
THE VILLAGE OF BLOOMINGDALE
DUPAGE COUNTY, ILLINOIS

RESOLUTION

NUMBER 2021-R-13

**A RESOLUTION APROVING AND AUTHORIZING
THE EXECUTION OF A 2ND AMENDMENT TO EXTEND THE
NON-EXCLUSIVE LICENSE AGREEMENT BETWEEN THE
VILLAGE OF BLOOMINGDALE AND T-MOBILE CENTRAL LLC.
WINSTON LANE WATER TOWER, SITE CH24771A**

Franco A. Coladipietro, Mayor

Pamela S. 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 28th day of June, 2021

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EXCLUSIVE LICENSE AGREEMENT BETWEEN THE VILLAGE OF
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WINSTON LANE WATER TOWER, SITE CH24771A**

WHEREAS, the Village of Bloomingdale 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 Village of Bloomingdale (hereinafter referred to as “Village”) upon approval of the corporate authorities may enter into an Agreement with another party pursuant to Illinois Statute;

WHEREAS, the Village is a home rule unit of local government under Article VII, Section 6 of the 1970 Illinois Constitution and, except as limited by such Section, it may exercise any power and perform any function pertaining to its government and affairs; and

WHEREAS, T-Mobile Central LLC, a Delaware limited liability company (“Licensee”), and the Village entered into a Non-Exclusive License Agreement on, October 28, 2002 as amended by a 1st Amendment on September 25, 2012 (collectively, the “Agreement”) with respect to the real property located at, 236 Winston Lane, Bloomingdale, IL. Site No. CH24771A, and

WHEREAS, the Agreement is due to expire on December 5, 2022, and

WHEREAS, this 2nd Amendment extends the terms of the Agreement by five (5) years, with up to three (3) additional terms of five (5) years, for a total of twenty (20) years.

NOW, THEREFORE, BE IT RESOLVED by the Village President and Board of Trustees of the Village of Bloomingdale, DuPage County, Illinois pursuant to the Village of Bloomingdale’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 this Resolution are full, true and correct and do hereby, by reference, incorporate and make them part of this Resolution as legislative findings.

Section Two – Approval of Agreements

The Village hereby approves the 2nd Amendment to the Agreement substantially in the form attached hereto and made a part hereof collectively as Exhibit A.

Section Three – Authorization and Direction

The Village President is hereby authorized to execute, and the Village Clerk is hereby authorized to attest the 2nd Amendment to the Agreement, substantially in the form of such agreement attached hereto as Exhibit A, with such changes therein as shall be approved by the Village Attorney and the officials of the Village executing the same, their execution thereof to constitute exclusive evidence of their approval to any and all changes or revisions therein from and after the execution and delivery of such Agreement.

Section Four - Other Actions Authorized

The officers, employees and/or agents of the Village shall take all actions necessary or reasonably required to carry out and give effect to the intent of this Resolution and otherwise to consummate the transactions contemplated herein, and shall take all actions necessary in conformity therewith including, without limitation, the execution and delivery of all documents required to be delivered in connection with the transaction contemplated herein.

Section Five - Authorization of Expenditures

The Corporate Authorities hereby authorize and direct the expenditure of all costs related to the execution of the Agreement, additionally, the Village is authorized and directed to allocate and spend all necessary funds to fulfill the requirements of the Agreement and of this Resolution.

Section Seven - Acts of Village Officials

That all past, present and future acts and doings of the officials of the Village that are in conformity with the purpose and intent of this Resolution are hereby, in all respects, ratified, approved, authorized and confirmed.

Section Eight – Effective Date

This Resolution shall be in full force and effect from and after its passage, approval and publication as provided by law.

Section Nine - Publication

This Resolution shall be published in book or pamphlet form as provided by the Illinois Municipal Code.

Section Ten – Conflict Clause

All Resolutions in conflict herewith are hereby repealed to the extent of such conflict.

Section Eleven – Saving Clause

If any section, paragraph, clause or provision of this Resolution is declared by a court of law to be invalid or unconstitutional, the invalidity or unconstitutionality thereof shall not affect the validity of any other provisions of this Resolution, which are hereby declared to be separable.

Section Twelve – Recording

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

DECIDED pursuant to a roll call vote as follows:

	YES	NO	ABSENT	PRESENT
Vince Ackerman	X			
William Belmonte	X			
Bill Bolen	X			
Frank Bucaro	X			
Patrick Shannon			X	
Judi Von Huben	X			
Franco A. Coladipietro (only if necessary)				
TOTAL	5	0	1	

PASSED AND APPROVED by the Village of Bloomingdale Board of Trustees on the 28th day of June, 2021.



Franco A. Coladipietro, Village President

ATTEST:



Pamela S. Hager, Village Clerk

Exhibit A

2nd Amendment to Non-Exclude License Agreement