

VILLAGE OF LILY LAKE

ORDINANCE NO. 2024-12

AUTHORIZING THE EXECUTION OF AN AGREEMENT EXTENDING THE
AMENDED AND RESTATED BOUNDARY AGREEMENT BETWEEN THE VILLAGE
OF VIRGIL AND THE VILLAGE OF LILY LAKE

ADOPTED BY THE
PRESIDENT AND BOARD OF TRUSTEES
OF THE
VILLAGE OF LILY LAKE

July 29, 2024

Published in pamphlet form by authority of the President and Board of Trustees of the Village of
Lily Lake, Kane County, Illinois
July 29, 2024

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AUTHORIZING THE EXECUTION OF AN AGREEMENT EXTENDING THE
AMENDED AND RESTATED BOUNDARY AGREEMENT BETWEEN THE VILLAGE
OF VIRGIL AND THE VILLAGE OF LILY LAKE

WHEREAS, the Village of Virgil and the Village of Lily Lake entered into a Jurisdictional Boundary Agreement dated as of July 21, 1997, the execution of which was authorized by Ord. No. 1997-07, passed and approved by the President and Board of Trustees of the Village of Lily Lake on July 21, 1997; and

WHEREAS, as of September 1 2006, Virgil and Lily Lake entered into an Amended and Restated Jurisdictional Boundary Agreement and Joint Planning Agreement, the execution of which was authorized by Ord. No. 2006-09, passed and approved by the President and Board of Trustees of the Village of Lily Lake on September 18, 2006 (the "2006 Agreement"); and

WHEREAS, Virgil and Lily Lake wish to extend the term of the 2006 Agreement and make other minor modifications and, to that end, have negotiated an Extension and Modification Agreement dated as of June 1, 2024, extending the term of the agreement for an additional 20 years and making other minor modifications; and

WHEREAS, the President and Board of Trustees of the village have determined that such an agreement with the Village of Virgil is in the best interests of the Village of Lily Lake and its residents;

NOW, THEREFORE, BE IT ORDAINED by the President and the Board of Trustees of the Village of Lily Lake, Kane County, Illinois, as follows:

§ 1. Authorization of agreement

The president and clerk are authorized and directed to execute that certain Extension and Modification Agreement with the Village of Virgil dated as of June 1, 2024, a copy of which is on file in the clerk's office.

§ 2. Recording

Upon execution of the agreement by all parties, the clerk shall file a certified copy of this ordinance and the agreement with the Kane County Recorder.

§ 3. Term

This ordinance and the agreement will be valid for a term of 20 years from and after the date the agreement has been approved by ordinance and recorded by the last of the parties to enact the same.

§ 4. Effective Date

This ordinance is fully effective from and after its passage, approval and publication as provided by law.

Adopted on July 29, 2024 pursuant to a roll call vote as follows:

[Signature page follows.]

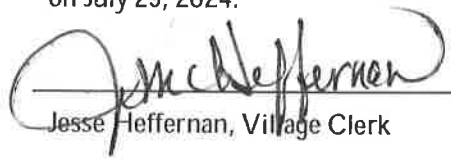
Trustee	Yes	No	Absent	Abstain
Anderson	✓			
Butler	✓			
Conn	✓			
Ormond	✓			
Parry	✓			
Diehl				
Totals	5	0		

Approved July 29, 2024.



Kelly Diehl, President

Attested, Filed in my office, and published in pamphlet form on July 29, 2024.



Jesse Heffernan, Village Clerk

EXTENSION AND MODIFICATION OF AN INTERGOVERNMENTAL
AGREEMENT REGARDING JURISDICTIONAL BOUNDARIES

The Village of Lily Lake ("Lily Lake"), an Illinois municipal corporation organized and operating under the Illinois Municipal Code (the "Code"), (65 ILCS 5/1-1-1, *et seq.*), and the Village of Virgil ("Virgil"), an Illinois municipal corporation organized and operating under the Code, in consideration of the mutual covenants and promises set forth herein, agree as follows:

1. Recitals

- (a) As of September 1, 2006, Lily Lake and Virgil entered into an Intergovernmental Agreement Regarding Jurisdictional Boundaries (the "2006 Agreement"), under which, among other things, a jurisdictional boundary line was established between the two villages.
- (b) The 2006 Agreement is specifically referred to and incorporated into this agreement by reference.
- (c) The 2006 Agreement will expire on August 31, 2026 and the parties wish to extend the 2006 Agreement for an additional 20 years upon the same terms with only a minor modification to the jurisdictional boundary line.
- (d) Pursuant to § 11-12-9 of the Illinois Municipal Code (65 ILCS 5/11-12-9), the term of a jurisdictional boundary agreement may be extended, renewed or revised at the end of the initial or extended term by further agreement of the parties thereto.

2. Incorporation of Recitals

The foregoing recitals are true and correct and are incorporated into this paragraph and made part of this agreement. All capitalized terms used in this agreement have the meanings ascribed to such terms in the 2006 Agreement, unless expressly defined otherwise in this agreement. All exhibits attached to the 2006 Agreement or this agreement are incorporated by reference.

3. Extension of 2006 Agreement

The 2006 Agreement is hereby extended for an additional period of 20 years from its original expiration date of August 31, 2026. Except as expressly amended by the provisions of this agreement, all terms, covenants and conditions of the 2006 Agreement will remain in full force and effect, and are not altered, amended, revised or changed by this agreement, and remain binding upon and inure to the benefit of the parties and each of their respective successors and assigns.

4. Extension of boundary line

The jurisdictional boundary line established under the 2006 agreement is altered and extended beginning at its intersection with Ramm Road; then the original line is extended to the west to the intersection of Ramm Road and Thomas Road; and then north to the intersection of Thomas Road and Middleton Road, all as depicted on Exhibit A attached.

5. Miscellaneous

- (a) This Agreement may be altered or amended only by a writing signed by both parties.
- (b) The parties confirm and ratify the 2006 Agreement, and the actions taken pursuant to the 2006 Agreement.
- (c) This agreement is governed by and is to be construed in accordance with the laws of the State of Illinois.
- (d) This agreement is made pursuant to the Illinois Constitution and the Illinois Intergovernmental Cooperation Act.
- (e) This agreement may be executed in counterparts, each of which constitutes an original, but all of which when taken together constitute a single contract. Upon execution this agreement will be deemed to be incorporated into the 2006 Agreement.
- (f) The 2006 Agreement, as amended by this agreement, constitutes the entire understanding between the parties relating to the its subject matter and supersedes all previous agreements and understandings, oral or written, relating to its subject matter.
- (g) Each of the parties shall adopt an ordinance approving the terms and provisions of this agreement and authorizing the their respective officers to execute and deliver it. Upon execution, the clerk of each municipality shall forward to the clerk of the other a certified copy of the ordinance so enacted, together with the agreement, signed in duplicate original, so that each municipality will have one fully executed document on file.
- (h) This agreement inures to the benefit of and is binding upon the parties and their respective successors and assigns for a full term of 20 years from and after the date this agreement has been approved by ordinance and recorded by the last of the parties to enact same.

Dated: 29th Day of July, 2024

VILLAGE OF LILY LAKE,
an Illinois municipal corporation

By: 
Kelly Diehl, President

VILLAGE OF VIRGIL,
an Illinois municipal corporation

By: _____
Jamie LeBlanc, President

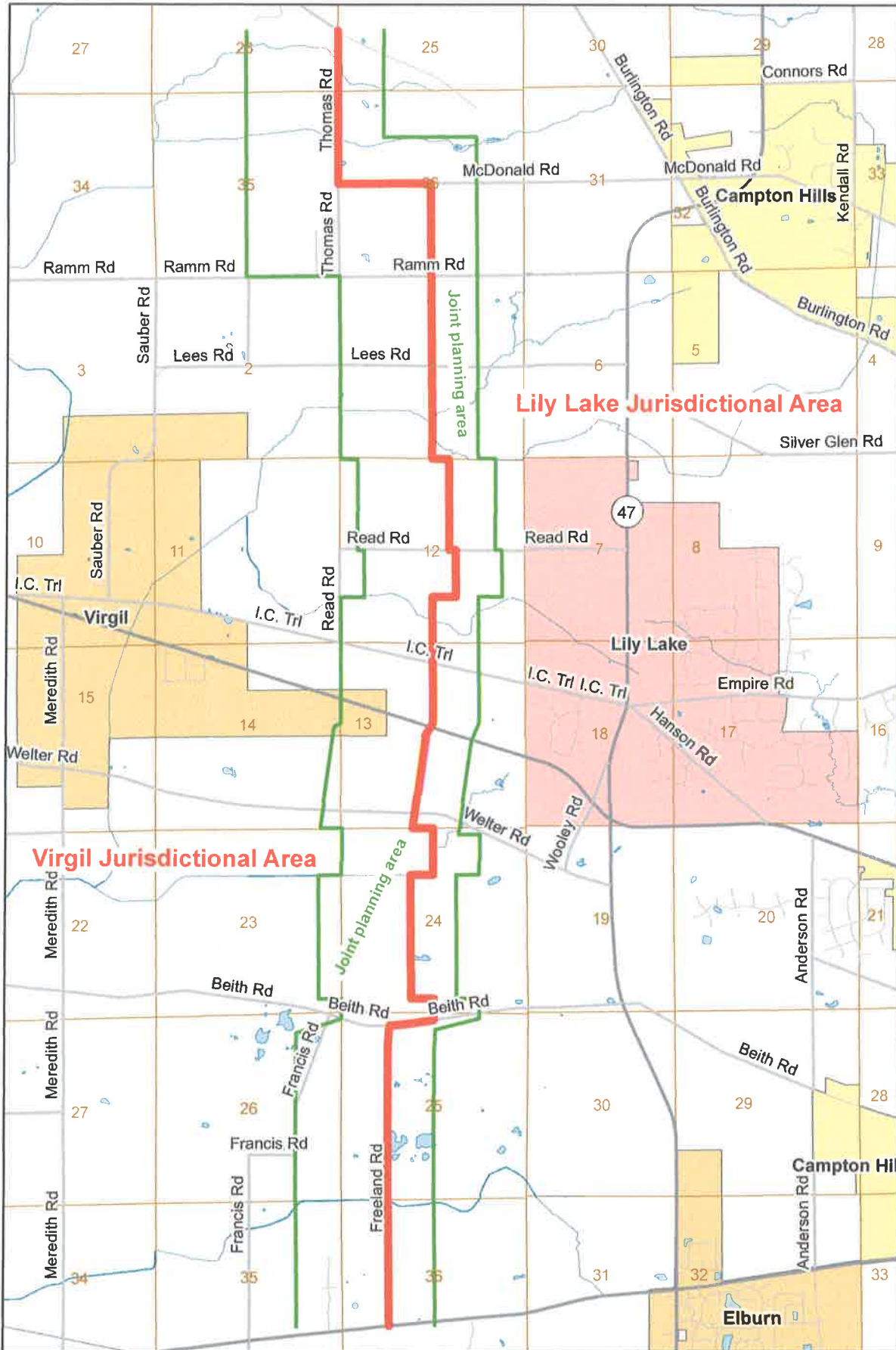
ATTEST:


Jesse Heffernan, Village Clerk

ATTEST:

Daniela LeBlanc, Village Clerk

BOUNDARY and INTERGOVERNMENTAL LAND RESOURCE AGREEMENTS



**Lily Lake/
Virgil 3/24**


**Boundary
Agreement**



1 inch = 1 mile

Kane County
Development and Community
Services Department
COM - 5/24

Base data current thru 4-30-24