

ORDINANCE NO. 2023-21

AN ORDINANCE AUTHORIZING AND APPROVING THE ASSIGNMENT OF A REDEVELOPMENT AGREEMENT FOR 3800 CICERO AVENUE, STICKNEY, ILLINOIS FOR THE VILLAGE OF STICKNEY, COUNTY OF COOK, STATE OF ILLINOIS

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, 3800 South Cicero, LLC (the “Developer”) is the owner of certain real property generally located 3800 Cicero Avenue, Stickney, Illinois (the “Property”); and

WHEREAS, previously, the Village President (the “President”) and the Board of Trustees of the Village (the “Board” and with the President, the “Corporate Authorities”) entered into an agreement with the Developer regarding the redevelopment of the Property (the “Redevelopment Agreement”), incorporated herein by reference; and

WHEREAS, the Corporate Authorities approved Resolution 06-2020 approving the Redevelopment Agreement; and

WHEREAS, the Developer desires to assign its rights, interests and obligations under the Redevelopment Agreement and has provided the Village with an agreement (the “Agreement”), a copy of which is attached hereto and incorporated herein as Exhibit A, which governs the terms and conditions under which the Developer shall assign its rights, interests and obligations under the Redevelopment Agreement; 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; and

WHEREAS, the Corporate Authorities hereby find that it is necessary for conducting Village business and the effective administration of government that the Village authorize the Developer to assign its rights, interests and obligations under the Redevelopment Agreement pursuant to the terms of the Agreement; and

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 serve as written consent for the assignment of the Redevelopment Agreement, to authorize the Agreement whereby the Developer may assign its rights, interests and obligations in the Redevelopment Agreement and to further authorize the President or his designee to take all steps necessary to carry out the terms of the Agreement, execute any related documentation, and to ratify any steps taken to effectuate those goals.

SECTION 3: AUTHORIZATION. That the Village Board hereby consents to the assignment of the Redevelopment Agreement in accordance with the Agreement, authorizes and directs the President or his designee to execute any additional documentation related to said assignment, and ratifies any and all previous action taken to effectuate the intent of this Ordinance. The Village Clerk is hereby authorized and directed to attest to and countersign any documentation that 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 terms of this Ordinance do not require the Village to execute, enter into or approve the Agreement or any modified version of the Agreement with covenants, conditions or terms that are not in the best interests of the Village.

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.

PASSED this 5th day of December, 2023.

AYES: Trustee Savopoulos, Milenkovic, Torres, Kapolnek & Hrejsa

NAYS: None

ABSENT: Trustee White

ABSTENTION: None

APPROVED by me this 5th day of December, 2023.

Jeff Walik, President

**ATTESTED AND FILED in my
office this 5th day of December, 2023.**

Audrey McAdams, Village Clerk

EXHIBIT A