

**ADDENDUM
NUMBER ONE – YORK COMMONS PARK**

**TO INTERGOVERNMENTAL AGREEMENT BETWEEN
THE CITY OF ELMHURST AND THE ELMHURST PARK DISTRICT
FOR THE CONSTRUCTION OF STORMWATER IMPROVEMENTS**

THIS ADDENDUM, NUMBER ONE – YORK COMMONS PARK, TO INTERGOVERNMENTAL AGREEMENT, entered into this ____ day of _____, 2015, by and between the CITY OF ELMHURST, ILLINOIS, an Illinois municipal corporation, with offices at 209 N. York Street, Elmhurst, DuPage County, Illinois (hereinafter referred to as “CITY”), and the ELMHURST PARK DISTRICT with offices at 375 W. 1st Street, Elmhurst, DuPage County, Illinois (hereinafter referred to as “DISTRICT”), (hereinafter the “Agreement”) concerning the construction of certain stormwater and/or recreational improvements, as more fully described herein:

WHEREAS, the CITY agrees to design, build and construct certain Public Improvements at the CITY’s cost pursuant to the terms and conditions of the Agreement at the PARK owned by the DISTRICT commonly known as “York Commons Park”; and

WHEREAS, the Public Improvements to be constructed by the CITY at the PARK include certain Stormwater Improvements depicted in **Exhibit – x** that is attached hereto and incorporated herein; and

WHEREAS, the Stormwater Improvements to be constructed by the CITY at the PARK shall be maintained in accordance with the “Dry Detention Pond Performance Standards” that are set forth in **Exhibit – x** that is attached hereto and incorporated herein; and

WHEREAS, the Public Improvements to be constructed by the CITY at the PARK include certain Recreational Improvements depicted in **Exhibit – x** that is attached hereto and incorporated herein; and

WHEREAS, the Public Improvements to be constructed by the CITY at the PARK are to be constructed according to the Schedule of Construction that is attached hereto as **Exhibit – x** and incorporated herein; and

WHEREAS, the DISTRICT agrees that it shall grant the CITY easement rights in the PARK in the form attached hereto as **Exhibit – x** which the DISTRICT will sign and forward to the CITY and the CITY will record at its expense; and

NOW THEREFORE, in consideration of the mutual covenants, conditions and agreements set forth herein as well as those set forth in the Agreement to which this Addendum is attached, the parties hereto agree as follows:

1. Incorporation. The provisions set forth in the preamble are incorporated into and made a part of this Addendum, Number One – York Commons Park, to Intergovernmental Agreement between the City of Elmhurst and Elmhurst Park District for the Construction of Stormwater Improvements.
2. Performance of Addendum. The parties agree that the rights and obligations of the parties to perform the terms of this Addendum are to be undertaken pursuant to the terms and conditions of the Agreement, which are incorporated herein by reference.

IN WITNESS WHEREOF, the parties have caused this Addendum, Number One – York Commons Park, to Intergovernmental Agreement between the City of Elmhurst and Elmhurst Park District for the Construction of Stormwater Improvements, to be executed on their behalf by their duly authorized officers as of the day and year first above written.

ELMHURST PARK DISTRICT

President

ATTEST:

Clerk

CITY OF ELMHURST

Mayor

ATTEST:

City Clerk