
THE CITY OF ROCHELLE
Ogle County, Illinois

RESOLUTION
NO. _____

**A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE
AGREEMENTS WITH THE PROGRESSIVE PARK ROCHELLE LLC FOR THE
PURCHASE OF TWO UTILITY EASEMENTS**

JOHN BEARROWS, Mayor
SUE MESSER, City Clerk

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BIL HAYES
KATE SHAW-DICKEY
DAN McDERMOTT
JOHN GRUBEN
ROSAELIA ARTEAGA
City Council

Published in pamphlet form by authority of the Mayor and City Council of the City of Rochelle
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200 W. Adams, Suite 2125 Chicago, IL 60606

CITY OF ROCHELLE
Ogle County, Illinois

RESOLUTION NO. ____

**A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE
AGREEMENTS WITH THE PROGRESSIVE PARK ROCHELLE LLC FOR THE
PURCHASE OF TWO UTILITY EASEMENTS**

WHEREAS, Section 7 of Article VII of the 1970 Constitution of the State of Illinois provides that a municipality that is not a home rule unit shall only have the powers granted to them by law and as such the City of Rochelle (“City”), Ogle County, Illinois being a non-home rule unit pursuant to the provisions of said Section 7 of Article VII, and may exercise only the powers expressly granted by law; and

WHEREAS, the Illinois General Assembly granted non-home rule municipalities broad authority to “pass all ordinances and make all rules and regulations proper or necessary, to carry into effect the powers granted to municipalities.” 65 ILCS 5/1-2-1; and

WHEREAS, the City of Rochelle owns and operates an electrical distribution utility through the Rochelle Municipal Utilities (“RMU”), one of the City’s departments;

WHEREAS, the RMU has plans and needs to construct a new substation in the southern area of the City’s corporate limits to accommodate the RMU’s commercial and industrial customer; and

WHEREAS, staff and the City Manager have negotiated the purchase of two utility easements from Progressive Park Rochelle LLC for \$13,333.33, which will be needed for the new underground electrical distribution feeder to 1600 Ritchie Court; and

WHEREAS, it has been determined by the Corporate Authorities of the City of Rochelle that it is in the best interest of the City and its residents to enter into and execute the two agreements for the purchase of easements from Progressive Park Rochelle, LLC; and

**BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF
ROCHELLE, ILLINOIS:**

SECTION ONE: That the City hereby incorporates all of the recitals above into this Resolution as if fully set forth herein.

SECTION TWO: The Mayor and City Council of the City of Rochelle authorize the City Manager to execute enter into and execute the agreement for the purchase of two easements from Progressive Park Rochelle, LLC, in a form substantially similar to Exhibit 1 and 2 attached hereto, subject to review and revision by the City Attorney.

SECTION THREE: If any provision of this Resolution or application thereof to any person or circumstance is ruled unconstitutional or otherwise invalid, such invalidity shall not affect other provisions or applications of this resolution that can be given effect without the invalid application or provision, and each invalid provision or invalid application of this Resolution is severable.

SECTION FOUR: Where the conditions imposed by any provisions of this Resolution are more restrictive than comparable provisions imposed elsewhere in any other local law, resolution, resolution, rule or regulation, the regulations of this Resolution will govern.

SECTION FIVE: The City Clerk shall publish this Resolution in pamphlet form.

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

PASSED THIS 24th day of May, 2021.

AYES:

NAYS:

ABSENT:

APPROVED THIS 24th day of May, 2021.

MAYOR

ATTEST:

CITY CLERK

STATE OF ILLINOIS)
)
COUNTY OF OGLE) SS.

CERTIFICATE

I, _____, City Clerk of the City of Rochelle, County of Ogle and State of Illinois, DO HEREBY CERTIFY that the foregoing is a true and correct copy of Resolution No. _____, “A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE AGREEMENTS WITH THE PROGRESSIVE PARK ROCHELLE LLC FOR THE PURCHASE OF TWO UTILITY EASEMENTS” which was adopted by the Mayor and City Council of the City of Rochelle on May 24, 2021.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the City of Rochelle this 24th day of May, 2021.

CITY CLERK