

Memo

To: President McLaughlin
From: Robert Kosin
cc: Board of Trustees
Date: October 21, 2016
Re: South Barrington IGA

The Villages of Barrington Hills and South Barrington have an intergovernmental boundary agreement (Res 00-13) of which the most recent version was adopted in 2000. Over the years the Villages have discussed and reviewed land use trends that adjoin their respective boundaries including the unincorporated area. Agreements (IGA) expire after twenty years. However they can be renewed and terms may be added.

It is being recommended at this time to begin the process of reviewing the existing agreement for renewing or amending in the near future.

**RESOLUTION AUTHORIZING THE EXECUTION OF
AN AMENDED AND RESTATED JURISDICTIONAL BOUNDARY AGREEMENT
WITH SOUTH BARRINGTON**

WHEREAS, the Village of Barrington Hills (the "Village") and the Village of South Barrington, ("South Barrington") are currently parties to a Jurisdictional Boundary Agreement dated as of July 19, 1978 (the "Original Agreement") and are desirous of entering into an Amended and Restated Jurisdictional Boundary Agreement (the "Agreement") to reflect the disconnection of a certain portion of the Village known as "Klehm Nursery" and the annexation thereof to South Barrington; and

WHEREAS, the Village and South Barrington are authorized to enter into the Agreement pursuant to 65 ILCS 5/11-12-9, and by the power granted to them by Article VII, Section 10 of the Constitution of the State of Illinois, 1970; and

WHEREAS, there has been the presentation and examination of the Agreement between the Village and South Barrington to the Village Board of Trustees on June 26, 2000, as well as discussions with the Village Attorney.

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

Section One The Village President is hereby authorized to execute the Agreement, substantially on the terms set forth in the copy attached hereto and made a part hereof as Exhibit A with such modifications as may be deemed necessary or desirable by the Village President and the Village Attorney.

Section Two If any part or provision of this Resolution shall be held or deemed to be invalid, such invalidity shall not have the affect of rendering another part or provision of this Resolution invalid.

Section Three This Resolution shall be in full force and affect from and after its passage and approval as provided by law.

APPROVED THIS 26th day of June, 2000.

AYES: 7; NAYS: 0; ABSENT: 0.

ATTEST:

Grace Wytman
Village Clerk
164396.1

James A. Kempe
Village President

ORDINANCE NO. 2000 - 607

**AN ORDINANCE TO APPROVE AND AUTHORIZE
THE EXECUTION OF AN AMENDED AND RESTATED
JURISDICTIONAL BOUNDARY AGREEMENT
BETWEEN
THE VILLAGE OF BARRINGTON HILLS
AND THE VILLAGE OF SOUTH BARRINGTON**

WHEREAS, the Village of Barrington Hills, a Home Rule municipality (hereinafter referred to as "Barrington Hills") and the Village of South Barrington, a Home Rule municipality (hereinafter referred to as the "South Barrington") have entered into a Jurisdictional Boundary Agreement dated July 19, 1978; and

WHEREAS, Barrington Hills has requested that South Barrington amend the Jurisdictional Boundary Agreement dated July 19, 1978; and

WHEREAS, Barrington Hills and South Barrington have the authority pursuant to the 1970 Illinois Constitution (Art. VII Sec. 10) and the Illinois Compiled Statutes (5/ILCS 220/1-220/8) to enter into such intergovernmental agreements; and

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of South Barrington, Cook County, Illinois:

SECTION 1: That the foregoing preambles are hereby incorporated in this Ordinance as findings of the Village.

SECTION 2: That the Village President is hereby authorized to execute and the Village Clerk is hereby authorized to attest the Amended and Restated Jurisdictional Boundary Agreement, a copy of which is attached hereto as Exhibit "A" and made a part hereof.

SECTION 3: That the Village President and Village staff are authorized to take all steps necessary to effectuate the terms and provisions of the Amended and Restated Boundary Agreement.

VILLAGE OF SOUTH BARRINGTON

ORDINANCE NO. 2000 - 607

**AN ORDINANCE TO APPROVE AND AUTHORIZE
THE EXECUTION OF AN AMENDED AND RESTATED
JURISDICTIONAL BOUNDARY AGREEMENT
BETWEEN
THE VILLAGE OF BARRINGTON HILLS
AND THE VILLAGE OF SOUTH BARRINGTON**

ADOPTED BY THE
PRESIDENT AND BOARD OF TRUSTEES
OF THE
VILLAGE OF SOUTH BARRINGTON

THIS 29th DAY OF JUNE, 2000.

Published in pamphlet form by authority
of the President and Board of Trustees
of the Village of South Barrington, this
29th day of JUNE, 2000.

SECTION 4: That the Village Clerk is hereby authorized and directed to forward copies of this Ordinance and executed copies of the Amended and Restated Intergovernmental Boundary and Land Use Agreement to Barrington Hills within thirty (30) days of its passage.


SECTION 5: This Ordinance shall be in full force and effect upon its passage, approval and publication in accordance with law.

PASSED: This 29th day of JUNE, 2000.

APPROVED: This 29th day of JUNE, 2000.



Village President

ATTEST:


Village Clerk

AYES: 6

NAYS: 0

ABSENT: 0

PUBLISHED: June 29, 2000

Exhibit A

**AMENDED AND RESTATED
JURISDICTIONAL BOUNDARY AGREEMENT**

THIS JURISDICTIONAL BOUNDARY AGREEMENT (this "Agreement"), is made and entered into this 29th day of JUNE, 2000, by and between the Village of South Barrington, a municipal corporation of Cook County, Illinois (hereinafter called "South Barrington") and the Village of Barrington Hills, Cook, Lake, McHenry and Kane Counties, Illinois (hereinafter called "Barrington Hills"); WITNESSETH:

WHEREAS, there is unincorporated territory in Cook County lying between the village boundaries of South Barrington and Barrington Hills; and

WHEREAS, South Barrington and Barrington Hills each have duly authorized Plan Commissions, created pursuant to 65 ILCS 5/11-12-5 (the Illinois Municipal Code) and have adopted official plans pursuant thereto, including subdivision regulations; and

WHEREAS, South Barrington and Barrington Hills desire to agree upon a line which shall mark the boundary of the jurisdiction of their respective Plan Commissions and corporate authorities pursuant to the authority granted in 65 ILCS 5/11-12-9 of the Illinois Municipal Code, and as authorized to said villages as units of local government within the powers granted by Article VII, Section 10 of the Constitution of the State of Illinois, 1970; and

WHEREAS, the corporate authorities of South Barrington and Barrington Hills have given consideration to the natural flow of storm water drainage and to all tracts of land in single ownership;

NOW, THEREFORE, upon the consideration of the mutual promises herein, it is hereby agreed as follows:

1. South Barrington and Barrington Hills agree that in the unincorporated area lying between said two municipalities, the jurisdictional boundary line for municipal government planning, subdivision control, official map, ordinances, and other municipal purposes shall be as follows:

Commencing at the intersection of the East line of State Route 59 (New Sutton Road) with the North line of Section 21, Township 42 North, Range 9 East of the 3rd Principal Meridian; thence South along the East line of said State Route 59 (New Sutton Road) to the South line of the North Half of said section 21; thence West along said Half-Section line to the center line of said State Route 59; thence South along the center line of said State Route 59 (New Sutton Road) to the North line of the Northwest Tollway (Interstate 90), except for the area West of said line in Section 28 as is already incorporated into South Barrington and except for the area East of said line in Section 33 as is already incorporated into Barrington Hills, all in Barrington Township, County of Cook, State of Illinois, all as more particularly shows as Exhibit A attached hereto and made a part hereof.

2. With respect to the territory lying West of the aforesaid line South Barrington agrees, and with respect to the territory lying East of the aforesaid line Barrington Hills agrees, that it shall not annex any unincorporated territory, or any territory which may be subsequently disconnected from either of Barrington Hills or South Barrington, respectively, nor shall it exercise or attempt to exercise or enforce any subdivision control, official map or other municipal authority or ordinances, except as may be hereinafter provided in this Agreement. In addition South Barrington shall not consent or agree to the expansion of the MWRD Facilities Planning Area to any area West of the aforesaid line and shall not permit, allow or consent to the extension of any sanitary sewer or water lines serving South Barrington or any part thereof West of the aforesaid line.

3. Each municipality shall oppose any attempt to effectuate an annexation to itself which would have the effect of changing the boundaries established under this Agreement.

4. This Agreement shall not be construed so as to limit or adversely affect the right of either municipality to file with the County of Cook a statutory objection to proposed rezonings within one and one-half (1-1/2) miles of its corporate limits.

5. This Agreement shall be binding upon, and shall apply only to relations between South Barrington and Barrington Hills. Nothing herein shall be used or construed to affect, support, bind or invalidate the boundary claims of either South Barrington and Barrington Hills insofar as such claims shall affect any municipality which is not a party to this Agreement.

6. Neither South Barrington nor Barrington Hills shall either directly or indirectly seek any modification of this Agreement through court action and this Agreement shall remain in full force and effect until amended or changed by the mutual agreement of both respective corporate authorities.

7. If any provisions of this Agreement shall be declared invalid for any reason, such invalidation shall not affect other provisions of this Agreement which can be given effect without the invalid provisions and to this end the provisions of this Agreement are to be severable.

8. This Agreement shall be in full force and effect for a period of 25 years from the date hereof and for such further and additional time as the parties hereto may hereafter agree by amendment to this Agreement.

9. Upon execution of this Agreement by the corporate authorities of South Barrington and Barrington Hills, the Village Clerks of the respective municipalities shall each affix his certification of the adoption of this Agreement to one copy of the Agreement, and cause the same to be filed in the office of the Recorder of Deeds of Cook County; and each municipality will pay one-half of the recording charges.

10. This Agreement amends and restates in its entirety that certain Jurisdictional Boundary Agreement dated July 19, 1978, between Barrington Hills and South Barrington, and the provisions hereof shall supersede all of the provisions thereof.

IN WITNESS WHEREOF, the parties hereto have caused this agreement to be executed by their respective Village President, attested by their respective Village Clerks, and their corporate seals hereunto affixed, as of the day and year first above written.

VILLAGE OF SOUTH BARRINGTON

By: [Signature]

ATTEST:

[Signature]
Village Clerk

VILLAGE OF BARRINGTON HILLS

By: [Signature]

ATTEST:

[Signature]
Village Clerk