

**ORDINANCE NO. 2019-11**

**AN ORDINANCE AUTHORIZING AND APPROVING A FIVE-YEAR EXTENSION ON A LEASE FOR CERTAIN REAL PROPERTY LEASED BY THE VILLAGE OF STICKNEY FROM THE METROPOLITAN WATER RECLAMATION DISTRICT OF GREATER CHICAGO.**

**WHEREAS**, the Village of Stickney (the "Village") is a home rule municipal corporation in accordance with Article VII, Section 6(a) of the Constitution of the State of Illinois of 1970; and

**WHEREAS**, the Village has the authority to adopt ordinances and to promulgate rules and regulations that pertain to its government and affairs, and to review, interpret and amend its ordinances, rules and regulations; and

**WHEREAS**, the Village President (the "President") and the Board of Trustees of the Village (the "Board" and with the President, the "Corporate Authorities") entered into a lease agreement (the "Original Lease"), a copy of which is attached hereto as "Exhibit A", with the Metropolitan Water Reclamation District of Greater Chicago (the "MWRDGC") in or about May, 2015, which provided for the lease of approximately 63.7 acres of land located east of Ridgeland Avenue and south of 29<sup>th</sup> Street to 41<sup>st</sup> Street, including Lombard Avenue between 39<sup>th</sup> and 43<sup>rd</sup> Street, and commonly known as the Main Channel Atlas Parcels 38.01, 38.02, 38.04, 38.04, 38.06 and 38.08; and

**WHEREAS**, the Original Lease gives the Village the option to renew the Original Lease for an additional five (5) years and the Village wishes to exercise this option and extend the Lease (the "Lease Renewal"); and

**WHEREAS**, the Original Lease further provides that the Village shall file with the MWRDGC an Environmental Demised Premises Restoration/Remediation Bond in the amount of \$10,000.00, secured either by cash, an irrevocable letter of credit or a commercial bond with surety (the "Bond"); and

**WHEREAS**, the Corporate Authorities have determined that it is necessary, advisable and in the best interests of the Village and its residents to enter into the Lease Renewal and to authorize the Bond with MWRDGC; and

**WHEREAS**, the President is authorized to enter into and the Village Attorney (the "Attorney") is authorized to revise agreements for the Village making such insertions, omissions and changes as shall be approved by the President and the Attorney;

**NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF STICKNEY, COOK COUNTY, ILLINOIS, as follows:**

**SECTION 1: RECITALS.** The facts and statements contained in the preamble to this Ordinance are found to be true and correct and are hereby adopted as part of this Ordinance.

**SECTION 2: PURPOSE.** The purpose of this Ordinance is to authorize the President or his designee to enter into the Lease Renewal and to authorize the Bond with MWRDGC and to

further authorize the President or his designee to take all steps necessary to carry out the terms and intent of this Ordinance and to ratify any steps taken to effectuate those goals.

**SECTION 3: AUTHORIZATION.** The Board hereby authorizes and directs the President or his designee to authorize, enter into and approve the Lease Renewal and the issuance of the Bond in accordance with the Original Lease terms, or any modifications thereof, and to ratify any and all previous action taken to effectuate the intent of this Ordinance. The Board further authorizes and directs the President or his designee to execute any and all documents related to the Lease Renewal as shall be approved by the President and the Attorney. The Village Clerk is hereby authorized and directed to attest to and countersign, if required, the Lease Renewal and any other documentation as may be necessary to carry out and effectuate the purpose of this Ordinance. The Village Clerk is also authorized and directed to affix the Seal of the Village to such documentation as is deemed necessary. The officers, agents and/or employees of the Village shall take all action necessary or reasonably required by the Village to carry out, give effect to and consummate the purpose of this Ordinance and shall take all action necessary in conformity therewith.

**SECTION 4: HEADINGS.** The headings of the articles, sections, paragraphs and subparagraphs of this Ordinance are inserted solely for the convenience of reference and form no substantive part of this Ordinance nor should they be used in any interpretation or construction of any substantive provision of this Ordinance.

**SECTION 5: SEVERABILITY.** The provisions of this Ordinance are hereby declared to be severable and should any provision of this Ordinance be determined to be in conflict with any law, statute or regulation by a court of competent jurisdiction, said provision shall be excluded and deemed inoperative, unenforceable and as though not provided for herein and all other provisions shall remain unaffected, unimpaired, valid and in full force and effect.

**SECTION 6: SUPERSEDER.** All code provisions, ordinances, resolutions, rules and orders, or parts thereof, in conflict herewith are, to the extent of such conflict, hereby superseded.

**SECTION 7: PUBLICATION.** A full, true and complete copy of this Ordinance shall be published in pamphlet form or in a newspaper published and of general circulation within the Village as provided by the Illinois Municipal Code, as amended.

**SECTION 8: EFFECTIVE DATE.** This Ordinance shall be effective and in full force immediately upon passage and approval as provided by law.

[THIS SPACE INTENTIONALLY LEFT BLANK]

**PASSED** this \_\_\_ day of \_\_\_\_\_, 2019.

**AYES:**

**NAYS:**

**ABSENT:**

**ABSTENTION:**

**APPROVED** by me this \_\_\_ day of \_\_\_\_\_, 2019.

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**Jeff Walik, President**

**ATTESTED AND FILED** in my  
office this \_\_\_ day of  
\_\_\_\_\_, 2019.

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**Audrey McAdams, Village Clerk**

**EXHIBIT A**