

RESOLUTION NO. 2019-06

**A RESOLUTION APPROVING AND AUTHORIZING EXECUTION OF
A PLAT OF EASEMENT AND EXPENDITURES OF MADISON STREET / 5TH AVENUE
TAX INCREMENT FINANCING DISTRICT FUNDS FOR OBTAINING THE EASEMENTS NECESSARY
FOR THE FIRST AVENUE WATER MAIN IMPROVEMENTS PROJECT IN MAYWOOD, ILLINOIS
(HARRISON STREET TO WASHINGTON BOULEVARD)**

WHEREAS, the President and Board of Trustees of the Village of Maywood, Illinois (the "Village") desire to grant, approve and authorize the execution of a document entitled "Plat of Easement – First Avenue Water Main Improvements Project" ("Plat of Easement") which creates the necessary easements adjacent to the west side of the First Avenue Right-of-Way to construct the following improvements in calendar year 2019: First Avenue Water Main Improvements Project (Harrison Street to Washington Boulevard) (the "First Avenue Water Main Improvements Project" or the "Project"); and

WHEREAS, the Plat of Easement showing the permanent public utility and temporary construction easements for the construction of the Project (collectively, the "Easements") is attached hereto as **Exhibit "A"** and made a part hereof; and

WHEREAS, in order to obtain the Easements from property owners on whose property the Easement shall be located, the Village plans to utilize funds from the Madison Street / 5th Avenue Tax Increment Financing District Funds ("Madison TIF District Funds"). The costs to property owners for the Easements are eligible expenses that can be paid for with Madison TIF District Funds pursuant to the applicable provisions of the Illinois Tax Increment Allocation Redevelopment Act, 65 ILCS 5/11-74.4-1 *et seq.*, as amended (the "Act"); and

WHEREAS, the payments to property owners for the Easements are not anticipated to exceed Fifty-Three Thousand and No/100 Dollars (\$53,000.00); and

WHEREAS, the Project is located entirely within the boundaries the Madison TIF District; and

WHEREAS, the President and Board of Trustees of the Village of Maywood agree to appropriate and authorize the expenditure of the above-referenced sums from the Madison TIF District Funds for the purpose of paying the costs of obtaining the Easements necessary for construction of the Project; and

WHEREAS, the Village of Maywood, a home rule Illinois municipal corporation, has the authority to approve the Plat of Easement and the expenditure of its Madison TIF District Funds for the eligible costs associated with obtaining the necessary Easements for the Project pursuant to its home rule powers and contracting authority provided by Article VII, Sections 6 and 10(a) of the Illinois Constitution of 1970, as well as the Illinois Intergovernmental Cooperation Act (5 ILCS 220/1 *et seq.*) and the Illinois Tax Increment Allocation Redevelopment Act, 65 ILCS 5/11-74.4-1 *et seq.*, and finds that approving the Plat of Easement and the expenditures necessary to obtain the Easements are in the best interests of the Village.

NOW, THEREFORE, BE IT RESOLVED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF MAYWOOD, COOK COUNTY, ILLINOIS, AS FOLLOWS:

SECTION 1: Each Whereas paragraph above is incorporated by reference into this Section 1 and made a part hereof as material and operative provisions of this Resolution.

SECTION 2: The President and Board of Trustees of the Village of Maywood approve and authorize the execution of the Plat of Easement for the benefit of the Village as part of the Village's First Avenue Water Main Improvement Project, a copy of the Plat of Easement being attached hereto as **Exhibit "A"** and made a part hereof, and authorize and direct the Village President and the Village Clerk, or their designees, to execute and deliver the Plat of Easement and all other instruments and documents that are necessary to fulfill the Village's obligations under the Plat of Easement.

SECTION 3: The President and Board of Trustees of the Village of Maywood authorize the expenditure of Madison TIF District Funds in an amount not to exceed Fifty-Three Thousand and No/100 Dollars (\$53,000.00) to pay for the Project costs of obtaining the necessary Easements provided for on the Plat of Easement attached hereto as **Exhibit "A"** and made a part hereof.

SECTION 4: The President and Board of Trustees of the Village of Maywood authorize and direct that the Village President, the Village Clerk, the Village Manager, the Village Engineer and the Village Attorney, or their designees, execute and deliver all other instruments, payments and documents that are necessary to facilitate the signatures and payments necessary to obtain the Easements.

ADOPTED this 5th day of March, 2019, pursuant to a roll call vote as follows:

AYES: Mayor Perkins, Trustee(s) H. Yarbrough, I. Brandon, A. Sanchez, K. Wellington and M. Lightford

NAYS: None

ABSENT: Trustee R. Rivers

APPROVED this 6th day of March, 2019, by the Village President of the Village of Maywood, and attested by the Village Clerk on the same day.

Edwenna Perkins, Village President

ATTEST:

Viola Mims, Village Clerk

Exhibit "A"

**PLAT OF EASEMENT FOR
THE FIRST AVENUE WATER MAIN IMPROVEMENTS PROJECT IN MAYWOOD, ILLINOIS**

(attached)

STATE OF ILLINOIS)
) SS
COUNTY OF COOK)

CLERK'S CERTIFICATE

I, Viola Mims, Clerk of the Village of Maywood, in the County of Cook and State of Illinois, certify that the attached document is a true and correct copy of that certain Resolution now on file in my Office, entitled:

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which Resolution was passed by the Board of Trustees of the Village of Maywood at a Regular Village Board Meeting on the 5th day of March, 2019, at which meeting a quorum was present, and approved by the President of the Village of Maywood on the 5th day of March, 2019.

I further certify that the vote on the question of the passage of said Resolution by the Board of Trustees of the Village of Maywood was taken by Ayes and Nays and recorded in the minutes of the Board of Trustees of the Village of Maywood, and that the result of said vote was as follows, to-wit:

AYES: Mayor Perkins, Trustee(s) H. Yarbrough, I. Brandon, A. Sanchez, K. Wellington and M. Lightford

NAYS: None

ABSENT: Trustee R. Rivers

I do further certify that the original Resolution, of which the foregoing is a true copy, is entrusted to my care for safekeeping, and that I am the lawful keeper of the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Village of Maywood, this 6th day of March, 2019.

Viola Mims, Village Clerk

[SEAL]