

VILLAGE OF LILY LAKE

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RESOLUTION NO. 2021-33

A Resolution Approving the Payment of an Invoice from Active Excavating & Wrecking, Inc. for Repairing a Washout on Read Road

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Be it resolved by the president and the board of trustees of the Village of Lily Lake, Kane County, Illinois that:

1. The village approves the payment of the invoice, on file in the clerk's office, for \$3015.80 from Active Excavating & Wrecking, Inc., 817 E. North Street, Elburn, IL 60119, for repairing a washout on Read Road. Payment of the invoice is subject to the following modifications:

(a) The language below the itemization box is stricken and the following is substituted: "The non-prevailing party, as determined by the court, shall pay the reasonable attorney's fees, costs and expenses incurred by the prevailing party in the enforcement of this contract."

(b) The following language is added:

"The Standard Terms and Conditions for Contracts with the Village of Lily Lake are incorporated into this invoice and made a part hereof. In the event of a conflict between any term of this invoice and the Standard Terms, the Standard Terms will prevail. The contractor's acceptance of payment constitutes the contractor's acceptance of the changes made by the resolution of the village authorizing the payment."

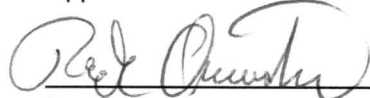
2. The clerk shall send a copy of this resolution to the contractor along with the check noting the changes made by this resolution.

Adopted by roll call vote on November 22, 2021.

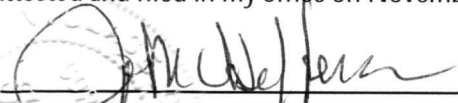
[Signature page follows.]

Trustee	Yes	No	Absent	Abstain
Conn	X			
Damisch	X			
Dell	X			
Diehl	X			
Florian	X			
Perry	X			
Overstreet				
Totals	6	0	0	0

Approved November 22, 2021.

  
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 President

Attested and filed in my office on November 22, 2021.

  
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 Clerk of the Village of Lily Lake, Kane County, Illinois