

RESOLUTION NUMBER 01-20

A RESOLUTION OF THE VILLAGE OF EAST DUNDEE,
COOK AND KANE COUNTIES, ILLINOIS, ACCEPTING PUBLIC IMPROVEMENTS
RELATED TO THE 811 EAST MAIN STREET APARTMENTS DEVELOPMENT

WHEREAS, the Village of East Dundee ("Village") is a home rule unit of local government pursuant to Section 6 of Article VII of the Constitution of the State of Illinois, and has the authority to exercise any power and perform any function pertaining to its government and affairs; and

WHEREAS, the owner of 811 East Main Street ("Property") redeveloped the Property with multifamily apartment dwellings; and

WHEREAS, the redevelopment of the Property required that the Property be improved with certain public improvements, including Sanitary Sewer; and water main and

WHEREAS, it is deemed necessary and desirable for the Village to accept the public improvements related to the Property development depicted in Exhibit A attached hereto and made a part hereof ("Public Improvements"), pursuant to Village's authority to do so in Section 155.099 of the Village of East Dundee Village Code;

NOW THEREFORE BE IT RESOLVED BY THE VILLAGE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF EAST DUNDEE, COOK AND KANE COUNTIES, ILLINOIS, AS FOLLOWS:

SECTION 1: Incorporation. Each of the recitals in the Whereas paragraphs set forth above are incorporated into Section 1 of this Resolution.

SECTION 2: Acceptance. Subject to the conditions in Section 3 below, the President and Board of Trustees of the Village accept the Public Improvements. The Village President and the Village Clerk, and their designees, are authorized and directed to execute such documents as necessary to accept the Public Improvements on behalf of the Village.

SECTION 3: Conditions. The Village's acceptance of the Public Improvements is conditioned upon the following, and the Village's acceptance shall not occur until all of the following conditions have been met:

- A. A maintenance guarantee in the amount of Fifteen Percent (15%) of the value of the Public Improvements, as determined by the Village Engineer, has been posted covering fifteen (15) months from the date of acceptance of the Public Improvements by the Village.

B. A bill of sale has been given to the Village executed by the owner of the Public Improvements, in a form acceptable to the Village Attorney, conveying the Public Improvements to the Village.

C. The owner of the Property has signed an agreement, in a form approved by the Village Attorney, committing the owner of the Property to waive objections to, and to obtain waivers of objections from all necessary persons to, the creation by the Village of a dormant special service area ("SSA") for the maintenance of the Property.

D. The owner of the Property has granted the Village an easement, in a form approved by the Village Attorney, to access the Property to conduct maintenance of the Property.

E. All conditions for conveyance of the Public Improvements in the Village of East Dundee Village Code have been satisfied.

SECTION 4: Severability. If any Section, paragraph or provision of this Resolution shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such Section, paragraph or provision shall not affect any of the remaining provisions of this Resolution.

SECTION 5: Repeal. All resolutions, motions or parts thereof in conflict with this Resolution shall be and the same are hereby repealed.

SECTION 6: Publication. This Resolution shall be in full force and effect forthwith upon its adoption, approval and publication in pamphlet form as provided by law.

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ADOPTED this 13th day of January, 2020, pursuant to a roll call vote as follows:

AYES: Trustees Lynam, Selep, Mahony, Andresen and Kunze

NAYES: Ø

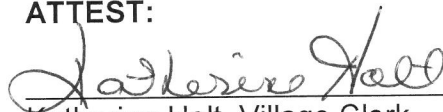
ABSENT: Trustee Wood

APPROVED by me this 13th day of January, 2020.



Lael Miller, Village President

ATTEST:



Katherine Holt, Village Clerk

Published in pamphlet form this 14th day of January, 2020, under the authority of the Village President and Board of Trustees.

Recorded in the Village records on January 14, 2020.

EXHIBIT A

PUBLIC IMPROVEMENTS

(attached)

