

RESOLUTION

R 26-04

RESOLUTION AUTHORIZING THE SIGNATURE OF PRESIDENT AND CLERK ON AN INTERGOVERNMENTAL AGREEMENT BETWEEN THE VILLAGE OF LOMBARD AND THE LOMBARD PARK DISTRICT

WHEREAS, it is the best interest of the Village of Lombard, DuPage County, Illinois to enter into an Intergovernmental Agreement (hereinafter the "Agreement") with the Lombard Park District relative to the installation of a sidewalk or pathway at Sunset Knolls Park; and,

WHEREAS, the Agreement has been drafted and a copy is attached hereto and incorporated herein as Exhibit "A".

NOW, THEREFORE, BE IT RESOLVED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF LOMBARD, DU PAGE COUNTY, ILLINOIS, AS FOLLOWS:

SECTION 1: That the Agreement attached hereto as Exhibit "A" is hereby approved.

SECTION 2: That the Village President be and hereby is authorized and directed to sign, on behalf of the Village of Lombard, the Agreement attached hereto as Exhibit "A".

SECTION 3: That the Village Clerk be and hereby is authorized and directed to sign, on the behalf of the Village of Lombard, the Agreement attached hereto as Exhibit "A" and made part hereof.

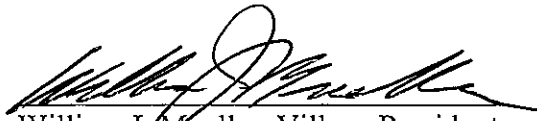
Adopted this 21st day of August, 2003.

Ayes: Trustees DeStephano, Tross, Koenig, Sebby, Florey, Soderstrom

Nays: None

Absent: None

Approved this 21st day of August, 2003.

  
William J. Mueller, Village President

ATTEST:

  
Barbara A. Johnson, Deputy Village Clerk

Exhibit "A"

**AN INTERGOVERNMENTAL AGREEMENT BETWEEN THE VILLAGE OF LOMBARD AND THE LOMBARD PARK DISTRICT RELATIVE TO INSTALLING A SIDEWALK OR PATHWAY AT SUNSET KNOLL PARK**

This Agreement is entered into this 22<sup>nd</sup> day of July, 2003, between the VILLAGE OF LOMBARD, a municipal corporation (hereinafter referred to as the "VILLAGE") and the LOMBARD PARK DISTRICT (hereinafter referred to as the "PARK DISTRICT").

**RECITALS**

WHEREAS, the VILLAGE issued Permit Number 02-2065 to the PARK DISTRICT for a new maintenance facility at 995 S. Columbine Avenue, which is located on the lot commonly known as Sunset Knoll Park and legally described on Exhibit "A" attached hereto and made part hereof (hereinafter referred to as the "SUBJECT PROPERTY"); and

WHEREAS, Chapter 154, Section 154.306 of the Lombard Village Code requires that a sidewalk be installed along the full length of the right-of-way abutting the SUBJECT PROPERTY as part of the construction of said new maintenance facility, and

WHEREAS, the PARK DISTRICT voluntarily consolidated three separate lots on September 7, 2002, at the request of the VILLAGE, thereby increasing the portion of the SUBJECT PROPERTY which abuts the right-of-way of Columbine Avenue from seven hundred thirty-eight (738) feet to one thousand three hundred seventy-five (1,375) feet; and

WHEREAS, recognizing that the lot distance along Columbine Avenue was much less prior to the Plat of Consolidation, the said Permit Number 02-2065 was issued with a verbal commitment to the Executive Director of the PARK DISTRICT that the PARK DISTRICT would only have to either fund or construct a five hundred ninety (590) foot sidewalk or pathway along Columbine Avenue, immediately adjacent to the said new maintenance facility, prior to receiving a Certificate of Occupancy; and

WHEREAS, the Illinois Department of Transportation's planned improvements along Columbine Avenue over the next few years will likely not include funding for new sidewalks or pathways; and

WHEREAS, the Constitution of the State of Illinois, 1970, Article VII, Section 10, authorizes units of local government to contract or otherwise associate among themselves in any manner not prohibited by law or ordinance; and

WHEREAS, the "Intergovernmental Cooperation Act," 5 ILCS 220/1 et. seq.; provides that any power or powers, privileges or authority exercised or which may be exercised or which may be exercised by a unit of local government may be exercised and enjoyed jointly with any other units of local government; and

WHEREAS, the VILLAGE and PARK DISTRICT have determined that it is in their respective best interests to enter into this Agreement;

NOW, THEREFORE, in consideration of the foregoing recitals and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged by both the parties hereto, the parties hereby agree as follows:

1. The preambles set forth above are hereby incorporated herein by reference as if fully set forth herein.
2. The PARK DISTRICT shall construct a sidewalk or pathway along the entire length of Columbine Avenue adjacent to Sunset Knoll Park within two (2) years of the completion of the Illinois Department of Transportation improvements to that portion of Columbine Avenue adjacent to the SUBJECT PROPERTY.
3. The PARK DISTRICT agrees to reimburse the VILLAGE for all reasonable costs and expenses incurred by the VILLAGE to install the sidewalk or pathway if the PARK DISTRICT fails to install the sidewalk or pathway within two (2) years of the completion of the Illinois Department of Transportation improvements to that portion of Columbine Avenue adjacent to the SUBJECT PROPERTY.
4. The sidewalk or pathway may be installed on either the PARK DISTRICT's property or in the public right-of-way of Columbine Avenue.
5. The PARK DISTRICT shall receive a building permit from the VILLAGE for the sidewalk or pathway prior to commencing construction thereof.
6. Notice or other writings which either party is required to, or may wish to, serve upon the other party in connection with this Agreement shall be in writing and shall be delivered personally or sent by registered or certified mail, return receipt requested, postage prepaid and addressed as follows:

A. If to the VILLAGE:

Village Manager  
Village of Lombard  
255 East Wilson Avenue  
Lombard, IL 60148

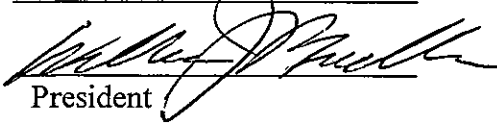
B. If to the PARK DISTRICT:

Executive Director  
Lombard Park District  
227 West Parkside Avenue  
Lombard, IL 60148

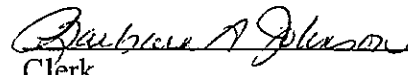
IN WITNESS WHEREOF, the VILLAGE and the PARK DISTRICT have caused this Agreement to be duly executed by their respective authorized officials.

VILLAGE OF LOMBARD

Date: August 21, 2003


By:   
President

ATTEST:

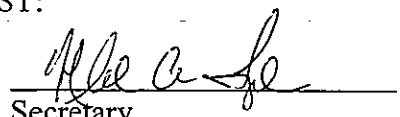
  
Clerk

LOMBARD PARK DISTRICT

Date: 7/22/03

By:   
President

ATTEST:

  
Secretary

**RESOLUTION #2003-4**

**RESOLUTION APPROVING AN INTERGOVERNMENTAL AGREEMENT  
BETWEEN THE VILLAGE OF LOMBARD AND THE LOMBARD PARK  
DISTRICT RELATIVE TO THE INSTALLATION OF A SIDEWALK OR  
PATHWAY AT SUNSET KNOLL AND AUTHORIZING THE EXECUTION OF  
SAID AGREEMENT**

WHEREAS, it is in the best interest of the Lombard Park District, DuPage County, Illinois to enter into an Intergovernmental Agreement (hereinafter the "Agreement") with the Village of Lombard relative to the installation of a sidewalk or pathway at Sunset Knoll Park; and

WHEREAS, the Agreement has been drafted and a copy is attached hereto and incorporated herein as Exhibit "A".

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF PARK COMMISSIONERS OF THE LOMBARD PARK DISTRICT, DuPAGE COUNTY, ILLINOIS, AS FOLLOWS:

SECTION 1: That the Agreement attached hereto as Exhibit "A" is hereby approved.

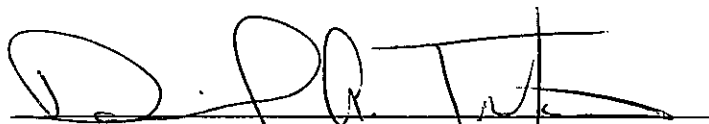
SECTION 2: That the President and Secretary of the Board of Park Commissioners are hereby authorized and directed to sign, on behalf of the Lombard Park District, the Agreement attached hereto as Exhibit "A".

Adopted this 22<sup>nd</sup> day of July, 2003, pursuant to a roll call vote as follows:


Ayes: Bielenda, Giagnorio, Roberts, Tufano, Ware

Nays: Hogan

Absent: Petersen

  
\_\_\_\_\_  
Daniel A. Tufano, President

ATTEST:

  
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Michael A. Fugiel, Secretary