

**MCHENRY COUNTY CONSERVATION DISTRICT
RESOLUTION #17-37**

**AUTHORIZING THE EXECUTION OF A PROPOSED LETTER AGREEMENT
BETWEEN THE CITY OF CRYSTAL LAKE AND
THE MCHENRY COUNTY CONSERVATION DISTRICT
RELATED TO MAINTENANCE OF THE PEDESTRIAN/BIKEWAY UNDERPASS
IMPROVEMENT AT U.S. ROUTE 14**

WHEREAS, the McHenry County Conservation District (hereinafter referred to as the "District"), is a conservation district organized and existing under the laws of the State of Illinois (70 ILCS 410); and

WHEREAS, the City of Crystal Lake (hereinafter referred to as "City"), is a municipality organized and existing under the laws of the State of Illinois (65 ILCS 5); and

WHEREAS, the District manages the Prairie Trail, a public, multi-use pathway that runs within the City limits parallel to Main Street and in the vicinity of Route 14; and

WHEREAS, the City and the District do not currently have an agreement in place regarding the maintenance of the pedestrian/bikeway underpass at U.S. Route 14 that aligns with the Prairie Trail constructed pursuant to the Local Agency Agreement for Federal Participation dated February 14, 2000 between the City and the Illinois Department of Transportation; and

WHEREAS, the District hereto has determined that it is in the best interest of the public to establish an agreement with the City that memorializes the maintenance responsibilities that the District requests to undertake relative to said underpass and to that end has detailed said responsibilities in letter to the City that requests their agreement and acceptance; and

WHEREAS, upon the agreement and acceptance of the details of said letter by the City, the District shall immediately assume the maintenance responsibilities detailed therein and shall continue to perform them until such time as the City may request otherwise; and

WHEREAS, without such written agreement, the District lacks the jurisdiction to perform these monitoring and maintenance activities as outlined.

NOW, THEREFORE BE IT RESOLVED, by the Board of Trustees of the District that it is necessary, desirable, and in the best interest of the District and the residents of McHenry County to create and execute a written agreement in the form of a Letter Agreement, and the President and Secretary of the Board of Trustees are hereby authorized to execute this resolution and the President is authorized to create and execute said Letter and other necessary documents to execute the intent of this resolution.

IN WITNESS WHEREOF, this Resolution #17-37 has been executed this 21st day of September, 2017, by the President and attested by the Secretary of the Board of Trustees of the District.

Ayes: 4

Nays: 1

Absent: 0

Abstain: 0



**STEPHEN BARRETT, PRESIDENT
BOARD OF TRUSTEES**



**VERN SCACCI, SECRETARY
BOARD OF TRUSTEES**