

ORDINANCE 2019-24

AN ORDINANCE APPROVING THE FIRST AMENDMENT TO A WATER TOWER OCCUPANCY LEASE AGREEMENT ON THE MUNICIPAL WATER TANKS AND TOWERS LOCATED AT “1111 GROVE ROAD, PECATONICA”, AND “105 W. 5th Street, PECATONICA” TO COMPUTER DYNAMICS OF NWIL, L.L.C. FOR THE PURPOSE OF PROVIDING WIRELESS INTERNET SERVICE

WHEREAS, the Village of Pecatonica, Illinois, (“Village”) is title holder to certain real estate located within the Village limits, commonly known as “1111 Grove Road, Pecatonica”, and “105 W. 5th Street, Pecatonica”, and on said real estate has constructed and maintained water towers and tanks for the public benefit of the citizens of the Village; and

WHEREAS, Computer Dynamics of NWIL, L.L.C. (“Computer Dynamics”) is an Illinois limited liability company in good standing and has warranted that it has the authority to lease real estate and personal property from a unit of local government pursuant; and

WHEREAS, the Village and Computer Dynamics (“Parties”) previously entered into a Water Tower Occupancy Lease Agreement (“Agreement”); and

WHEREAS, the Parties mutually wish to amend the Agreement.

NOW, WHEREFORE, BE IT ORDAINED by the President and Board of Trustees for the Village of Pecatonica, Illinois, as follows:

Section 1. That pursuant to the powers provided by 65 ILCS 5/11-76-1 et seq., the Village of Pecatonica does hereby lease a part of the property located at “1111 Grove Road, Pecatonica, Illinois”, as described in the “First Amendment to the Water Tower Occupancy Lease”, a true and accurate copy of which is attached hereto as **Exhibit “A”** and incorporated herein by reference, pursuant to the terms and conditions stated therein.

Section 2. That upon receiving the aforementioned First Amendment to the Water Tower Occupancy Lease executed by the Computer Dynamics, the Village President is hereby authorized to execute said lease and any and all other documents that are required to effectuate the terms thereof.

Section 3. This Ordinance shall be in full force and effect from and after its approval, passage, and publication in pamphlet form.

PASSED by the Village Board this ____ day of November, 2019.

APPROVED by the President of the Village Board this ____ day of November, 2019.

WILLIAM SMULL, Village President
Village of Pecatonica, Illinois

ATTEST:

Gwenn Shirley, Village Clerk

Ayes:____ Nays:____ Absent:____