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ORDINANCE APPROVING THREE-PARTY AGREEMENT AMONG THE VILLAGE, THE FOREST PRESERVE DISTRICT OF COOK COUNTY AND ORCHARD HILL BUILDING COMPANY

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WHEREAS, negotiations have taken place among the Village, Orchard Hill Building Company ("Orchard Hill") and the Forest Preserve District of Cook County ("FPD") resulting in an Agreement in a form substantially as set forth as attached hereto; and

WHEREAS, Orchard Hill is the owner of two vacant tracts, together known as the "Orchard Hill Sale Property", one tract containing 32.10 acres and known as Tampier West, and one tract containing 20 acres, being a portion of Brittany Glen West both being legally described on Exhibit A to the attached Agreement, and Orchard Hill desires to sell the Orchard Hill Sale Property to the FPD according to the terms of the Agreement; and

WHEREAS, the "FPD" is implementing the Tampier Woods Greenway Connection Project (the "FPD Project") and has determined that the acquisition of the Orchard Hill Sale Property is necessary and convenient thereto, and has authorized its acquisition according to the terms of the Agreement; and

WHEREAS, Orchard Hill wishes to develop that portion of the Brittany Glen West development tract not included in the Orchard Hill Sale Property (the "BGW Remainder"), legally described on Exhibit B to the attached Agreement, and wishes to annex said property into the Village to accommodate its development; and

WHEREAS, the Village wishes to annex the BGW Remainder in order to accommodate its development, and Orland Park wishes to facilitate the acquisition of the Orchard Hill Sale Property by the FPD for the operation of the FPD Project, according to the terms of the Agreement; and

WHEREAS, Orchard Hill is the owner of 10.9 acres of land (the "Tampier South Wetland"), legally described on Exhibit C to the attached Agreement, and 3 acres of land (the "Orland Park Property"), legally described on Exhibit D to the attached Agreement, which it will convey to Orland Park, and Orland Park wishes to donate said property to the FPD, and the FPD is authorized to accept ownership of said property for use in accordance with its corporate purposes, as part of the Agreement; and

WHEREAS, the Village, Orland Hill and the FPD contemplate the granting of additional properties, easements, licenses, rights, releases, and considerations, to facilitate the implementation of the FPD Project, and the annexation and development of the BGW Remainder, all as fully described herein as part of the attached Agreement.

NOW, THEREFORE, BE IT ORDAINED by the Village President and Board of Trustees of the Village of Orland Park, Cook and Will Counties, Illinois, as follows:

SECTION 1:

The Agreement, substantially as set forth in the attachment to this Ordinance is hereby approved.

SECTION 2:

The Village President and Village Clerk are hereby authorized and directed to sign all deeds, easements and licenses referenced in said Agreement on behalf of the Village as well as all other related documents necessary to accomplish the purposes set forth in the attached Agreement, except for the Annexation Agreement with respect to the Brittany Glen West property which will be the subject of further Board action relative thereto.

SECTION 3:

This Ordinance shall become effective immediately upon its adoption and approval as provided by law.