

RESOLUTION NUMBER 31 - 05

A RESOLUTION AUTHORIZING THE EXECUTION OF THE LEASE AGREEMENT BETWEEN THE VILLAGE OF EAST DUNDEE AND CINGULAR WIRELESS PCS

WHEREAS, the Village of East Dundee is a home rule unit of local government under and pursuant to Section 6 of Article VII of the Constitution of the State of Illinois, has the authority to exercise any power and perform any function pertaining to its government and affairs, including but not limited to the power to regulate for the protection of the public health, safety, morals, and welfare; and

WHEREAS, it is deemed necessary and desirable for the Village of East Dundee to enter into the Option and Structure Lease Agreement for placement of an antenna atop the Prairie Lakes water tower as well as a structure at the base of the Prairie Lakes water tower for storage of equipment.

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

Section One. That the Village of East Dundee adopts and approves and the President be and he is hereby authorized and directed to sign and the Village Clerk is directed to attest to the execution of the Option and Structure Lease Agreement between the Village of East Dundee and Cingular Wireless PCS, a copy of which Option and Structure Lease Agreement is attached hereto and made a part hereof.

Section Two. 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 Three. Repeal. If any section, paragraph, clause, or provision of this Resolution shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause, or provision shall not affect any of the remaining provisions of this Resolution.

Section Four. Publication. This resolution shall be in full force and effect forthwith upon its adoption, approval and publication in pamphlet form as provided by law.

Adopted this 21st day of November, 2005, pursuant to a roll call vote as follows:

AYES: RUFFULO, VANOSTENBRIDGE, O'LEARY, GORMAN, CARLINI

NAYES: NONE

ABSENT: NONE

Approved by me this 21st day of November 2005.



JERALD BARTELS, President

Published in pamphlet form this 7th day of December 2005, under the authority of the President and Board of Trustees.

ATTEST:



NIKKI GILES, Village Clerk

Recorded in the Village Records on December 7, 2005.

