
THE VILLAGE OF BLOOMINGDALE

DUPAGE COUNTY, ILLINOIS

ORDINANCE

NUMBER 2023-27

**AN ORDINANCE APPROVING A
THIRD AMENDMENT TO AN ANNEXATION AGREEMENT
(KAMMES TRUCK REPAIR – 501 WEST ARMY TRAIL
ROAD)**

FRANCO A. COLADIPIETRO, Mayor
PAMELA HAGER, Village Clerk

VINCE ACKERMAN
WILLIAM BELMONTE
BILL BOLEN
FRANK BUCARO
PATRICK SHANNON
JUDI VON HUBEN

Village Board

Published in pamphlet form by authority of the
President and the Board of Trustees of the Village of Bloomingdale
on this the 22nd day of May 2023

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**AN ORDINANCE APPROVING A
THIRD AMENDMENT TO AN ANNEXATION AGREEMENT
(KAMMES TRUCK REPAIR – 501 WEST ARMY TRAIL ROAD)**

WHEREAS, the Village of Bloomingdale (hereinafter referred to as “Village”) is a Home Rule unit of local government with authority granted pursuant to the Illinois Constitution of 1970, to exercise certain powers and perform certain functions pertaining to its local government and affairs;

WHEREAS, the Illinois Constitution of 1970 provides that the Village President and Board of Trustees (collectively, the “Corporate Authorities”) of a Home Rule Unit may exercise any power and perform any function pertaining to its government and affairs, including but not limited to the power to regulate for the protection of the public health, safety, morals and welfare; to license, to tax; and to incur debt;

WHEREAS, the Village and Ronald R. Kammes, as Trustee of the Ronald R. Kammes, Sr. Living Trust dated February 19, 2003, and Sharon I. Kammes, as Trustee of the Sharon I. Kammes Living Trust dated February 19, 2003 (collectively, "Kammes"), desire to enter into that certain Third Amendment to An Annexation Agreement (“Third Amendment”) attached hereto and incorporated herein as Exhibit A that would extend for ten years duration to and including March 12, 2035 regarding that certain real property legally described in Exhibit B, attached hereto;

WHEREAS, the Third Amendment is made pursuant to, and in accordance with, the provisions of 65 ILCS 5/11-15.1 through 11-15.1-5 of the Illinois Municipal Code;

WHEREAS, the Board of Trustees find that the granting of the requested approval of the Third Amendment will have no detrimental impact on the health, safety or welfare of the public in general and further finds that entering into the Third Amendment would be in the best interest of the Village.

NOW, THEREFORE, BE IT ORDAINED, in open meeting assembled, by the Village President and Board of Trustees of the Village of Bloomingdale, DuPage County, Illinois, pursuant to the Village’s Home Rule Powers, as follows:

Section One - Recitals

The Corporate Authorities hereby find that all of the recitals hereinbefore stated as contained in the preamble to the ordinance are full, true and correct and do hereby, by reference, incorporate and make them part of this ordinance as legislative findings.

Section Two – Execution of Agreement

The Village President and the Village Clerk shall be, and are hereby, authorized and directed to execute and attest, respectively, the Third Amendment between the Village and Kammes, substantially in the form attached as Exhibit A to this Ordinance, following its execution and delivery by Kammes, as provided in Section Three of this Ordinance.

Section Three -- Penalty

Any person violating the terms and conditions of this Ordinance shall, following prior notice thereof by the Village to such offending person and such opportunity to correct such violation(s) as the Village may determine appropriate, be subject to a penalty not exceeding \$1,000.00, with each and every day that such violation of this Ordinance is allowed to remain in effect being deemed a complete and separate offense. In addition, the appropriate authorities of the Village may take such other actions they deem proper to enforce the terms and conditions of this Ordinance, including, without limitation, an action in equity to compel compliance with its terms. Any person violating the terms of this Ordinance shall be subject, in addition to the foregoing penalties, to the payment of court costs and reasonable attorneys' fees of the Village.

Section Four -- Effective Date

This Ordinance shall be in full force and effect upon its passage and approval and publication, as provided by law; provided, however, that in the event that an executed copy of the Amendment is not delivered by Kammes to the Village Clerk within 60 days of the date of passage of this Ordinance, the Village Board shall have the right, in its sole discretion, to declare this Ordinance null and void and of no force or effect.

Section Five - Recording

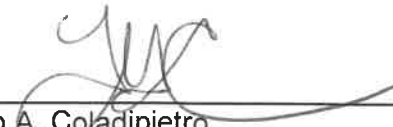
This ordinance shall be entered into the minutes and upon the journals of the Board of Trustees of the Village of Bloomingdale.

[Remainder of Page Intentionally Left Blank; Roll Call to Follow]

DECIDED pursuant to a roll call vote as follows:


	YES	NO	ABSENT	PRESENT
Vince Ackerman	X			
William Belmonte	X			
Bill Bolen (via phone)	X			
Frank Bucaro	X			
Patrick Shannon	X			
Judi Von Huben	X			
Franco A. Coladipietro (only if necessary)			X	
TOTAL	6	0	1	

PASSED AND APPROVED by the Village of Bloomingdale Board of Trustees on the 22nd day of May 2023.



Franco A. Coladipietro
Village President

ATTEST:



Pamela S. Hager
Village Clerk