

**RESOLUTION AUTHORIZING AND APPROVING
AN INTERGOVERNMENTAL AGREEMENT ESTABLISHING THE REGIONAL
ANSWER TO CANADIAN NATIONAL**

WHEREAS, the Village of Barrington Hills (“Barrington Hills”) located in the Counties of Cook, Kane, Lake and McHenry in the State of Illinois, is a home rule municipality; and

WHEREAS, many units of local government, including Barrington Hills, share serious concerns over the potential adverse affects on the public health, safety, welfare and the environment, of the proposed acquisition and change of control of the Elgin, Joliet and Eastern Railway (“EJE”), which traverses Barrington Hills, by the Canadian National Railway Company; and

WEHREAS, such units of local government desire to enter into a cooperative Intergovernmental Agreement substantially in the form attached hereto as Exhibit A (the “Agreement”), with such changes as may be approved by the President and Village Attorney; and

WHEREAS, Section 10 of Article VII of the Constitution of the State of Illinois provides authority for the Villages to contract or otherwise associate among themselves to obtain or share services and to exercise, combine or transfer any power or function not prohibited by law or ordinance; and

WHEREAS, the Intergovernmental Cooperation Act (the “Act”) 5 ILCS 220/5 provides that local governments are authorized to perform any governmental service, activity or undertaking or to combine, transfer, or exercise any powers, functions, privileges, or authority which any of the public agencies entering into the contract is authorized by law to perform...except...where specifically and expressly prohibited by law; and

WHEREAS, the President and Board of Trustees of the Village of Barrington Hills deem it advisable, necessary, appropriate, and in the public interest and find that it would best serve the public and corporate purposes for which the Village of Barrington Hills is organized for Barrington Hills to enter into the Agreement.

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

Section 1: Recitals. The foregoing recitals are hereby incorporated into this Resolution as findings of the President and Board of Trustees.

Section 2: Authorization. Under authority vested in the President and Board of Trustees of the Village of Barrington Hills pursuant to Article VII, Section 10 of the 1970 Constitution of the State of Illinois, the Intergovernmental Cooperation Act 5 ILCS 220/1 et seq., and the ordinances of the Village of Barrington Hills, the President and Board of Trustees hereby authorize and

approve the execution of the Intergovernmental Agreement substantially in the form attached hereto and made part hereof as Exhibit A, with such changes as may be deemed advisable by the President and Village attorney.

Section 3: Execution and Delivery. The President and Village Clerk of the Village of Barrington Hills are hereby authorized and directed to execute and deliver to Barrington, the Agreement and to do all things necessary and essential, including the execution of any other documents and certificates to accomplish the agreement hereinabove authorized and set forth in the Agreement.

Section 4: Effective Date. This Resolution shall be in full force an effect from and after its approval and publication according to law.

APPROVED THIS 8th day of July, 2008

AYES: 5 NAYS: 0 ABSENT: 1 (Knoop) ABSTAIN: 1 (Schueppert)

ATTEST:


Village Clerk, Deputy
Dolores G. Trandel


Village President
Robert G. Abboud