

FIRST AMENDMENT TO THE INTERGOVERNMENTAL AGREEMENT BETWEEN THE  
COUNTY OF DUPAGE, ILLINOIS AND THE ITASCA PARK DISTRICT GRANTING A  
PERMANENT NON-EXCLUSIVE EASEMENT FOR THE ROHLWING ROAD MULTI-USE  
PATH PROJECT

This FIRST AMENDMENT to the Intergovernmental Agreement, between the County of DuPage and the Itasca Park District, (hereinafter referred to as “FIRST AMENDMENT”), concerning the Permanent, Non-Exclusive Easement granted to the Itasca Park District for the Rohlwing Road Multi-Use Path Project, is entered into this 9<sup>th</sup> day of September, 2025, between the County of DuPage (hereinafter referred to as the “COUNTY”), a body corporate and politic, with offices at 421 North County Farm Road, Wheaton, Illinois and the Itasca Park District (hereinafter referred to as the “DISTRICT”), a body politic and corporate, with offices at 350 Irving Park Rd, Itasca, IL 60143. The COUNTY and the DISTRICT are hereinafter sometimes individually referred to as a “PARTY” or together as the “PARTIES”.

**RECITALS**

WHEREAS, the COUNTY and DISTRICT entered into an Intergovernmental Agreement, dated June 18, 2024, (hereinafter referred to as “AGREEMENT”), to grant the DISTRICT a Perpetual, Non-exclusive Easement (hereinafter “EASEMENT”) for purposes of building a multi-use path as part of the DISTRICT’s Rohlwing Road Multi-Use Path Project (hereinafter referred to as the “PROJECT”); and

WHEREAS, the aforementioned EASEMENT was thereafter recorded by the DuPage County Recorder’s Office as Document No. R2024-032121; and

WHEREAS, since the execution of the aforementioned AGREEMENT (COUNTY Resolution PW-R-0004-24) the DISTRICT has completed construction of its Multi-Use Path over and upon an area(s) of the COUNTY’s property, known as the Nordic Wastewater Treatment Plant located at 649 Rohlwing Road, Itasca, Illinois 60143, Parcel Identification Number 03-18-100-002, outside the EASEMENT Premises; and

WHEREAS, the AGREEMENT and EASEMENT must now be amended to accurately encompass the final location of the completed Multi-Use path, legally described in Amended Exhibit A, attached hereto and incorporated herein, and depicted in Amended Exhibit B, attached hereto and incorporated herein (hereinafter collectively referred to as the “Amended Easement Premises”); and

WHEREAS, the Amended Easement Premises are agreeable to both the COUNTY and DISTRICT; and

WHEREAS, the COUNTY has determined, and hereby declares, that it is necessary and convenient, and in the best interests of the COUNTY and its residents, to recoup, use, occupy, and improve those portions of the EASEMENT recorded as Document No. R2024-032121, but which are not included in the Amended Easement Premises, for public purposes; and

NOW, THEREFORE, in consideration of the premises, the mutual covenants, terms, and conditions herein set forth, the PARTIES agree the AGREEMENT is amended as follows:

1. Exhibit A and Exhibit B to the AGREEMENT is hereby replaced with the attached Amended Exhibit A and Amended Exhibit B, respectively.

All other terms and conditions of the AGREEMENT not modified herein shall remain in full force and effect.

IN WITNESS WHEREOF, the PARTIES have caused this FIRST AMENDMENT to be executed in duplicate counterparts, each of which shall be considered as an original by their duly authorized officers as of the date first above written.

**COUNTY OF DU PAGE**

**ITASCA PARK DISTRICT**

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Deborah A. Conroy, Chair  
DuPage County Board

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Maryfran Leno  
Itasca Park District

ATTEST:

ATTEST:

\_\_\_\_\_  
Jean Kaczmarek  
County Clerk

\_\_\_\_\_  
[NAME]  
Itasca Park District Clerk

