

**RESOLUTION
R 15-18**

**A RESOLUTION APPROVING A FIRST AMENDMENT TO AN
INTERGOVERNMENTAL AGREEMENT BETWEEN THE
VILLAGE OF LOMBARD AND THE LOMBARD PARK DISTRICT
IN REGARD TO MODIFICATIONS TO TERRACE VIEW POND**

WHEREAS, the Corporate Authorities of the Village of Lombard have received a First Amendment To The Intergovernmental Agreement Between The Village Of Lombard And The Lombard Park District In Regard To Modifications To Terrace View Pond , a copy of which is attached hereto as Exhibit "1" and made part hereof (the "First Amendment"); and

WHEREAS, the Corporate Authorities of the Village of Lombard deem it to be in the best interests of the Village of Lombard to approve said First Amendment;

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 First Amendment attached hereto as Exhibit "1" is hereby approved.

SECTION 2: That the Village President and Village Clerk are hereby authorized and directed to sign the First Amendment on behalf of the Village of Lombard.

SECTION 3: That this Resolution shall be in full force and effect from and after its adoption and approval as required by law.

Adopted this 1st day of March, 2018.

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

Nays: None

Absent: Trustee Whittington

Approved this 1st day of March, 2018.


Keith T. Giagnorio
Village President

ATTEST:


Sharon Kuderna
Village Clerk

Exhibit 1

FIRST AMENDMENT TO INTERGOVERNMENTAL AGREEMENT

(see attached)

**FIRST AMENDMENT TO
AN INTERGOVERNMENTAL AGREEMENT
BETWEEN THE VILLAGE OF LOMBARD AND THE LOMBARD PARK DISTRICT
IN REGARD TO MODIFICATIONS TO TERRACE VIEW POND**

This FIRST AMENDMENT TO INTERGOVERNMENTAL AGREEMENT IN REGARD TO MODIFICATIONS TO TERRACE VIEW POND (the "FIRST AMENDMENT") is entered into this 23 day of January, 2018, by and between the VILLAGE OF LOMBARD (the "VILLAGE") and the LOMBARD PARK DISTRICT (the "PARK DISTRICT"). The VILLAGE and the PARK DISTRICT are hereinafter sometimes referred to individually as a "Party" and collectively as the "Parties."

WITNESSETH

WHEREAS, the VILLAGE and the PARK DISTRICT entered into "AN INTERGOVERNMENTAL AGREEMENT BETWEEN THE VILLAGE OF LOMBARD AND THE LOMBARD PARK DISTRICT IN REGARD TO MODIFICATIONS TO TERRACE VIEW POND", dated April 23, 2013, (the "ORIGINAL AGREEMENT"); and

WHEREAS, the VILLAGE and the PARK DISTRICT desire to amend the ORIGINAL AGREEMENT, so as to revise the legal description of the West Crystal Property in Exhibit D of the ORIGINAL AGREEMENT, to reflect a change in said legal description caused by a resubdivision of the West Crystal Property to remove a fence encroachment from said property; and

WHEREAS, Article VII, Section 10 of the 1970 Illinois Constitution and 5 ILCS 220/1 through 220/9 provide authority for intergovernmental cooperation; and

WHEREAS, it is in the best interests of the VILLAGE and the PARK DISTRICT to enter into this FIRST AMENDMENT;

NOW, THEREFORE, in consideration of the foregoing, and the mutual covenants and agreements hereinafter contained, the Parties hereto agree as follows:

1. That Exhibit D of the ORIGINAL AGREEMENT is hereby amended by revising the legal description of the West Crystal Property to read in its entirety as follows:

LOT 2 IN KASNICK'S RESUBDIVISION OF LOTS 11 AND 12 IN SALVAROTI'S SUBDIVISION OF LOT "A" IN ELMORE'S NORTH VIEW, BEING A SUBDIVISION IN THE NORTH HALF OF SECTION 6, TOWNSHIP 39 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT OF SAID KASNICK'S RESUBDIVISION RECORDED OCTOBER 26, 2017, AS DOCUMENT NUMBER R2017-110411 IN DUPAGE COUNTY, ILLINOIS.

2. That all portions of the ORIGINAL AGREEMENT, not amended hereby, shall remain in full force and effect.

3. This FIRST AMENDMENT shall be executed simultaneously in two (2) counterparts, each of which shall be deemed an original, but both of which shall constitute one and the same FIRST AMENDMENT.

4. This FIRST AMENDMENT shall be deemed dated and become effective on the date the last of the Parties execute this FIRST AMENDMENT, as set forth below.

IN WITNESS WHEREOF, the VILLAGE, pursuant to authority granted by the adoption of an Ordinance by its Board of Trustees, has caused this FIRST AMENDMENT to be executed by its Village President and attested by its Village Clerk, and the PARK DISTRICT, pursuant to the authority duly granted by the adoption of a Resolution by its Board of Park Commissioners, has cause this FIRST AMENDMENT to be signed by its President and attested by its Secretary.

VILLAGE OF LOMBARD


Keith T. Giagnorio, Village President

Dated: March 1, 2018

LOMBARD PARK DISTRICT


Dave Kundrot, President

Dated: January 23, 2018

ATTEST:

Sharon Kuderna
Sharon Kuderna, Village Clerk

ATTEST:

Paul Friedrichs
Paul Friedrichs, Secretary

Dated: March 1, 2018

Dated: January 23, 2018

ACKNOWLEDGMENT

State of Illinois)
) SS
County of DuPage)

I, the undersigned, a Notary Public, in and for the County and State aforesaid, DO HEREBY CERTIFY that Keith T. Giagnorio and Sharon Kuderna, personally known to me to be the Village President and Village Clerk of the Village of Lombard, and personally known to me to be the same persons whose names are subscribed to the foregoing instrument, appeared before me this day in person and severally acknowledged that, as such Village President and Village Clerk, they signed and delivered the said instrument and caused the corporate seal of said municipal corporation to be affixed thereto, pursuant to authority given by the Village Board of Trustees of said municipal corporation, as their free and voluntary act, and as the free and voluntary act and deed of said municipal corporation, for the uses and purposes therein set forth.

GIVEN under my hand and official seal, this 1ST day of March, 2018.



Karen I. Ellis
Notary Public

ACKNOWLEDGMENT

State of Illinois)
) SS
County of DuPage)

I, the undersigned, a Notary Public, in and for the County and State aforesaid, DO HEREBY CERTIFY that Dave Kundrot and Paul Friedrichs, personally known to me to be the President and Secretary of the Lombard Park District, and personally known to me to be the same persons whose names are subscribed to the foregoing instrument, appeared before me this day in person and severally acknowledged that, as such President and Secretary, they signed and delivered the said instrument and caused the corporate seal of said park district to be affixed thereto, pursuant to authority given by the Board of Park Commissioners of said park district, as their free and voluntary act, and as the free and voluntary act and deed of said park district, for the uses and purposes therein set forth.

GIVEN under my hand and official seal, this 23 day of January, 2018.

Margaret E Fugiel
Notary Public

