

RESOLUTION NO. 57 - 05

**RESOLUTION AUTHORIZING THE EXECUTION OF  
A PRELIMINARY/CONSTRUCTION ENGINEERING  
SERVICES AGREEMENT WITH THE ILLINOIS DEPARTMENT  
OF TRANSPORTATION AND APPROPRIATION OF  
MOTOR FUEL TAX FUNDS FOR ROAD REPAIR**

**WHEREAS**, the Village of East Dundee is a home rule unit of local government under and pursuant to Section 6 of Article VII of the Constitution of the State of Illinois, has the authority to exercise any power and perform any function pertaining to its government and affairs, including but not limited to the power to regulate for the protection of the public health, safety, morals, and welfare; and

**WHEREAS**, the corporate authorities of the Village of East Dundee, (the "Village") have determined that it is advisable, necessary, and in the public interest that the Village enter into and authorize the execution of a Preliminary/Construction Engineering Services Agreement for Motor Fuel Tax Funds with the Illinois Department of Transportation, a copy of which Agreement is attached hereto as an exhibit.

**WHEREAS**, the President and Board of Trustees of the Village approved a Preliminary/Construction Engineering Services Agreement for Motor Fuel Tax Funds with the Illinois Department of Transportation, for curb and gutter removal and replacement, pavement removal and resurfacing and appurtenant work for approximately 2,240 lineal feet of village streets on February 7, 2005.

**NOW THEREFORE BE IT RESOLVED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF EAST DUNDEE, COOK AND KANE COUNTIES, ILLINOIS, AS FOLLOWS:**

**Section One.** That Village of East Dundee hereby adopts and approves and the President be and he is hereby authorized and directed to sign and the Village Clerk is directed to attest to the Preliminary/Construction Engineering Services Agreement for Motor Fuel Tax Funds with the Illinois Department of Transportation, for curb and gutter removal and replacement, pavement removal and resurfacing and appurtenant work for

approximately 2,240 lineal feet of village streets designated as the 2005 Street Program, all as more fully set forth in the attached Engineering Agreement and proposed Resolution form, copies of which are attached hereto as exhibits.

**Section Two. Appropriation.** The sum of Two Hundred Thousand Dollars (\$200,000) is hereby appropriated for such improvements to said section from the Village's allotment of Motor Fuel Tax Funds.

**Section Three. Severability.** If any section, paragraph or provision of this resolution shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph or provision shall not affect any of the remaining provisions of this resolution.

**Section Four. Repeal.** All ordinances, resolutions, motions or parts thereof in conflict herewith shall be and the same are hereby repealed.

**Section Five. Publication.** This resolution shall be in full force and effect forthwith upon its adoption, approval and publication in pamphlet form as provided by law.

Adopted this 7<sup>th</sup> day of March, 2005, pursuant to a roll call vote as follows:

AYES: Zaeste, Ruffalo, Schock, Van Ostenbridge, Scarpelli  
NAYES: None  
ABSENT: Bartels

Approved by me this 7<sup>th</sup> day of March, 2005.

Roger Ahrens  
ROGER AHRENS, President

Published in pamphlet form this 9<sup>th</sup> day of March, 2005, under the authority of the President and Board of Trustees.

ATTEST:

Jane E. Theis  
JANE THEIS, Village Clerk

Recorded in the Village Records on March 9<sup>th</sup>, 2005.

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