

**RESOLUTION AUTHORIZING AND APPROVING
AN INTERGOVERNMENTAL AGREEMENT BY AND BETWEEN THE VILLAGE OF
BARRINGTON AND THE VILLAGE OF BARRINGTON HILLS**

WHEREAS, the Village of Barrington Hills (“Barrington Hills”) located in the Counties of Cook, Kane, Lake and McHenry in the State of Illinois, is a home rule municipality; and

WHEREAS, the Village of Barrington (“Barrington”) located in Cook and Lake Counties, in the State of Illinois, is a non-home rule municipality; and

WEHREAS, the Village and Barrington are hereinafter collectively sometimes referred to as the “Villages”; and

WHEREAS, Harris Properties, LLC, an Illinois limited liability company (“Owner”) is the owner or contract purchaser of certain property consisting of approximately 21.6 acres located within Barrington Hills located at the northeast corner of the intersection of Palatine and Barrington Road (the “Property”); and

WHEREAS, the Property is in the vicinity of the Palatine Road Marsh and as a result, Barrington Hills has required the Owner to obtain and requested Barrington to provide, municipal sewer and water service to the Property as a condition to its development; and

WHEREAS, Section 10 of Article VII of the Constitution of the State of Illinois provides authority for the Villages to contract or otherwise associate among themselves to obtain or share services and to exercise, combine or transfer any power or function not prohibited by law or ordinance, and to contract and otherwise associate with individuals, associations and corporations in any manner not prohibited by law or ordinance; and

WHEREAS, the Intergovernmental Cooperation Act (the “Act”) 5 ILCS 220/5 provides that local governments are authorized “to perform any governmental service, activity or undertaking or to combine, transfer, or exercise any powers, functions, privileges, or authority which any of the public agencies entering into the contract is authorized by law to perform...except...where specifically and expressly prohibited by law”; and

WHEREAS, as a result of the foregoing, in order to protect the public health, safety and welfare of the citizens and residents of the Villages, the Villages have determined that intergovernmental cooperation is essential to the proposed development of the Property; and

WHEREAS, the public health, safety and welfare of the respective Villages with respect to the Property cannot be adequately protected without the provision of municipal sewer and water services from Barrington; and

WHEREAS, the Owner has not yet received final approval of the proposed plat of subdivision from the Barrington Hills’ Plan Commission or the Barrington Hills’ Village Board as provided in the Barrington Hills’ Subdivision Ordinance; therefore Barrington Hills desires to

approve the Intergovernmental Agreement subject to and conditioned upon Owner receiving such final subdivision approval ("Final Plat Approval") occurring one or before October 31, 2006; and

WHEREAS, the President and Board of Trustees of the Village of Barrington Hills deem it advisable, necessary, appropriate, and in the public interest and find that it would best serve the public and corporate purposes for which the Village of Barrington Hills is organized for this Village to enter into an Intergovernmental Agreement with Barrington in the form attached hereto and expressly made a part hereof as Exhibit A (including all of the Exhibits thereto).

NOW, THEREFORE, BE IT RESOLVED by the President and Board of Trustees of the Village of Barrington Hills, located in the Counties of Cook, Kane, Lake and McHenry in the State of Illinois, a home rule municipality as follows:

Section 1: Recitals. The foregoing recitals are hereby incorporated into this Resolution as findings of the President and Board of Trustees.

Section 2: Authorization. Under authority vested in the President and Board of Trustees of the Village of Barrington Hills pursuant to Article VII, Section 10 of the 1970 Constitution of the State of Illinois and the Intergovernmental Cooperation Act 5 ILCS 220/1 et seq., and the ordinances of the Village of Barrington Hills, the President and Board of Trustees hereby authorize and approve the execution of the Intergovernmental Agreement substantially in the form attached hereto and made part hereof as Exhibit A (including all of the Exhibits attached thereto), subject to and conditioned upon Owner receiving Final Plat Approval on or before October 31, 2006.

Section 3: Execution and Delivery. The President and Village Clerk of the Village of Barrington Hills are hereby authorized and directed to execute and deliver to Barrington, an Intergovernmental Agreement substantially in the form of Exhibit A (including all of the Exhibits attached thereto) and to do all things necessary and essential, including the execution of any other documents and certificates to accomplish the agreement hereinabove authorized and set forth in the Intergovernmental Agreement.

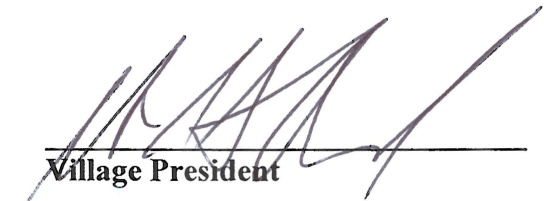
Section 4: Effective Date. This Resolution shall be in full force an effect from and after its approval and publication according to law.

APPROVED THIS 24th day of July, 2006

AYES: 6 NAYS: 0 ABSENT: 1

ATTEST:


Village Clerk, Deputy


Village President