

**AMENDMENT TO THE INTERGOVERNMENTAL AGREEMENT  
BETWEEN THE VILLAGE OF OAK PARK AND THE BOARD OF EDUCATION  
OF OAK PARK ELEMENTARY SCHOOL DISTRICT NUMBER 97  
RELATED TO THE MADISON STREET TIF DISTRICT**

**THIS AMENDMENT** (the "Amendment") is hereby made and entered into as of the \_\_\_\_\_ day of \_\_\_\_\_, 2015, by and between the Village of Oak Park, Cook County, Illinois (the "Village") and the Board of Education of Oak Park Elementary School District No. 97, Cook County, Illinois ("District").

**RECITALS**

**WHEREAS**, the Village and the District entered into an Intergovernmental Agreement, dated January 22, 2015, ("IGA"), providing for the District's acquisition of property located at 260 Madison Street, Oak Park, Illinois, ("Property") and the construction of a new administration building for the School District ("Administration Building") at the Property; and

**WHEREAS**, Section 4.7 of the IGA provides that the Village will conduct environmental remediation of the Property; and

**WHEREAS**, the Parties are in agreement that the District may conduct further environmental remediation of the Property after ownership of the Property is conveyed to the District pursuant to Section 4.11 and that such remediation shall be reimbursable above the not to exceed amount of \$6,300,000 contained in Section 4.1 of the IGA subject to a not to exceed amount of \$100,000; and

**WHEREAS**, Section 11.4 of the IGA provides for written amendments to the IGA executed by the Parties.

**NOW, THEREFORE**, in consideration of the mutual benefits accruing to the parties hereto, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Village and the District agree as follows:

1. **Incorporation of Recitals.** The above recitals are incorporated herein and shall have the same force and effect as though fully set forth.

2. **Amendment of Section 4.7 of the IGA.** Section 4.7 of the IGA is amended by adding the underlined language to read as follows:

4.7. **Environmental Remediation.** Upon the Village's completion of the demolition of the building as set forth above, the District shall, in its sole discretion, determine if any reasonable environmental remediation is necessary of 260 Madison. The Village Shall conduct such environmental remediation of 260 Madison pursuant to the District's determination and request to be provided pursuant to notice to the

Village, which is estimated not to exceed \$500,000. In the event that the District elects to accept 260 Madison without any environmental remediation, the Village shall have no responsibility to provide any environmental remediation. The District may conduct further soil testing to minimize soil volumes that cannot be considered for disposal as "Clean Construction and Demolition Debris" as defined in 35 Ill. Adm. Code 1100.103 ("CCDD"), at the Property after the Property is conveyed to the District by the Village pursuant to Section 4.11 of this Agreement. If the District conducts such testing and disposal, the Village shall reimburse the District for the testing and the cost increase between non-special waste and CCDD for soils that cannot be considered for disposal as CCDD over and above the \$6,300,000 not to exceed amount set forth in Section 4.1 of this Agreement. The Village's reimbursement for said costs shall be subject to a not to exceed amount of \$100,000 pursuant to the distribution of TIF Funds procedures set forth in Section 5.1 of this Agreement.

3. **Other Provisions of the IGA to Remain in Effect.** All other terms and conditions of the IGA shall remain in full force and effect. In the event of a conflict between the terms and conditions of this Amendment and those of the IGA, the terms and conditions herein shall govern.

4. **Effective Date.** This Amendment to the IGA shall be effective on the date of its execution by the Village Manager of the Village of Oak Park.

**[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK-  
SIGNATURE PAGE FOLLOWS]**

**IN WITNESS WHEREOF**, the parties hereto have each caused this Amendment to be approved by their respective Boards and signed on their behalf by authorized officers ON THE dates set forth below.

**VILLAGE OF OAK PARK**

**BOARD OF EDUCATION OF OAK PARK  
ELEMENTARY SCHOOL DISTRICT  
NUMBER 97, COOK COUNTY, ILLINOIS**

\_\_\_\_\_  
By: Cara Pavlicek  
Its: Village Manager

\_\_\_\_\_  
By: Jim Gates  
Its: Board President

Date: \_\_\_\_\_

Date: \_\_\_\_\_

**ATTEST:**

**ATTEST:**

\_\_\_\_\_  
By: Teresa Powell  
Its: Village Clerk

\_\_\_\_\_  
By: Sheryl Marinier  
Its: Board Secretary

Date: \_\_\_\_\_

Date: \_\_\_\_\_