

STATE OF ILLINOIS)
) ss.
COUNTY OF K A N E)

RESOLUTION NO. FP-R-03-12-2120

**A RESOLUTION AUTHORIZING AN AMENDMENT TO THE
THE INTERGOVERNMENTAL AGREEMENT WITH THE CITY OF
AURORA
FOR BRIDGE CONTRIBUTION**

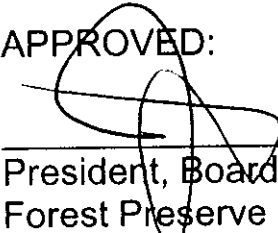
WHEREAS, it is deemed necessary and desirable to amend the Intergovernmental Agreement between the Forest Preserve District of Kane County and the City of Aurora for the funding of the bridge across the Fox River for the River Edge Park, in accordance with the terms and conditions of the amendment to the agreement attached hereto and made a part of hereof as Exhibit A; and

WHEREAS, said Exhibit A sets forth the respective responsibilities and rights of each of the parties to said amendment to the agreement.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Forest Preserve District of Kane County, Illinois that the amendment attached hereto and made a part hereof as Exhibit A be, and hereby is approved. The President and Secretary of the Forest Preserve District of Kane County are hereby authorized and directed to execute said amendment on behalf of said District in accordance with its terms.

APPROVED AND PASSED this 13th day of March, 2012.

APPROVED:



President, Board of Commissioners
Forest Preserve District of Kane County

ATTEST:



Secretary, Board of Commissioners
Forest Preserve District of Kane County



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

This First 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 13th of March, 2012.

WITNESSETH:

WHEREAS, the CITY desires to utilize a portion of the grant funding from the FPDKC for the purposes of preliminary engineering for the development of the River Edge Park project, and;

WHEREAS, the District recognizes the benefit of providing a portion of the funding 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 hereto amend paragraph #2 by allowing a maximum of \$350,000.00 of the \$2,000,000.00 grant to be allocated towards engineering and design costs of the River Edge Park Bridge. Remaining funds following engineering and design will continue to be allocated to the bridge construction. Reimbursement to the CITY shall occur following the completion of each independent engineering and/or design contract through a reimbursement request letter from the CITY to the FPDKC and a copy of the contract and invoice for work completed.

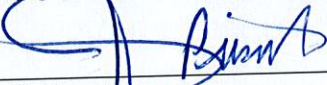
2. The parties further agree that the City shall construct the River Edge Park bridge within 5 years of the execution date of this amendment or March 13, 2017. Failure to construct the River Edge Park bridge by March 13, 2017 will result in the CITY reimbursing the FPDKC for all funds previously provided to the CITY in regards to this project and grant.

3. 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.

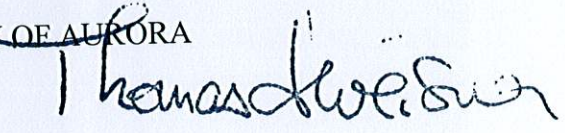
LICENSOR:

FOREST PRESERVE DISTRICT OF
KANE COUNTY


By: 
Its President

LICENSEE:

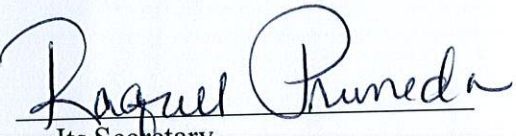
CITY OF AURORA

By: 
Its Mayor

Attest:


Its Secretary

Attest:


Its Secretary