

**AMENDMENT TO INTERGOVERNMENTAL AGREEMENT BETWEEN
THE VILLAGE OF HOMER GLEN AND THE HOMER TOWNSHIP ROAD DISTRICT**

THIS AMENDMENT TO INTERGOVERNMENTAL AGREEMENT (“Amendment”) made and entered into this 12 day of AUGUST, 2020, by and among the VILLAGE OF HOMER GLEN, an Illinois home rule municipality (“Homer Glen” or the “Village”) and the HOMER TOWNSHIP ROAD DISTRICT, an Illinois road district, (“Road District” or the “District”).

WITNESSETH:

WHEREAS, the Road District is an Illinois road district situated in Will County, Illinois; and

WHEREAS, Homer Glen is an Illinois home rule municipality pursuant to Section 6(a), Article VII of the 1970 Constitution of the State of Illinois situated in Will County; and

WHEREAS, Article VII, Section 10, of the Constitution of the State of Illinois of 1970 provides that units of local government may contract or otherwise associate among themselves to obtain or share services and to exercise, combine or transfer any power or function in any manner not prohibited by law or by ordinance; and

WHEREAS, the Illinois Intergovernmental Cooperation Act, (Illinois Compiled Statutes, Chapter 5, Section 220/1 et seq.), authorizes units of local government to exercise jointly with any public agency of the State, including other units of local government, any power, privilege, or authority which may be exercised by a unit of local government individually, and to enter into contracts for the performance of governmental services, activities, and undertakings; and

WHEREAS, on March 20, 2003, Homer Glen and the Road District entered into a certain Intergovernmental Agreement (the “Agreement”) related to the maintenance and regulation of the roads within the corporate limits of Homer Glen; and

WHEREAS, Homer Glen and the Road District desire to amend the Agreement pursuant to the terms set forth in this Amendment.

NOW THEREFORE, in consideration of the mutual promises, obligations and undertakings set forth herein, Homer Glen and the Road District (sometimes collectively referred to as the “Parties”) AGREE AS FOLLOWS:

1. RECITALS.

The recitals set forth above are hereby incorporated into this Amendment and made a part hereof, and all covenants, terms, conditions and provisions hereinafter contained shall be interpreted and enforced in accordance therewith.

2. AMENDMENT TO SECTION 7 OF THE AGREEMENT.

Section 7 of the Agreement be and the same is hereby deleted with the following language to be inserted in its place:

7. Term and Termination. This Agreement shall be in full force and effect from the date first written above named (which date shall be the first date on which the execution of this Agreement is approved by either the Village of the District), and shall relate to the period of April 1, 2003 to March 31, 2004 which is the end of the District's 2003-2004 fiscal year. The term of this Agreement shall automatically renew for successive two-year periods, unless terminated by either party upon written notice of not less than one year prior to the expiration of the current term. The Parties acknowledge and agree that said current term shall expire on April 1, 2022.

In the event any road or street is disconnected from the Village, this Agreement shall be null and void with respect to said road or street, or portion thereof, which is disconnected. In the event any territory is annexed to the Village, this Agreement shall cover any roads added to the Village with the District receiving the same funding as it relates to such annexed territory.

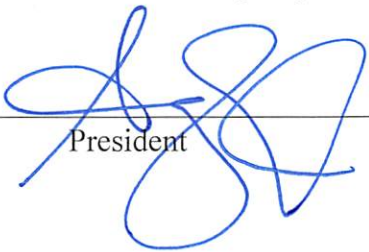
3. In the event that a court of competent jurisdiction shall hold any provisions of this Amendment invalid or unenforceable, such holdings shall not invalidate or render unenforceable any other provision of the Amendment hereto or the Agreement.

4. This Amendment can be executed in several counterparts by each Party each of which shall be treated as signature for the entire Amendment.

IN WITNESS WHEREOF, the Parties hereto have hereunto set their hands and seals the day and year first above written.

{signature page to follow}

VILLAGE OF HOMER GLEN,
an Illinois home rule municipality

By: 

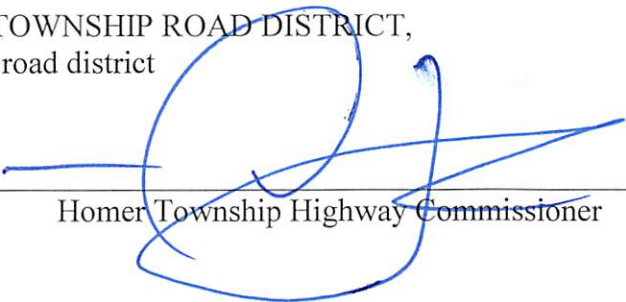
President

ATTEST:

By: 

Village Clerk

HOMER TOWNSHIP ROAD DISTRICT,
an Illinois road district

By: 

Homer Township Highway Commissioner