

RESOLUTION NUMBER 14 -11

**TRANSFER OF JURISDICTION  
SEGMENTS OF FRONTAGE ROADS (FROM IL ROUTE 68 TO VISTA  
LANE AND FROM IL ROUTE 25 TO BALMORAL DRIVE) FROM IDOT  
TO THE VILLAGE OF EAST DUNDEE, ILLINOIS**

**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**, segments of the Frontage Roads (from IL Route 68 to Vista Lane and from IL Route 25 to Balmoral Drive) that are approximately 650 feet in length, are currently under the jurisdiction of the Illinois Department of Transportation (IDOT), as depicted on the map attached hereto as Exhibit A; and

**WHEREAS**, it is in the best interests of the parties and the residents of the Village of East Dundee to accept jurisdiction of said segments of Frontage Roads; and

**WHEREAS**, the 1970 Illinois Constitution Art. VII, Section 10, and 5 ILCS 220/1 et seq. authorize that the Village and IDOT cooperate in the performance of their responsibilities by contract and other agreements; and

**WHEREAS**, the Village and IDOT have prepared an Intergovernmental Agreement (hereinafter "AGREEMENT") and Local Agency Agreements for Jurisdictional Transfer (hereinafter "TRANSFERS") providing for the transfer of the aforementioned segments of Frontage Roads (from IL Route 68 to Vista Lane and from IL Route 25 to Balmoral Drive) as depicted on the document attached hereto as Exhibit B; and

**WHEREAS**, said AGREEMENT and TRANSFERS must be executed before the transfers of jurisdiction can occur.

**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 segments of Frontage Roads (from IL Route 68 to Vista Lane and from IL Route 25 to Balmoral Drive) that are approximately 650 feet in length are hereby deleted from IDOT.

**Section Two.** That the President and Clerk be and are hereby authorized and directed to execute the above-mentioned AGREEMENT and TRANSFERS and any other such documents which may be necessary to affect said transfers; and

**Section Three.** That the clerk is hereby directed to transmit three certified copies of this resolution to the Illinois Department of Transportation.

**Section Four. 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 Five. Repeal.** If any section, paragraph, clause, or provision of this Resolution shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause, or provision shall not affect any of the remaining provisions of this Resolution.

**Section Six. Publication.** This Resolution shall be in full force and effect forthwith upon its adoption, approval and publication in pamphlet form, if required by law.

Adopted this 21<sup>st</sup> day of March, 2011, pursuant to a roll call vote as follows:

AYES: 7- Justices Ruffalo, Gorman, Lynam, Miller, Cichowski,  
NAYES: 0 VanOstenbridge & President Bartels  
ABSENT: 0

Approved by me this 21<sup>st</sup> day of March, 2011.

Jerald Bartels  
JERALD BARTELS, President

Published in pamphlet form this 31<sup>st</sup> day of March, 2011, under the authority of the President and Board of Trustees.

**ATTEST:**

Jennifer Rehberg  
JENNIFER REHBERG, Village Clerk

Recorded in the Village Records on March 31<sup>st</sup>, 2011.

