

**SECOND AMENDMENT TO INTERGOVERNMENTAL AGREEMENT
FOR BRIDGE CONTRIBUTION**

This Second Amendment to the License Agreement dated February 9, 2010 (the “Intergovernmental Agreement For Bridge Contribution”) by and between the KANE COUNTY FOREST PRESERVE DISTRICT (hereinafter the “FPDKC”), CITY OF AURORA (hereinafter “CITY”), is entered into this 14th day of February, 2017.

WITNESSETH:

WHEREAS, the CITY has been awarded a federal Congestion Mitigation and Air Quality (CMAQ) Grant and desires to utilize the grant funding from the FPDKC in conjunction with the CMAQ funds for the development of the River Edge Park project, and;

WHEREAS, the District recognizes the benefit of coordinating efforts to move the River Edge Park project forward;

WHEREAS, the District recognizes the investment and coordination efforts the CITY is undertaking to improve and maintain the riverfront along the Fox River in Aurora;

NOW, THEREFORE, in consideration of the mutual covenants contained herein and other good and valuable consideration, in hand paid, the receipt and sufficiency of which is hereby acknowledged, the parties agree as follows:

1. The parties agree that the City shall construct the River Edge Park bridge within the timeframe provided for and required by the FFY 2016-2020 CMAQ funding for the “Aurora Transportation Center (ATC) Enhancements with the Transportation Improvement Program (TIP) ID of 09-16-004, but in no event later than December 31, 2020. Failure to construct the River Edge Park within said timeframe will result in the CITY reimbursing the FPDKC for all funds previously provided to the CITY in regards to this project and grant.

2. In all other respects and except as expressly provided above, the terms and provisions of the License Agreement in its original form shall remain in full force and effect for the remaining original term.

In witness whereof, the parties hereto have set their hands and seals the day and year first above written.

LICENSOR:

FOREST PRESERVE DISTRICT OF
KANE COUNTY

By: _____
Its President

Attest:

Its Secretary

LICENSEE:

CITY OF AURORA

By: _____
Its Mayor

Attest:

Its Secretary