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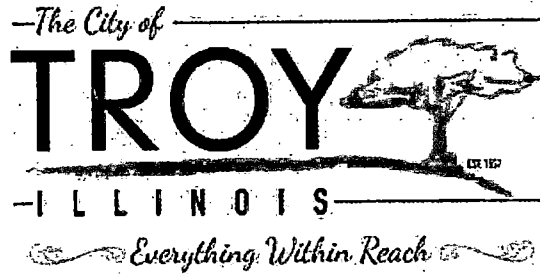
Tx:4448133

Resolution 2019 - 18

Passed November 4, 2019

Return to: *EW*  
City of Troy  
116 E. Market Street  
Troy, Illinois 62294

2019R37463  
STATE OF ILLINOIS  
MADISON COUNTY  
11/19/2019 01:18 PM  
AMY M. MEYER, RECORDER  
REC FEE: 50.00  
CO STAMP FEE:  
ST STAMP FEE:  
FF FEE:  
RHSPS FEE:  
# OF PAGES: 5



*50.00 CTY*

## Resolution No. 2019 - 18

**A RESOLUTION OF THE CITY OF TROY, ILLINOIS AUTHORIZING THE MAYOR TO EXECUTE AN INTERGOVERNMENTAL AGREEMENT WITH MADISON COUNTY REGARDING THE CONSTRUCTION AND MAINTENANCE OF A SIDEWALK FROM US ROUTE 40 TO TURTLE CREEK DRIVE**

**Approved by the City Council  
of the City of Troy, Illinois  
This 4<sup>th</sup> Day of November, 2019**

*Whereas*, the City of Troy, Illinois, is the local sponsor, acting by and through Madison County Transit, of the project generally known as the US Highway 40 TO TURTLE CREEK ROAD SIDEWALK PROJECT ("project"); and

*Whereas*, in furtherance of the project, Madison County Transit is paying one hundred percent (100%) of the cost of the project; and

*Whereas*, in furtherance of the project, Madison County Transit is paying for preliminary and construction engineering for the project; and

*Whereas*, in furtherance of the project, the City of Troy, Illinois, agrees to maintain the sidewalk, maintain all necessary signage and markings as required, and maintain the vegetation within the right of way along the sidewalk; and

*Whereas*, in furtherance of the project, in the event of any claims, rights or causes of action against the County as a result of any usage of the sidewalk, the City of Troy, Illinois, agrees to pay, save, hold harmless and defend the County against any such claims, rights or causes of action; and

*Whereas*, the City Council for the City of Troy, Illinois, has determined that the project is in the best interests of the City and its residents, and will further improve the health, safety and welfare of the residents of the City of Troy, Illinois; and

*Whereas*, the City Council for the City of Troy, Illinois, has determined that it is in the best interests of the City of Troy, Illinois, to enter into and Intergovernmental Agreement with Madison County in furtherance of this project evidencing the forgoing terms and conditions; and

*Whereas*, a copy of said Intergovernmental Agreement is attached hereto, marked "Exhibit A," and made a part hereof.

***Now Therefore, Be It Resolved, by the Mayor & City Council of the City of Troy, Illinois, as Follows:***

1. The recitals set forth above are hereby incorporated herein as if fully set forth.
2. The Mayor of the City of Troy, Illinois, is hereby authorized to execute and enter into the attached Intergovernmental Agreement with Madison County, and is further authorized to take all actions and sign all documents necessary to fulfill the intent of this Resolution.
3. This Resolution shall be in effect following its passage, approval and publication as provided by law.

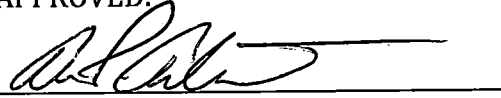
***Passed***, by the City Council of the City of Troy, Madison County, Illinois, approved by the Mayor, and deposited in the office of the City Clerk this Fourth (4<sup>th</sup>) day of November, 2019.

**Aldermen:**

Dawson	<u>yes</u>	Knoll	<u>yes</u>
Hellrung	<u>yes</u>	Levo	<u>yes</u>
Henderson	<u>yes</u>	Manley	<u>yes</u>
Italiano	<u>yes</u>	Turner	<u>yes</u>

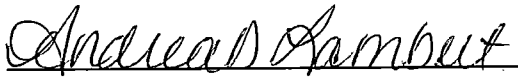
Total: 8 Ayes  
0 Nays

APPROVED:

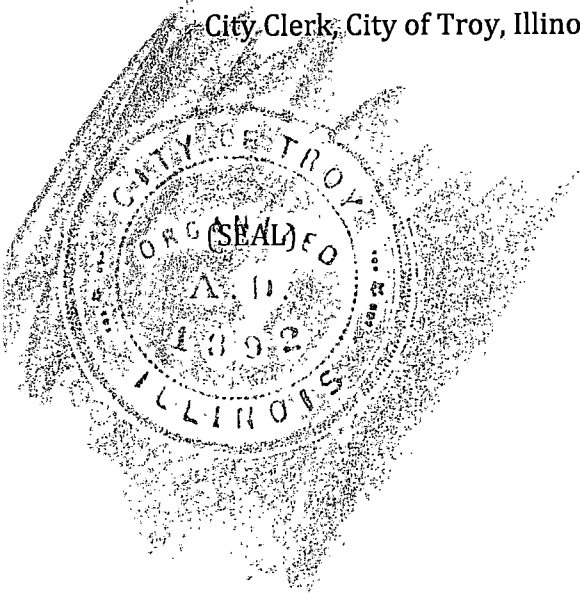


Allen P. Adomite  
Mayor, City of Troy, Illinois

ATTEST:



Andrea D. Lambert  
City Clerk, City of Troy, Illinois



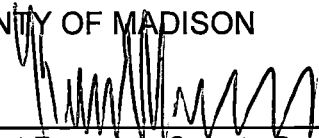
**INTER-GOVERNMENTAL AGREEMENT**  
**BETWEEN**  
**THE COUNTY OF MADISON**  
**AND**  
**THE CITY OF TROY**  
**REGARDING THE USE OF THE RIGHT OF WAY ALONG**  
**A PORTION OF TROY O'FALLON ROAD FOR A SIDEWALK**

This Intergovernmental Agreement is entered into by and between the COUNTY of MADISON, 157 North Main Street, Suite 156, Edwardsville, IL 62025, a unit of county government (County), and the City of Troy, 116 E. Market, Troy, IL 62294, a unit of local government (City). The County has jurisdiction of the right of way along Troy O'Fallon Road and the City has requested permission to construct a sidewalk from US Route 40 to Turtle Creek. In consideration for the promises, covenants, terms and conditions stated herein, the parties mutually agree as follows:

1. This inter-governmental Agreement is entered into pursuant to the authority granted by the 1970 Illinois Constitution, Article VII, Section 10, Intergovernmental Cooperation, and the Inter-governmental Cooperation Act, 5 ILCS 220/1 et seq.
2. The City is the local sponsor, acting through Madison County Transit, of the project generally known as US Highway 40 TO TURTLE CREEK ROAD SIDEWALK.
3. Madison County Transit is paying one hundred percent (100%) of the cost of the project.
4. Madison County Transit is paying for preliminary and construction engineering for the project.
5. The City agrees to maintain the sidewalk, maintain all necessary signage and markings as required, and maintain the vegetation within the right of way along the sidewalk.
6. In the event of any claims, rights or causes of action against the County as a result of any usage of the sidewalk, then in that event the City agrees to pay, save, hold harmless and defend the County against any such claims, rights or causes of action.


7. Each party warrants that it has taken all steps and actions necessary to make this Agreement valid, binding and enforceable on each of their respective units of government.
8. This document constitutes the entire agreement between the parties and any modification of this Agreement must be in writing and signed by each of the respective parties.

COUNTY OF MADISON

BY:   
Kurt Prenzler, County Board Chairman  
157 N. Main St., Suite 165  
Edwardsville, IL 62025

11-6-19  
Date

CITY OF TROY

BY:   
Allen P. Adomite, Mayor  
City of Troy, Illinois

11/4/19  
Date

**END OF DOCUMENT**