

RESOLUTION 2011-094

A RESOLUTION AMENDING RESOLUTION 2009-052 AUTHORIZING A FIRST AMENDMENT TO THE EXISTING MEMORANDUM OF AGREEMENT BETWEEN THE VILLAGE OF VERNON HILLS AND THE GRAND TRUNK CORPORATION (CANADIAN NATIONAL RAILWAY)

WHEREAS, the Canadian National Railway acquired a major portion of the EJ&E Railway on January 31, 2009; and

WHEREAS, The Village President was authorized to execute a Memorandum of Agreement between the Village of Vernon Hills and the Grand Trunk Corporation (Canadian National Railway) via Resolution 2009-052 on March 18, 2009 which outlines mitigation measures and conditions of obligation related to existing train traffic and changes in train traffic as a result of the CN/EJ&E transaction; and

WHEREAS, the attached First Amendment to Memorandum of Agreement outlines a replacement to Section III of the original Memorandum of Agreement stating:

"GTC will provide funds in an amount not to exceed eighty thousand (\$80,000) dollars, to the Village for the purpose of installing and maintaining landscaping, and appropriate related projects, so long as the installation by the Village shall be on private property, located adjacent to, but not on, railroad property (west side of tracks) along a portion of Plymouth Farms Road for separation between the CN line and/or the EJ&EW and adjacent residential properties to the west. As required by GTC, Vernon Hills shall allow GTC unrestricted vehicular access to the railroad's switch location serving the business located in the north-east quadrant of Butterfield Road and Plymouth Farms Road, at the eastern terminus of Plymouth Farms Road.

NOW THEREFORE, BE IT RESOLVED BY THE VILLAGE PRESIDENT AND THE BOARD OF TRUSTEES OF THE VILLAGE OF VERNON HILLS, LAKE COUNTY, ILLINOIS:

THAT, the Village President is authorized to execute a First Amendment to the Memorandum of Agreement between the Village of Vernon Hills and the Grand Trunk Corporation (Canadian National Railway) dated June 7, 2011.

IN TESTIMONY WHEREOF,

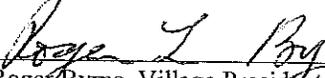
Dated the 7th of June, 2011

Adopted by roll call vote as follows:

AYES: 4 – Marquardt, Schultz, Hebda, Byrne

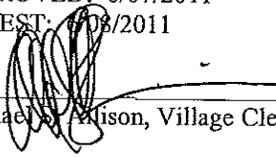
NAYS: 0 - None

ABSENT AND NOT VOTING: 3 – Koch, Schwartz, Williams



Roger Byrne, Village President

PASSED: 6/07/2011
APPROVED: 6/07/2011
ATTEST: 6/08/2011



Michael J. Wilson, Village Clerk

