

RESOLUTION NO. R-07-3

**A RESOLUTION AUTHORIZING THE CHAIRMAN TO EXECUTE  
AN INTERGOVERNMENTAL AGREEMENT  
BETWEEN THE COUNTY OF DUPAGE, MILTON TOWNSHIP  
AND THE CAROL STREAM PARK DISTRICT  
FOR OWNERSHIP, OPERATION AND MAINTENANCE OF THE  
GARY AVENUE GARDENS (WEEKS PARK)  
PUMPING STATION AND RELATED FACILITIES**

**WHEREAS**, Milton Township had ownership of a certain parcel of land, commonly referred to as Weeks Park in Carol Stream, which ownership was transferred to the Carol Stream Park District on December 12, 1998; and

**WHEREAS**, at the time of the transfer of the Weeks Park Property, a portion of the property contained a stormwater detention area which serves the immediately surrounding area, and stormwater control facilities consisting of pipes and drains which drain the property and surrounding area; all of which was supported by a pumping facility located on the property; and

**WHEREAS**, at the time of the transfer of Weeks Park to the Park District, the Pumping facility specifically remained in the ownership of Milton Township; and

**WHEREAS**, for many years the County of DuPage has paid to upgrade, maintain and operate the Pumping Facility and its affiliated drainage structures as described herein while Milton Township has paid for the electricity to operate the Facility; and

**WHEREAS**, Milton Township, the County of DuPage and the Carol Stream Park District now wish to enter into a Intergovernmental Agreement, in the form of which is attached hereto and incorporated herein by reference as Exhibit "A," which shall allow the Township to transfer ownership and all responsibility for the Pumping Facility to DuPage County, and which will allow the County and the Park District to formalize their relationship concerning the location and operation of the Pumping Facility in property owned by the Carol Stream Park District.

**NOW, THEREFORE, BE IT RESOLVED BY THE MILTON TOWNSHIP BOARD OF TRUSTEES, DUPAGE COUNTY, ILLINOIS, as follows:**

Section 1: The foregoing recitals are incorporated herein by reference.

Section 2: Based upon said recitals, the Board of Trustees hereby authorizes and directs the Township Chairman to execute the Intergovernmental Agreement attached hereto as Exhibit "A," and authorizes the Clerk to attest to the signature made thereto.

Section 3: The Township Chairman, Clerk and attorneys for the Township are further authorized to take such action as is necessary to transfer ownership of the Pumping Facility and the property it is located on to the County of DuPage, all in conformance with the understanding expressed in the Intergovernmental Agreement.

Section 4: This Resolution shall be in full force and effect immediately upon its passage.

PASSED this 11th day of September 2007.

	<u>AYE</u>	<u>NAY</u>
Supervisor O. Chris Heidom	X	
Trustee James Flickinger	X	
Trustee Sal Falbo	X	
Trustee Leonard Sanchez	X	
Trustee Robert Larsen	X	

APPROVED this 11th day of September 2007:



O. Chris Heidom, Chairman  
Milton Township Board of Trustees

ATTEST:

  
A. Arlene DeMotte, Town Clerk