

RESOLUTION NUMBER ___¹³ - 05

**A RESOLUTION AUTHORIZING THE EXECUTION
OF AN INTERGOVERNMENTAL AGREEMENT
FOR ROAD RESURFACING BETWEEN
THE VILLAGE OF CARPENTERSVILLE
AND THE VILLAGE OF EAST DUNDEE**

WHEREAS, the Village of East Dundee and the Village of Carpentersville are home rule units of local government under and pursuant to Section 6 of Article VII of the Constitution of the State of Illinois, have 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 Village of East Dundee and the Village of Carpentersville are municipalities as defined by 65 ILCS 5/11-12-9; and

WHEREAS, it is deemed necessary and desirable for the Village of East Dundee to enter into an Intergovernmental Agreement with the Village of Carpentersville to share the cost of certain road resurfacing;

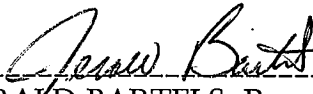
WHEREAS, the Villages of East Dundee and Carpentersville have agreed that the right-of-way of Bramer Street from Illinois Street south 630 feet should be repaired and resurfaced (the "Project"); and

WHEREAS, the Village of East Dundee has agreed to handle all of the design and construction observation costs associated with the Project if the Village of Carpentersville would agree to pay their proportionate share of the cost of the actual construction work for the Project; and

WHEREAS, in March of 2005, the Village of East Dundee submitted an estimate for the Project in the amount of \$21,121.40 that was used to establish a \$5,919.85 Motor Fuel Tax ("MFT") expenditure in the Village's FYE 2006 Budget; and

WHEREAS, since MFT funds are being utilized, the Illinois Department of Transportation requires that an Intergovernmental Agreement ("IGA") between the Villages be passed; and

Approved by me this 6th day of June, 2005.



JERALD BARTELS, President

Published in pamphlet form this 10th day of June, 2005, under the authority of the President and Board of Trustees.

ATTEST:



NIKKI GILES, Village Clerk

Recorded in the Village Records on June 10th, 2005.

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WHEREAS, the IGA requires that the Village of Carpentersville pay their proportionate share of the actual construction cost of the Project up to \$17,500; and

WHEREAS, if the actual construction costs come in higher than the original amount that was budgeted, additional funds may be required to be budgeted for the Project; and

WHEREAS, the Villages of East Dundee and Carpentersville find that approving an Intergovernmental Agreement between said Villages for the repair and resurfacing of a portion of the right-of-way of Bramer Street would be in the best interests of each Village.

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

Section One. That the Village of East Dundee 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 execution of the Intergovernmental Agreement with the Village of Carpentersville for road resurfacing to permit cost sharing for repair and resurfacing of the right-of-way of Bramer Street from Illinois Street south 630 feet, a copy of which Intergovernmental Agreement is attached hereto and made a part hereof.

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

Section Four. 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 6th day of June, 2005, pursuant to a roll call vote as follows:

AYES: Ruffulo, VanOstenbridge, Scarpelli, O'Leary, Gorman, Carlini

NAYES: None

ABSENT: None