

R E S O L U T I O N

DT-0080A-05

AMENDMENT TO RESOLUTION DT-0080-05
INTERGOVERNMENTAL AGREEMENT BETWEEN
THE COUNTY OF DU PAGE AND THE VILLAGE OF LOMBARD
FOR THE CONSTRUCTION OF A BICYCLE-PEDESTRIAN BRIDGE
TO GRADE SEPARATE CH 55/GREAT WESTERN TRAIL FROM GRACE STREET,
UNION PACIFIC RAILROAD and ST. CHARLES ROAD
SECTION 05-00275-00-BT
(COUNTY COST NOT TO EXCEED \$200,000.00)

WHEREAS, the DuPage County Board heretofore adopted Resolution DT-0080-05 dated September 13, 2005, wherein the County of DuPage (hereinafter "COUNTY") entered into an agreement (hereinafter "AGREEMENT") with the Village of Lombard (hereinafter "VILLAGE") for the construction of a bridge to grade separate CH 55/Great Western Trail from Grace Street, the Union Pacific Railroad (hereinafter "UPRR") tracks and St. Charles Road (hereinafter referred to as the "PROJECT"); and

WHEREAS, the COUNTY and the VILLAGE previously agreed that the AGREEMENT would remain in effect through December 31, 2010; and

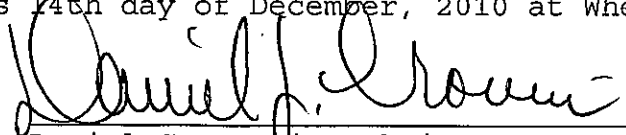
WHEREAS, the VILLAGE has encountered delays due to longer than anticipated time to review documents by the UPRR and has requested the term of the AGREEMENT be extended; and

WHEREAS, an amendment has been prepared and is attached hereto, which outlines the responsibilities of the COUNTY and the VILLAGE related to the PROJECT.

NOW, THEREFORE, BE IT RESOLVED by the County Board of DuPage County, that the Clerk and Chairman of the Board be hereby directed and authorized to execute the aforementioned Amendment with the VILLAGE; and

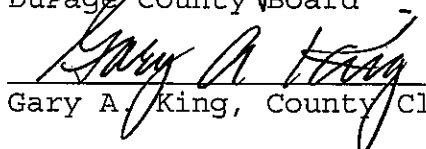
BE IT FURTHER RESOLVED that one (1) certified original of the Resolution and Amendment be sent to the Village of Lombard through the DuPage County Division of Transportation.

Enacted and approved this 14th day of December, 2010 at Wheaton, Illinois.



Daniel J. Cronin, Chairman
DuPage County Board

Ayes: 18

ATTEST: 

Gary A. King, County Clerk

FIRST AMENDMENT TO THE INTERGOVERNMENTAL AGREEMENT
BETWEEN THE COUNTY OF DU PAGE
AND THE VILLAGE OF LOMBARD
FOR THE CONSTRUCTION OF A BICYCLE-PEDESTRIAN BRIDGE
TO GRADE SEPARATE
CH 55/GREAT WESTERN TRAIL FROM GRACE STREET,
UPRR AND ST. CHARLES ROAD
SECTION 05-00275-00-BT
(COUNTY COST NOT TO EXCEED \$200,000)

THIS FIRST AMENDMENT TO THE INTERGOVERNMENTAL AGREEMENT BETWEEN THE COUNTY OF DU PAGE AND THE VILLAGE OF LOMBARD FOR THE CONSTRUCTION OF A BICYCLE-PEDESTRIAN BRIDGE TO GRADE SEPARATE CH 55/GREAT WESTERN TRAIL FROM GRACE STREET, UPRR AND ST. CHARLES ROAD, SECTION 05-00275-00-BT, dated September 13, 2005 (hereinafter referred to as the "FIRST AMENDMENT"), is entered into this 14th day of December, 2010, between the County of DuPage (hereinafter referred to as the "COUNTY"), a body corporate and politic, with offices at 421 N. County Farm Road, Wheaton, Illinois, and the Village of Lombard (hereinafter referred to as "VILLAGE"), a municipal corporation with offices at 255 E. Wilson, Lombard, Illinois. The COUNTY and the VILLAGE are sometimes hereinafter individually referred to as a "party" or together as the "parties."

RECITALS

WHEREAS, the COUNTY and the VILLAGE entered into an Intergovernmental Agreement Between the County of DuPage and the Village of Lombard for the Construction of a Bicycle-Pedestrian Bridge to Grade Separate CH 55/Great Western Trail from Grace Street, UPRR and St. Charles Road, Section 05-00275-00-BT, dated September 13, 2005, (hereinafter referred to as the "AGREEMENT"); and

WHEREAS, the parties previously agreed that the AGREEMENT would be in effect through December 31, 2010; and

WHEREAS, the VILLAGE has encountered delays and has requested that the parties extend the term of the AGREEMENT; and

WHEREAS, the COUNTY is willing to extend the term of the AGREEMENT.

NOW, THEREFORE, in consideration of the premises and mutual covenants contained herein, the parties agree that:

1.0 RECITALS INCORPORATED

1.1. The foregoing recitals are incorporated herein by reference as though fully set forth.

2.0 AMENDMENT

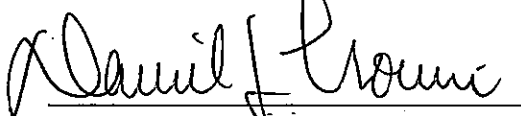
2.1. That the term of the AGREEMENT shall be amended to extend through December 31, 2014.

2.2. It is mutually agreed by and between the parties hereto that all covenants contained in the AGREEMENT which are not in conflict with this FIRST AMENDMENT shall remain in full force and effect and are incorporated herein.

IN WITNESS WHEREOF, the parties have caused this FIRST AMENDMENT to be executed in duplicate counterparts, each of which shall be considered as an original by their duly authorized officers as of the date first above written.

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COUNTY OF DU PAGE



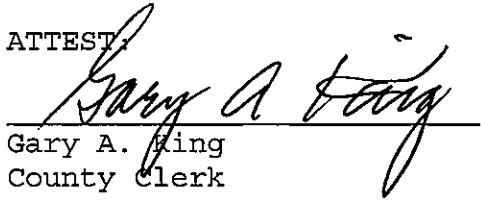
Daniel J. Cronin, Chairman
DuPage County Board

VILLAGE OF LOMBARD



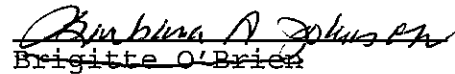
William J. Mueller, President

ATTEST:



Gary A. King
County Clerk

ATTEST:



~~Brisette O'Brien~~
Barbara A. Johnson
Village Clerk
DEPUTY VILLAGE CLERK