and the Village of Lombard, a Illinois municipal corporation (hereinafter referred to as "Lombard").

WITNESSETH

WHEREAS, Lombard and Glen Ellyn entered into a Common Boundary Agreement dated March 1, 2012 and recorded on July 18, 2012, with DuPage County Recorder's Office as document numbers R2012-092711 and R2012-092712 (hereinafter referred to as the "Original Agreement"); and

WHEREAS, the Original Agreement established an ultimate municipal boundary line between Lombard and Glen Ellyn, designating the anticipated extent of the respective municipalities as well as the planning jurisdiction relative to adjacent unincorporated areas; and

WHEREAS, the municipal boundary line as depicted in "Exhibit "A" to the Original Agreement, and legally described in Exhibit "B" to the Original Agreement, bisects property located at 21W551 Bemis Road and utilized by the Glenbard Wastewater Authority for a joint municipal sanitary sewer treatment facility (hereinafter referred to as the "Bemis Road Facility"); and

WHEREAS, Lombard and Glen Ellyn have jointly determined that the Bemis Road Facility should be depicted and described to be wholly within the ultimate municipal jurisdiction of Glen Ellyn; and

WHEREAS, 65 ILCS 5/11-12-9 provides authority for jurisdictional boundary lines such as approved by the Original Agreement;

NOW, THEREFORE, in consideration of the foregoing the mutual agreements set forth herein and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged by Lombard and Glen Ellyn, Lombard and Glen Ellyn agree as follows:

1. That the provisions of the preambles set forth above are made of part hereof as if fully set forth herein.
2. That the Original Agreement is hereby amended by revising Exhibits "A" and "B" attached thereto, to read as set forth on Exhibits "A" and "B" attached hereto and made a part hereof.

3. That all other provision of the Original Agreement, not amended hereby, shall remain in full force and effect.
4. This First Amendment shall not become effective until a copy hereof, certified by the Village Clerks of Lombard and Glen Ellyn, has been recorded with the DuPage County Recorder's Office, and copies hereof, certified by the Village Clerks of Lombard and Glen Ellyn, have been placed on file in the Offices of the Village Clerk of Lombard and the Village Clerk of Glen Ellyn.

IN WITNESS WHEREOF, Lombard and Glen Ellyn have caused these presents to executed and delivered on the date first above written.

VILLAGE OF GLEN ELLYN

By: 
President

Attest: 
Village Clerk

VILLAGE OF LOMBARD




By: 
President

Attest: 
Village Clerk

Exhibit "A"

Amended Boundary Line Map

Exhibit A - Amended Boundary Line First Amendment to Boundary Line Agreement

-  Glen Ellyn Planning Jurisdiction
-  Village of Lombard
-  Glenbard Wastewater Plant

Glenbard Wastewater
First Amendment Change



Exhibit "B"

Legal Description of Amended Boundary Line

Beginning at the intersection of the North right-of-way line of North Avenue (Ill. Rt. 64) and the Westerly right-of-way line of the North-South Tollway (I-355); thence Southerly through the Northeast $\frac{1}{4}$ and Southeast $\frac{1}{4}$ of Section 1 and the Northeast $\frac{1}{4}$ of Section 12, Township 39 North, Range 10, East of the Third Principal Meridian, along the Westerly right-of-way line and Westerly easement line of the North-South Tollway (I-355) to its intersection with the South right-of-way line of the Chicago and North Western Railway, thence Westerly along said South line 520 feet more or less to the Northeast corner of Lot 2 of Villa Park Kitchens Resubdivision, thence Southerly along the East line of said subdivision to its Southeast corner, thence Southerly across Hill Avenue to the northeast corner of Lot 11 of County Clerk's Assessment Division of Sections 11 & 12, thence Southerly along the east line of said Lot 6 and the east line of Lot 8 of County Clerk's Assessment Division of Sections 11 & 12 and said line extended to the South line of the Illinois Prairie Path, thence Easterly along said South line 30 feet more or less to the Northeast corner of Glen Oak Country Club, thence Southerly along the East line of Glen Oak Country Club to the Southwest corner of Lot 6 of County Clerk's Assessment Division of Sections 11 & 12, thence Easterly along the South line of said Lot 6 to its intersection with the Westerly right-of-way line of the North-South Tollway (I-355), thence Southerly along the Westerly right-of-way line of the North-South Tollway (I-355) (crossing the right-of-way of unimproved Madison Street) to its intersection with the Northerly right-of-way line of Illinois Rt. 53; thence East along the Northerly right-of-way line of Illinois Rt. 53 to its intersection with the West line of Lot 10 in Block 4 in Flowerfield Acres Subdivision of parts of the Southeast $\frac{1}{4}$ of Section 13, Township 39 North, Range 10, East of the Third Principal Meridian and the Southwest $\frac{1}{4}$ of section 18, Township 39 North, Range 11, East of the Third Principal Meridian; thence South along the West lines of Lots 2, 3, 4 and 5 in Block 5 in Flowerfield Acres, aforesaid, to the Southwest corner of said Lot 5; thence East along the South lines of Lot 5 in Block 5, Lots 1 through 13 in Block 6 (along with the previous vacated Highmoor Road right-of way) and Lots 1 and 10 through 17 in Block 7, all in Flowerfield Acres, aforesaid, to the West right-of-way line of Finley Road; thence South along the West right-of-way line of Finley Road to its intersection with the centerline of Roosevelt Road (Ill. Rt. 38); thence West along the North right-of-way line of Roosevelt Road (Ill. Rt. 38) to its intersection with the West line of the Southwest $\frac{1}{2}$ of Section 18, aforesaid; thence South along said West line of the Southwest $\frac{1}{2}$ of Section 18, aforesaid, and the Southerly extension thereof, to the South right-of-way line of Roosevelt Road (Ill. Rt. 38) ; thence West along the South right-of-way line of Roosevelt Road (Ill. Rt. 38) , through the Southeast $\frac{1}{2}$ of Section of 13, aforesaid, through the Northeast $\frac{1}{4}$ of Section 24, Township 39 North, Range 10, East of the Third Principal Meridian, to said South right-of-way line's intersection with the Westerly right-of-way line of the North-south Tollway (I-355); thence Southerly along the Westerly right-of-way line of the North-South Tollway (I-355) to its intersection with the East bank of the East Branch of the DuPage River, said point of intersection occurring at the southeast corner of Lot 23 in Block 9 in Glenbard Acres Homesites Subdivision of part of the Northeast $\frac{1}{2}$ of Section 24, Township 39 North, Range 10, East of the Third Principal Meridian; thence Southerly along the East bank of the East Branch of the DuPage River through the Northeast $\frac{1}{2}$ of Section 24, aforesaid, the Southeast $\frac{1}{2}$ of Section 24, aforesaid, to the northwest corner of Tract 3 of in Commonwealth

Edison Company Assessment Plat No. 11 recorded as Document 913368 on February 25, 1959; thence south along the west line of said Tract 3 aforesaid to the south line of the west ½ of the Southeast Quarter of Section 24, aforesaid; thence west along said south line of the west ½ of the Southeast Quarter of Section 24 aforesaid to the East bank of the East Branch of the DuPage River; thence southerly along the East bank of the East Branch of the DuPage River through the Northeast ¼ of Section 25, Township 39 North, Range 10, East of the Third Principal Meridian to the intersection of said East bank with the Easterly extension of the North line of Lot 412 in Butterfield West Unit 4, a subdivision of parts of the Northeast ½ and Northwest ¼ of Section 25, aforesaid; thence West along the North line of said Lot 412, and the Easterly extension thereof, to a point on the North line of said Lot 412 located 51.34 feet West of the Northeast corner of said Lot 412; thence Southeasterly along a line drawn parallel to and 50 feet West of the East line of said Lot 412, to a point on said parallel line located 270 feet North of the South line of said Lot 412, as measured along said parallel line; thence in a Southwesterly direction to a point on the South line of said Lot 412, said point being located 320 feet West of the Southeast corner of said Lot 412; thence Westerly along the South line of said Lot 412 (said South line also being the North line of Lot 413 in Butterfield West Unit 4, aforesaid) to the Northwest corner of said Lot 413; thence Southerly along the Westerly line of said Lot 413 to its intersection with the North line of Lot 1 in Glen Briar Golf Course Subdivision of parts of the Northwest ½ and Southwest ½ of Section 25, Township 39 North, Range 10, East of the Third Principal Meridian; thence West along the North line of said Lot 1 to the Northwest corner of said Lot 1; thence Southerly along the Westerly line of said Lot 1 to its intersection with the North right-of way line of Butterfield Road (Ill. Rt. 56) ; all in DuPage County, Illinois.