



## RESOLUTION

WHEREAS, the County of Lake owns and operates a regional sewer system that serves a number of communities in the Southeast Central Lake Facilities Planning Area; and

WHEREAS, the County entered into an Agreement for Sewage Disposal with the Village of Long Grove on January 11, 1972, which Agreement was last amended on October 8, 2002; and

WHEREAS, the Village has requested the County provide sanitary sewer service within a defined service area as legally described in Exhibit A and as depicted in Exhibit B; and

WHEREAS, the proposed uses of the subject parcels are consistent with the Retail/Commercial designation of the parcels on the County's Framework Plan Future Land Use Map; and

WHEREAS, the County has determined that it has sufficient available capacity within its interceptor to provide sewer service to the subject parcel; and

WHEREAS, the proposed use is all non-residential and will therefore not adversely impact the local school districts or other public bodies; and

WHEREAS, there was no opposition to the proposed uses or the extension of sewer services to the subject parcels expressed by affected citizens or public bodies; and

WHEREAS, the County has determined that the extension of sewer service to the subject parcels is feasible, subject to the terms of an amended Agreement; and

WHEREAS, the County and Village desire to formally amend the Agreement to provide sewer service to the subject parcel for non-residential uses only; and

WHEREAS, execution of a Third Amendment to the Agreement must be authorized by Resolution of the County Board.

NOW, THEREFORE, BE IT RESOLVED, by this County Board of Lake County, Illinois, that the Chairman of the County Board and Clerk of Lake County be and are hereby authorized and directed to execute the attached Third Amendment to the Agreement for Sewage Disposal with the Village of Long Grove.

DATED at WAUKEGAN, LAKE COUNTY, ILLINOIS, on this 11th day of September A.D., 2007.

**THIRD AMENDMENT TO AGREEMENT  
FOR SEWAGE DISPOSAL**

**THIS THIRD AMENDMENT TO AGREEMENT FOR SEWAGE DISPOSAL** (this "Third Amendment") is made and entered into this \_\_\_\_\_ day of \_\_\_\_\_, 2007, by and between the **COUNTY OF LAKE**, a body corporate and politic of the State of Illinois (the "County"), and the **VILLAGE OF LONG GROVE**, an Illinois municipal corporation (the "Village").

**W I T N E S S E T H:**

**WHEREAS**, the County and the Village have entered into an Agreement for Sewage Disposal dated January 11, 1972, as amended (the "1972 Agreement"); and

**WHEREAS**, the County and the Village amended the 1972 Agreement through the "Amendment to Agreement for Sewage Disposal" dated September 13, 1988 (the "First Amendment") and through the "Second Amendment for Sewage Disposal" dated October 8, 2002 (the 1972 Agreement, First Amendment and Second Amendment shall hereinafter be collectively referred to as the "Sewer Agreement"); and

**WHEREAS**, pursuant to, and subject to the terms of, the Sewer Agreement, the County has agreed to dispose of sewage generated from certain properties within and approved by the Village and within a defined sanitary sewer service area that is depicted as part of the Sewer Agreement (the "Service Area"); and

**WHEREAS**, the Village has approved a new commercial use to be developed on real property commonly known as 7107 Osage Lane a/k/a 7107 Rt. 83, Long Grove, Illinois (the "Subject Property"), which Subject Property lies outside the Service Area and is legally described in Exhibit A to this Third Amendment; and

**WHEREAS**, in conjunction with the commercial development of the Subject Property, the Village desires to have public sanitary sewer service extended to the Subject Property; and

**WHEREAS**, the County has determined that the commercial development of the Subject Property is consistent with the County Framework Plan, will enhance the tax base of the County, and will impose no material adverse impacts on other governmental units, and that the County Sewerage System has the capacity to serve the proposed commercial development of the Subject Property, and therefore the County desires to serve the Subject Property with public sanitary sewerage services, subject to the terms and conditions of this Second Amendment; and

**WHEREAS**, in order to serve the Subject Property with public sanitary sewerage services, the County and the Village desire to amend the Sewer Agreement as hereinafter set forth;

**NOW, THEREFORE**, in consideration of the mutual covenants contained herein, it is hereby agreed as follows:

**Section One: Recitals.** The foregoing recitals are incorporated herein as if fully set forth in this Section One.

**Section Two: Amendment to Service Area.** Subject to the terms and limitations in the Sewer Agreement and this Third Amendment, Exhibit A to the 1972 Agreement is hereby replaced and superseded by Exhibit B to this Third Amendment, which new Exhibit B depicts the amended Service Area under the Sewer Agreement, as hereby amended.

**Section Three: Conditions on Sanitary Sewerage Services to Subject Property.** The Village and the County agree that the Subject Property shall be served with County sewerage service through the Vernon Hills - NCT subsystem of the County Sewerage System, and the Subject Property shall be subject to all rules, regulations, charges, and fees that are generally applicable to other Customers in the Vernon Hills - NCT subsystem. Notwithstanding any other provision in the Sewer Agreement or this Third Amendment, however, sanitary sewerage service to the Subject Property shall only be authorized for so long as the development of the Subject Property is for nonresidential purposes.

**Section Four:** Except as specifically amended herein, the Sewage Agreement shall remain in full force and effect.

**IN WITNESS WHEREOF**, the County and the Village have executed this Third Amendment, effective as of the above date.

**VILLAGE OF LONG GROVE**

**COUNTY OF LAKE**

By: \_\_\_\_\_  
Village President

By: \_\_\_\_\_  
Chairman, County Board

**ATTEST:**

By: \_\_\_\_\_  
Village Clerk

By: \_\_\_\_\_  
County Clerk

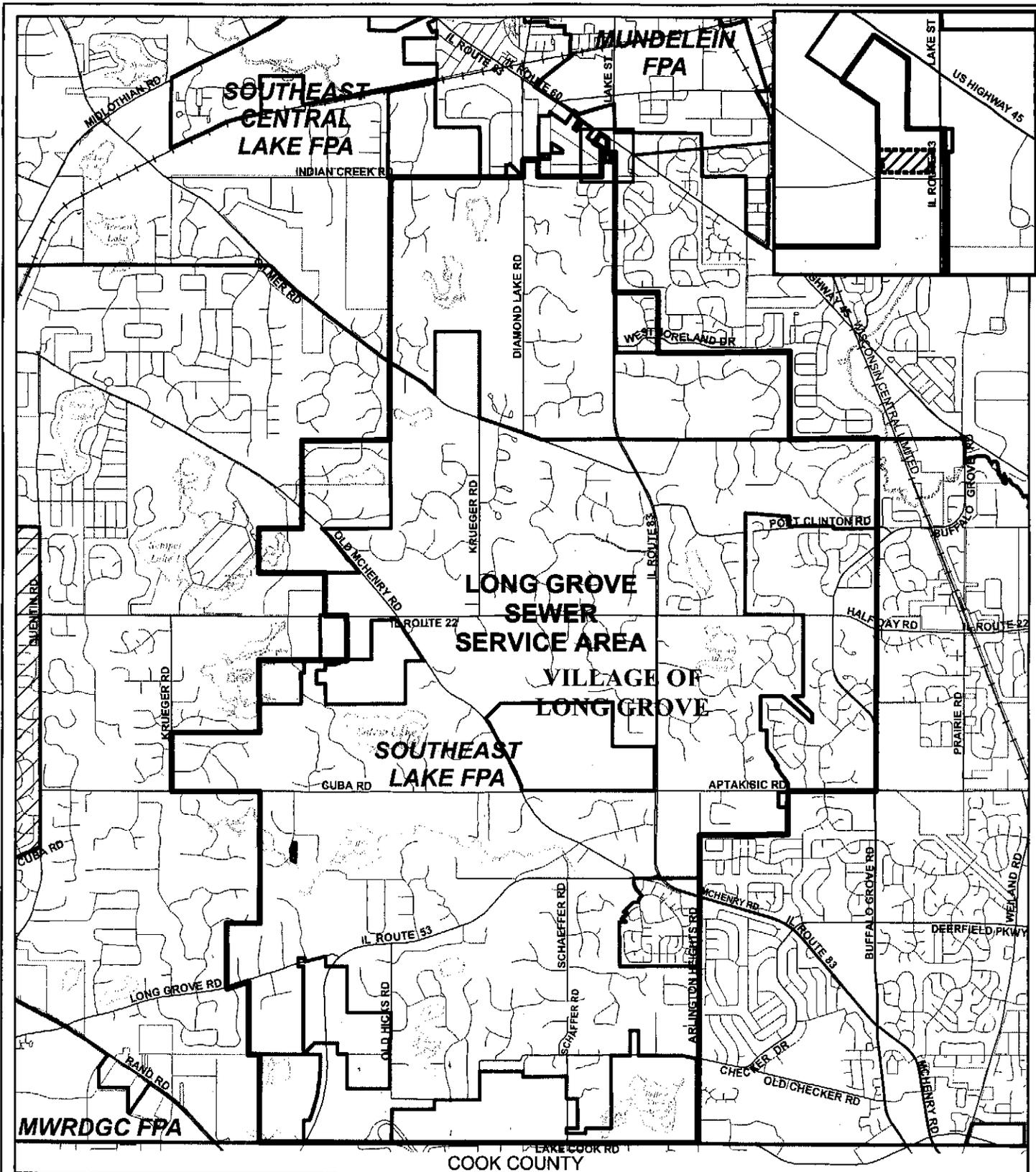
**EXHIBIT A**

**LEGAL DESCRIPTION OF THE PROPERTY**

LOT 35 IN FRED AND RUSSELL TOWNER'S SUBDIVISION, BEING A SUBDIVISION OF PART OF THE NORTHWEST QUARTER OF SECTION 6, TOWNSHIP 43 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MAY 21, 1951, AS DOCUMENT 727954 IN BLOCK 1045 OF RECORDS, PAGE 269, IN LAKE COUNTY ILLINOIS.

Commonly known as: 7107 Osage Lane, Long Grove, Illinois, 60047.

PIN: 15-06-103-031




**Lake County**  
 Department of Public Works  
 650 West Winchester Road  
 Libertyville, Illinois 60048  
 (847) 377-7500  
 (847) 377-7173 FAX

**Exhibit B**  
**Long Grove Sewer**  
**Service Area**  
**(As Amended)**

-  Property to be added to the Long Grove Sewer Service Area
-  Long Grove Sewer Service Area
-  Long Grove Corporate Boundary
- Facility Planning Areas (FPAs)**
-  FPA
-  Sub-FPA
-  Other Municipalities

  
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**AUGUST 2007**