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VILLAGE OF MELROSE PARK
COOK COUNTY, ILLINOIS

ORDINANCE NO. 1411

AN ORDINANCE AUTHORIZING AND APPROVING THE EXECUTION OF A LOCAL AGENCY AGREEMENT FOR FEDERAL PARTICIPATION PHASE III REGARDING THE RECONSTRUCTION OF DIVISION STREET BETWEEN 25TH AVENUE TO 9TH AVENUE, FOR THE VILLAGE OF MELROSE PARK, COUNTY OF COOK, STATE OF ILLINOIS.

ADOPTED BY THE
PRESIDENT AND BOARD OF TRUSTEES
OF THE
VILLAGE OF MELROSE PARK

THIS 27TH DAY OF SEPTEMBER 2010

RONALD M. SERPICO, Village President
MARY ANN PAOLANTONIO SALEMI, Village Clerk

Board Of Trustees

CATHLEEN COSSIDENT ITALIA
ANTHONY J. PRIGNANO
ARTURO J. MOTA
MARY RAMIREZ TACONI
JAIME ANGUIANO
ANTHONY N. ABRUZZO

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Published by authority of the
President and Board of Trustees
Of the Village of Melrose Park,
Cook County, Illinois on
This 28TH day of SEPTEMBER 2010

ORDINANCE NO. 1411

AN ORDINANCE AUTHORIZING, APPROVING AND RATIFYING THE EXECUTION OF A LOCAL AGENCY AGREEMENT FOR FEDERAL PARTICIPATION REGARDING THE RECONSTRUCTION OF DIVISION STREET BETWEEN 25TH AVENUE AND 9TH AVENUE, FOR THE VILLAGE OF MELROSE PARK, COUNTY OF COOK, STATE OF ILLINOIS.

* * * * *

WHEREAS, the Village of Melrose Park, County of Cook, State of Illinois (the “Village”) is a duly organized and existing municipality and unit of local government created under the provisions of the laws of the State of Illinois, and is operating under the provisions of the Illinois Municipal Code, and all laws amendatory thereof and supplementary thereto, with full powers to enact ordinances and adopt resolutions for the benefit of the residents of the Village; and

WHEREAS, the Village President (the “President”), the Honorable Ronald M. Serpico, the Village Clerk, the Honorable Mary Ann Paolantonio Salemi, and the Board of Trustees of the Village (the “Village Board”), the Honorable Cathleen Cossident Italia, Anthony J. Prignano, Arturo J. Mota, Mary Ramirez Taconi, Jaime Anguiano and Anthony N. Abruzzo, having taken office on April 30, 2009, constitute the duly elected, qualified and acting officials of the Village; and

WHEREAS, the President and the Village Board (collectively, the “Corporate Authorities”) are committed to enhancing Division Street as a commercial corridor in the Village; and

WHEREAS, in connection with the foregoing, the Village recognizes the need to reconstruct the streetscape for a portion of Division Street located between 25th Avenue and 9th Avenue in the Village (the “Project”); and

WHEREAS, the Village also recognizes the need for supplemental federal funding to allow for the Project to be undertaken; and

WHEREAS, there exists a Local Agency Agreement for Federal Participation (the "Agreement"), attached hereto and incorporated herein as Exhibit "A," which sets forth the terms and conditions under which the Village will undertake the Project and subsequently receive funding for the Project from the Federal Government; and

WHEREAS, the Corporate Authorities find that it is advisable, necessary and in the best interests of the Village and its residents to enter into the Agreement and ratify the execution of the same; and

NOW, THEREFORE, BE IT ORDAINED by the President and the Board of Trustees of the Village of Melrose Park, County of Cook, State of Illinois, as follows:

ARTICLE I. IN GENERAL

Section 01. Incorporation Clause.

All of the recitals hereinbefore stated as contained in the preambles to this Ordinance are full, true and correct, and the Corporate Authorities do hereby, by reference, incorporate and make them part of this Ordinance as legislative findings.

Section 02. Purpose.

The purpose of this Ordinance is to authorize the President or his designee to enter into, approve and execute an agreement with terms substantially the same as the terms of the Agreement and to ratify the execution of the Agreement.

Section 03. Invocation of Authority.

This Ordinance is enacted pursuant to the authority granted to this Village by the Constitution of the State of Illinois and the Illinois Compiled Statutes.

Section 04. State Law Adopted.

All applicable provisions of the Illinois Compiled Statutes, including the Illinois Municipal Code, as may be amended from time to time, relating to the purposes of this Ordinance are hereby incorporated herein by reference.

Sections 05-09. Reserved.

**ARTICLE II.
AUTHORIZATION**

Section 10.00 Authorization.

That the Village Board hereby approves the Agreement, ratifies its execution and authorizes and directs the President or his designee to enter into, approve and execute an agreement with terms substantially the same as the terms of the Agreement, with such insertions, omissions and changes as shall be approved by the President and the Village Attorney.

That the Village Board hereby authorizes and directs the Village to undertake all steps necessary to carry out the intent of this Ordinance, including the expenditure of all necessary funds.

That the Village Clerk is hereby authorized and directed to attest to and countersign the Agreement and any such other documentation as may be necessary to carry out and effectuate the purpose of this Ordinance, and is further authorized and directed to affix the Seal of the Village to such documentation as is necessary.

That the Village Board hereby authorizes the officers, employees and/or agents of the Village to take all action necessary or reasonably required to carry out, give effect to and consummate the intent of this Ordinance and to take all action necessary in conformity therewith.

That the Village Board hereby further ratifies any and all previous action taken to effectuate the intent of this Ordinance.

Section 11.00 – Section 15.00 Reserved.

**ARTICLE III.
SAVINGS CLAUSES,
PUBLICATION, EFFECTIVE DATE**

Section 16.00 Headings.

The headings for 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 17.00 Severability.

The provisions of this Ordinance are hereby declared to be severable and should any provision, clause, sentence, paragraph, subparagraph, section or part of this Ordinance be determined to be in conflict with any law, statute or regulation by a court of competent jurisdiction, said provision, clause, sentence, paragraph, subparagraph, section or part 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. It is hereby declared to be the legislative intent of the Village Board that this Ordinance would have been adopted had not such unconstitutional or invalid provision, clause, sentence, paragraph, subparagraph, section or part thereof been included.

Section 18.00 Superseder.

All code provisions, ordinances, resolutions and orders, or parts thereof, in conflict herewith are, to the extent of such conflict, hereby superseded.

Section 19.00 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.

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Section 20.00 Effective Date.

This Ordinance shall be in full force and effect upon its passage, approval and publication, as provided by law.

On The Individual Poll And Voice Vote Of The Board Of Trustees:

AYE VOTES: Trustee Italia, Trustee Prignano, Trustee Taconi,
Trustee Anguiano, Trustee Abruzzo

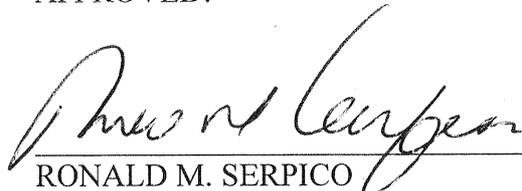
NAY VOTES:

ABSTAIN:

ABSENT: Trustee Mota

SO PASSED, ADOPTED, APPROVED AND ENACTED IN AND AT THE VILLAGE
OF MELROSE PARK, COUNTY OF COOK, STATE OF ILLINOIS, THIS TWENTY-
SEVENTH DAY OF SEPTEMBER, 2010, A.D.

APPROVED:


RONALD M. SERPICO
VILLAGE PRESIDENT

ATTEST:


Mary Ann Paolantonio Salemi
Village Clerk

(SEAL)

Recorded in the Municipal Records: September 27, 2010
Published in Pamphlet Form: September 28, 2010