

ORDINANCE NO. _____

AN ORDINANCE OF THE VILLAGE OF ORLAND PARK, COOK AND WILL COUNTIES, ILLINOIS, AMENDING CERTAIN PROVISIONS OF THE LONG TERM WATER SALE, PURCHASE AND SERVICE AGREEMENT BY AND AMONG THE VILLAGE OF OAK LAWN, COOK COUNTY, ILLINOIS, AND OTHER MUNICIPALITIES, AND AUTHORIZING THE EXECUTION AND DELIVERY OF SAID AMENDMENT.

WHEREAS, the Village of Orland Park, Cook and Will Counties, Illinois (the “*Village*”) on the 2nd day of December, 2013, and on the 16th day of June, 2014, adopted Ordinance No. 4861 and Ordinance No. 4906, respectively (the “*Ordinances*”), authorizing the execution and delivery of a “Water Sale, Purchase and Service Agreement Between the Village of Oak Lawn, Illinois and Certain of Its Municipal Customers,” dated August 1, 2014 (the “*Agreement*”);

WHEREAS, the President and Board of Trustees of the Village (the “*Corporate Authorities*”) have determined and do hereby determine that that it is necessary and in the best interests of the Village that certain provisions of the Agreement be amended and that such Amendment and said Agreement so amended be authorized to be executed and delivered as herein provided; and

WHEREAS, the form of the First Amendment to the Water Sale, Purchase and Service Agreement between the Village and the Southwest System Customers (the “*Southwest System First Amendment*”) has been presented to the Corporate Authorities and is attached hereto as *Attachment A*:

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF ORLAND PARK, COOK AND WILL COUNTIES, ILLINOIS, AS FOLLOWS:

Section 1. Incorporation of Preambles. The findings and determinations set forth in the preambles to this Ordinance are hereby made findings and determinations of the Corporate Authorities of the Village and are incorporated into the body of this Ordinance by reference.

Section 2. Ratification, Approval and Incorporation of Amendment. The Agreement as approved by the Ordinances is hereby ratified, confirmed and approved, subject to the Southwest System First Amendment as hereby approved (the “*Amended Southwest System Agreement*”). The Village is authorized pursuant to this Ordinance to be bound by the terms and conditions of the Southwest System First Amendment. The Southwest System First Amendment and the Agreement shall be read together as one document. The Village Clerk is hereby authorized to replace the provisions of the Agreement with the amendments as approved herein.

Section 3. Execution. By this Ordinance, the President of the Village is hereby authorized and directed to execute and deliver and the Village Clerk is hereby authorized to attest and seal the Southwest System First Amendment and the Amended Southwest System Agreement.

Section 4. Publication. A full, true and complete copy of this Ordinance shall be published within ten days after passage in pamphlet form by authority of the Corporate Authorities.

Section 5. Severability; Superseder. If any section, paragraph, clause or provision of this Ordinance shall be held invalid, the invalidity of such section, paragraph, clause or provision shall not affect any of the other provisions of this Ordinance. All ordinances, resolutions and orders, or parts thereof, in conflict with this Ordinance are hereby superseded to the extent of such conflict and as further provided in the Agreement as Amended.

Section 6. Effective Date. This Ordinance shall be in full force and effect immediately upon its passage, approval and publication.

AYES: _____

NAYS: _____

ABSENT: _____

ADOPTED: October 5, 2020

APPROVED: October 5, 2020

President

Recorded in Village Records: October ____, 2020.

Published in pamphlet form by authority of the President and Board of Trustees of the Village of Orland Park, Cook and Will Counties, Illinois at __: __.m. on October __, 2020.

ATTEST:

Village Clerk

ATTACHMENT 1
SOUTHWEST SYSTEM FIRST AMENDMENT