

CITY OF OGLESBY

ORDINANCE NO. 1065-052019

AN ORDINANCE AUTHORIZING THE EXECUTION OF AN
OPTION AND LAND LEASE AGREEMENT BETWEEN THE CITY OF OGLESBY
AND NEW CINGULAR WIRELESS PCS, LLC

ADOPTED BY THE CITY COUNCIL OF
THE CITY OF OGLESBY
THIS 20th DAY OF MAY, 2019

Published in pamphlet form by authority of the City Council of the City of Oglesby, LaSalle County, Illinois, this 20th day of May, 2019.

STATE OF ILLINOIS)
) SS.
COUNTY OF LASALLE)

I, Stacie Mertes, certify that I am the duly elected and acting municipal clerk of the City of Oglesby, LaSalle County, Illinois. I further certify that on the 20th day of May, 2019, the corporate authorities of the above municipality passed and approved Ordinance No. 1065-052019 entitled "An Ordinance Authorizing the Execution of an Option and Land Lease Agreement Between the City of Oglesby and New Cingular Wireless PCS, LLC" which provided by its terms that it should be published in pamphlet form.

The pamphlet form of Ordinance No. 1065-052019, including the ordinance and cover sheet thereof, was prepared and a copy of such ordinance was posted in the municipal building, commencing on the 20th day of May, 2019, and continuing for at least ten days thereafter. Copies of the ordinance were also available for public inspection upon request in the office of the municipal clerk.

Dated in Oglesby, Illinois, this 20th, day of May, 2019.

Municipal Clerk

(SEAL)

ORDINANCE NO. 1065-05219

AN ORDINANCE AUTHORIZING THE EXECUTION OF AN
OPTION AND LAND LEASE AGREEMENT BETWEEN THE CITY OF OGLESBY
AND NEW CINGULAR WIRELESS PCS, LLC

WHEREAS, the City of Oglesby desires to enter into a land lease agreement with New Cingular Wireless PCS, LLC (hereinafter "Cingular Wireless") in the form and substance as set forth in Exhibit A attached to this ordinance and incorporated by reference as if set out in full herein; and

WHEREAS, Section 11-75-1 of the Illinois Municipal Code (65 ILCS 5/11-75-1) authorizes the City of Oglesby to lease property owned by the municipality; and

WHEREAS, the corporate authorities of the City of Oglesby deem it to be in the best interest of the public health, safety and welfare of the citizens of the City of Oglesby to enter into the Option and Lease Agreement with Cingular Wireless whereby the City will lease certain property not otherwise needed by the City of Oglesby for other municipal purposes to Cingular Wireless.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Commissioners of the City of Oglesby, LaSalle County, Illinois as follows:

1. The recitals contained in the preamble to this ordinance are incorporated by reference as if set out in full herein.

2. The City of Oglesby hereby agrees to enter into an Option and Lease Agreement in the form and substance as set forth in Exhibit A, attached hereto and incorporated by reference as if set out in full herein, with New Cingular Wireless PCS, LLC.

3. The Agreement of the City of Oglesby to enter into the Option and Land Lease Agreement with Cingular Wireless is contingent upon Cingular Wireless receiving authorization from the City of Oglesby for a special use permit to construct a cell tower on the property which is the subject matter of the Option and Lease Agreement.

4. The Mayor of the City of Oglesby and the City Clerk of the City of Oglesby are authorized to sign all documents relating to the Option and Land Lease Agreement on behalf of the City of Oglesby.

5. This ordinance will be in full force and affect from and after its passage, approval and publication in pamphlet form as provided by law.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Oglesby, LaSalle County, Illinois, this 20th day of May, A.D., 2019, by an aye and nay roll call vote as follows:

THOMAS ARGUBRIGHT	_____	AYE;	_____	NAY;	_____	ABSENT;	_____	PASS
JAMES CULLINAN	_____	AYE;	_____	NAY;	_____	ABSENT;	_____	PASS
JASON CURRAN	_____	AYE;	_____	NAY;	_____	ABSENT;	_____	PASS
CARRIE LIJEWSKI	_____	AYE;	_____	NAY;	_____	ABSENT;	_____	PASS
DOMINIC RIVARA	_____	AYE;	_____	NAY;	_____	ABSENT;	_____	PASS

APPROVED:

Dominic Rivara, Mayor

City Clerk