ORDINANCE
DT-O-0026A-18

AMENDMENT TO ORDINANCE DT-O-0026-18
HIGHWAY AUTHORITY BENEFITS AGREEMENT
CH 33/75TH STREET AT 7450 S. KINGERY HIGHWAY

WHEREAS, the DuPage County Board heretofore adopted Ordinance DT-O-0026-18 on May 22, 2018, to enter into and execute a Highway Authority Benefits Agreement (hereinafter referred to as HABA); and

WHEREAS, BP PRODUCTS NORTH AMERICA INC. (hereinafter referred to as APPLICANT) has requested that the HABA be amended to address comments it received from the Illinois Environmental Protection Agency (hereinafter referred to as IEPA); and

WHEREAS, since APPLICANT has made said request, the County of DuPage (hereinafter referred to as COUNTY) has discussed with IEPA the changes it requested and revised the HABA based on those discussions and discussions with the APPLICANT; and

WHEREAS, the APPLICANT has agreed to and executed the attached HABA, which represents the revised document as a result of discussions with IEPA and the APPLICANT; and

WHEREAS, by entering into the attached HABA, the APPLICANT will be able to move forward with IEPA in obtaining a No Further Remediation Letter or similar, for the property that is the subject of the HABA; and

WHEREAS, the HABA approved and authorized for execution by this Ordinance supersedes in the entirety the HABA adopted under Ordinance DT-O-0026-18; and

WHEREAS, the COUNTY, by virtue of its power to contract set forth under state law and its power to enter into a Highway Authority Agreement, as set forth in 35 Ill. Adm. Code 742.1020, is authorized to enter into said HABA, as revised and attached; and

WHEREAS, it is in the best interest of the COUNTY to execute the attached HABA.

NOW, THEREFORE, BE IT ORDAINED by the County Board of DuPage County that the Clerk and Chairman of said Board be and are hereby directed and authorized to execute said HABA with the APPLICANT and any other documents, if any, related to said HABA; and

BE IT FURTHER RESOLVED that one copy of this amending ordinance and a duplicate original of the HABA be sent to the APPLICANT, by and through the DuPage County Division of Transportation.

Enacted and approved this 26th day of November, 2019 at Wheaton, Illinois.

________________________________
DANIEL J. CRONIN, CHAIRMAN
DU PAGE COUNTY BOARD
Ordinance

Attest: ________________________________

JEAN KACZMAREK, COUNTY CLERK