

**FOURTH AMENDMENT TO THE INTERGOVERNMENTAL AGREEMENT
AND LEASE BETWEEN THE CITY OF NAPERVILLE AND THE NAPERVILLE
PARK DISTRICT FOR THE NAPERVILLE RIVERWALK**

THIS FOURTH AMENDMENT TO THE INTERGOVERNMENTAL AGREEMENT AND LEASE BETWEEN THE CITY OF NAPERVILLE AND THE NAPERVILLE PARK DISTRICT is entered into as of _____ (hereinafter “Effective Date”) between the City of Naperville, (hereinafter referred to as the “City”), an Illinois municipal corporation and home rule unit of local government with offices at 400 South Eagle Street, Naperville, Illinois 60540, and the Naperville Park District, an Illinois unit of local government, with offices at 320 West Jackson, Naperville, Illinois 60540 (hereinafter “Park District”). The City and the Park District shall hereinafter referred to individually as “Party” or collectively as “Parties”.

RECITALS

WHEREAS, as envisioned by Section 10 of the Third Amendment to the Intergovernmental Agreement and Lease Agreement between the City of Naperville and the Naperville Park District (hereinafter “Intergovernmental Agreement”), certain improvements along the Naperville Riverwalk associated with the Water Street development (hereinafter “Water Street Riverwalk Improvements”) have been constructed; and

WHEREAS, Exhibit 1 to the Intergovernmental Agreement, as amended by the Third Amendment thereto, depicts the territory of the Riverwalk which is subject to said Agreement; and

WHEREAS, Exhibit 1 of the Intergovernmental Agreement is hereby supplemented by Addendum 1, attached hereto and made part hereof, which depicts the extension of the new boundaries southward from the middle of the DuPage River to the agreed upon maintenance boundaries of the Water Street Riverwalk Improvements maintenance area, which Addendum 1 will, at a future date, be incorporated in Exhibit 1; and

WHEREAS, operation and maintenance costs associated with said Water Street Riverwalk Improvements should be added to those amounts paid by the City to the Park District under the Intergovernmental Agreement which will increase the Annual City Contributions set forth in Sections 2.2.4 and 2.2.5 of the Intergovernmental Agreement.

NOW THEREFORE, in consideration of the premises and mutual covenants contained herein, the Parties hereby agree as follows:

SECTION 1: Sections 2.2.4 and 2.2.5 of the Intergovernmental Agreement are hereby amended as follows:

	Riverwalk	Carillon	Total
2.2.4	For calendar year 2017, the sum of \$166,345 <u>\$172,598</u>	\$126,366	\$292,711 <u>\$298,964</u>
2.2.5	For calendar year 2018, the sum of \$173,446 \$179,699	\$128,813	\$302,259 \$308,512

SECTION 2: All other terms of the Intergovernmental Agreement shall remain in full force and effect.

THE PARTIES TO THIS FOURTH AMENDMENT TO THE INTERGOVERNMENTAL AGREEMENT AND LEASE BETWEEN THE CITY OF NAPERVILLE AND THE NAPERVILLE PARK DISTRICT by their signatures acknowledge that they have read and understand this Agreement and intent to be bound by its terms.

CITY OF NAPERVILLE

NAPERVILLE PARK DISTRICT

By: _____
Steve Chirico
Mayor

By: _____
Rich Janor
President

ATTEST

ATTEST

By: _____
Pam Gallahue, Ph.D.
City Clerk

By: _____
Jacki Stern
Board Secretary

EXHIBITS

Exhibit Number

- 1 Amended Riverwalk Map
Addendum 1/ Water Street Riverwalk boundaries

- 2 Annual City Contribution Spread Sheet

- 3 Riverwalk Operation and Maintenance Guidelines

- 4 Intentionally Omitted

- 5 Naperville Riverwalk Development Guidelines (as amended from time to time. Each amendment shall be attached hereto and shall replace and supersede the previous Exhibit 5.)

- 6 The Third Amendment to the Riverwalk Intergovernmental Agreement showing revisions legislatively (without Exhibits).