

RESOLUTION NO. 24-

**A RESOLUTION APPROVING A WETLAND CREDIT AGREEMENT
WITH MILL CREEK WB, LLC FOR THE
NORTH AURORA ROAD RIGHT-OF-WAY PROJECT**

1. **WHEREAS**, the City of Naperville is the lead local agency for a project which has been undertaken by the City, the City of Aurora, and the Naperville Township, hereinafter referenced together as the “**Road Authority**”, to replace and widen the existing highway underpass at North Aurora Road at the Elgin, Joliet, & Eastern Railway Company’s Railroad crossing (the “**Project**”); and
2. **WHEREAS**, as part of the Project it is necessary to purchase wetland credits as a condition to issuance of a permit by the Illinois Department of Transportation; and
3. **WHEREAS**, Mill Creek WB, LLC owns and operates a wetland bank and has available wetland credits for sale which may be purchased for the Project subject to the terms and conditions set forth in the Wetland Credit Agreement attached hereto and made part hereof as **Exhibit A**.

NOW THEREFORE BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF NAPERVILLE, COUNTIES OF DUPAGE AND WILL, ILLINOIS, in exercise of its home rule authority, as follows:

SECTION 1: The foregoing Recitals are incorporated as though fully set forth in this Section 1.

SECTION 2: The Wetland Credit Agreement for the North Aurora Road Right-of-Way Project attached hereto as **Exhibit A** is hereby approved subject to minor technical and substantive revisions as may be approved by the City Attorney.

SECTION 3: The City Manager and City Clerk are directed to execute the Wetland Credit Agreement on behalf of the City as lead local agency for the Road Authority as provided herein.

SECTION 4: This Resolution shall be in full force and effect upon its passage and approval.

ADOPTED this _____ day of _____, 2024.

AYES:

NAYS:

ABSENT:

APPROVED this _____ day of _____, 2024.

Scott A. Wehrli
Mayor

ATTEST:

Dawn Portner
City Clerk