

RESOLUTION NO. 2004-04-008R

A RESOLUTION AUTHORIZING AN EXTENSION OF AN AGREEMENT
FOR USE OF THE RIGHT-OF-WAY

{Illinois-American Water Company}

WHEREAS, the City and Northern Illinois American Water Corporation entered into an agreement entitled "Agreement Concerning the Right of Northern American Water Corporation to Use the Public Ways of the City, Fire Protection and Related Matters" providing for a fifteen (15)-year agreement by its terms, terminating on April 30, 2004; and

WHEREAS, Illinois-American Water Company ("Water Company") is the successor to Northern Illinois Water Corporation; and

WHEREAS, the City and the Water Company have been negotiating a new Right-of-Way Agreement, and are not yet completed with the negotiations; and

WHEREAS, it is in the best interests of the City and the Water Company to continue with negotiations for a short period of time.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF URBANA, ILLINOIS, as follows:

Section 1. That the Mayor is hereby authorized to execute an agreement which extends the agreement heretofore mentioned in the preamble until August 4, 2004.

Section 2. That the Mayor is authorized to take such steps as are required to implement such extension, and to continue negotiations with Illinois-American Water Company during that period of time, unless otherwise directed by the City Council.

PASSED by the City Council this _____ day of _____,
_____.

AYES:
NAYS:
ABSTAINS:

Phyllis D. Clark, City Clerk

APPROVED by the Mayor this _____ day of _____,
_____.

Tod Satterthwaite, Mayor

AMENDMENT FOR TIME EXTENSION

WHEREAS, the City and Northern Illinois American Water Corporation entered into an agreement entitled “Agreement Concerning the Right of Northern American Water Corporation to Use the Public Ways of the City, Fire Protection and Related Matters”, providing for a fifteen (15)-year agreement by its terms, terminating on April 30, 2004; and

WHEREAS, Illinois-American Water Company (“Water Company”) is the successor to Northern Illinois Water Corporation; and

WHEREAS, the City and the Water Company have been negotiating a new Right-of-Way Agreement, and are not yet completed with the negotiations; and

WHEREAS, it is in the best interests of the City and the Water Company to continue with negotiations for a short period of time.

NOW, THEREFORE, IT IS AGREED AS FOLLOWS:

The City of Urbana (hereinafter “City”) and Illinois-American Water Company (hereinafter “Water Company”) hereby agree to amend the aforementioned 1989 Agreement to extend the term of the Agreement from April 30, 2004, to August 4, 2004. In all other respects, the Agreement shall remain in full force and effect.

CITY OF URBANA, ILLINOIS

ILLINOIS-AMERICAN WATER COMPANY

By: _____
Mayor

By: _____

ATTEST:

ATTEST:

City Clerk

APPROVED AS TO FORM:

Attorney