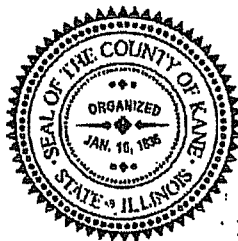


COUNTY OF KANE

Christopher J. Lauzen
Kane County Board Chairman



Kane County Government Center
719 South Batavia Avenue
Geneva, IL 60134
P: (630) 232-5930
F: (630) 232-9188
clauzen@kanecoboard.org
www.countyofkane.org

DOCUMENT VET SHEET

for
Christopher J. Lauzen
Chairman, Kane County Board

RECEIVED

APR 26 2013

KANE COUNTY BOARD

Name of Document: Intergovernmental Agreement for Extension of Historic Preservation Program (the Rustic Road Program) For Pouley Rd. with the Village of Elburn (3 copies)

Submitted by: Julia Thavong, *MD Valle*

Date Submitted: April 25, 2013

Examined by:

Joseph Lulves
(Print Name)

Joseph F. Lulves
(Signature)

4-26-13
(Date)

*done
4/30/13*

Post on the Web: YES NO Atty. Write (S)

Comments: Enclosed, please find three original Intergovernmental Agreements for Chairman Lauzen's review and signature. This Agreement will allow the Village of Elburn to utilize our Historic Preservation program and allow Pouley Road to have the protected status of being a Rustic Road.

Chairman signed: YES NO

4/30/2013
(Date)

Document returned to: Julia Thavong, Preservation Planner --Development Department
(Name/Department)

STATE OF ILLINOIS

COUNTY OF KANE

RESOLUTION NO. 13-74

**AUTHORIZING EXECUTION OF AN INTERGOVERNMENTAL AGREEMENT
FOR EXTENSION OF THE KANE COUNTY HISTORIC PRESERVATION PROGRAM**

WHEREAS, the Kane County Board adopted the Kane County Historic Preservation Ordinance (#88-99) on June 14, 1988, which established the Kane County Historic Preservation Commission, the Kane County Register of Historic Places, and provisions for the identification, designation, and protection of landmarks and road corridors under the ordinance; and

WHEREAS, the Village of Elburn wishes to utilize the Kane County Historic Preservation Ordinance and Commission to protect the historic, architectural, scenic and aesthetic character of Pouley Rd. as a road corridor; and

WHEREAS, such protection can be provided upon the execution of an intergovernmental agreement between the Village and the County; and

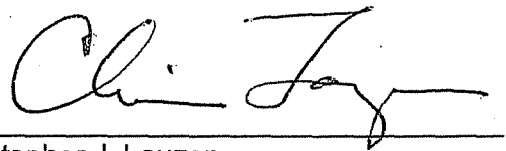
WHEREAS, the Village and the County are authorized to enter into intergovernmental agreements, pursuant to the Illinois Constitution of 1970, Article VII, Section 10, and the Intergovernmental Cooperation Act (5 ILCS 220/1 et seq.).

NOW, THEREFORE, BE IT RESOLVED by the Kane County Board that the Chairman thereof is hereby authorized to execute an intergovernmental agreement (a copy of which is on file with the County Clerk's Office) with the Village of Elburn for the extension of the Kane County Historic Preservation Program for the designation of Pouley Road as a Rustic Road.

BE IT FURTHER RESOLVED that the Kane County Recorder of Deeds shall record said agreement on the directly affected parcels.

Passed by the Kane County Board on April 9, 2013.

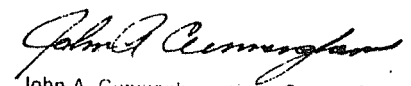

John A. Cunningham
Clerk, County Board
Kane County, Illinois


Christopher J. Lauzen
Chairman, County Board
Kane County, Illinois

Vote:
Yes 21
No 0
Voice 0
Abstentions 0

44IGA-HPC



STATE OF ILLINOIS
COUNTY OF KANE
DATE April 24, 2013
I, John A. Cunningham, Kane County Clerk and Keeper of the Records in Kane County, Illinois do hereby certify that the attached is a true and correct copy of the original record on file. In witness whereof, I have hereunto set my hand and affix the Seal of the County of Kane at my office in Geneva, Illinois

John A. Cunningham Kane County Clerk

**INTERGOVERNMENTAL AGREEMENT
FOR EXTENSION OF HISTORIC PRESERVATION PROGRAM (THE RUSTIC
ROAD PROGRAM) FOR POULEY ROAD**

THIS AGREEMENT, made and entered into by and between the Village of Elburn (hereinafter referred to as "the Village") and the County of Kane (hereinafter referred to as "the County"), effective on the date of the latest signature below, witnesseth that:

WHEREAS, the Village and the County are authorized to enter into intergovernmental agreements, pursuant to the Illinois Constitution of 1970, Article VII, Section 10, and the Intergovernmental Cooperation Act (5 ILCS 220/1 et seq.); and

WHEREAS, the Village wishes to utilize the County's historic preservation ordinance and commission to protect the historic, architectural, scenic and aesthetic character of the Pouley Road corridor in the part of the Village located within the County.

NOW, THEREFORE, in consideration of the foregoing and mutual covenants and agreements contained herein, the Village and the County agree as follows:

1. Part of the property included in the nomination is located within the municipal limits of the Village lying within the County and when designated by the Kane County Board shall be considered a Kane County Rustic Road and be bound by the regulations of the Kane County Historic Preservation Ordinance. Said regulations include, but are not limited to, review of alterations to and demolition of protected features as described in the Corridor Management Plan.
2. The Village may consider adopting any ordinances reasonably necessary to implement this agreement.
3. All nominations, notices, and other correspondence concerning or permitted under this Agreement must be copied to the Village Board of Trustees and shall be transmitted in writing, only by personal delivery or by certified, registered or first class United States Mail to the following:

To the Village: Honorable President
Village of Elburn
301 E. North St.
Elburn, Illinois 60119

To the County: Kane County Historic Preservation Commission
c/o Development Department
719 Batavia Avenue
Geneva IL 60134

4. The provisions of this Agreement are severable. If any paragraph, section, subsection, sentence, clause or phrase of this Agreement is for any reason held to be contrary to law, or contrary to any rule or regulation having the force and effect of law, such decision shall not affect the remaining portions or the Agreement.

5. Any alterations, amendments, deletions or waivers of the provisions of this Agreement shall be valid only when expressed in writing and duly signed by representatives of the Village and the County, acting under the authority of their respective governing bodies.

6. Either the Village or the County may terminate this Agreement at any time by giving written notice to the other party of such termination and specifying the effective date thereof at least thirty (30) days before the effective date of such termination. Such notice shall be duly signed by a representative of the party wishing to terminate this Agreement, acting under the authority of their respective governing body.

7. The Village Board may override, by majority vote, any decision mandated by the Historic Preservation Commission and that decision shall be final, on any portion of the Village jurisdictional portion of the roadway.

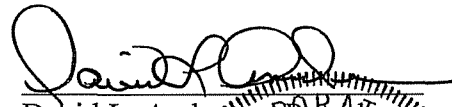
IN WITNESS WHEREOF, the Village and the County, acting under the authority of their respective governing bodies, have caused this Agreement to be executed.

County of Kane

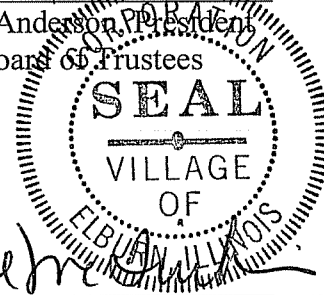


Christopher J. Lauzen, Chairman
Kane County Board

Village of Elburn



David L. Anderson, President
Village Board of Trustees




Diane McQuilkin, Village Clerk

Attest:

John Andrew Cunningham, County Clerk

Date: _____

Date: March 18, 2013