

RESOLUTION NO. ³32 - 21

A RESOLUTION APPROVING A CONSTRUCTION AND MAINTENANCE AGREEMENT FOR WESTSIDE DOG PARK

WHEREAS, the Village of Chatham (“Village”) is an Illinois Municipal Corporation existing and operating under the Illinois Municipal Code and the laws of the State of Illinois; and

WHEREAS, the Village is the owner and maintainer of Westside Park, Chatham, Illinois (“Westside Park”); and,

WHEREAS, the Village’s Comprehensive Plan for Parks, Trails and Open Spaces lists a dog park as a high priority and recommends a dog park as an improvement for Westside Park; and,

WHEREAS, Friends of the Parks wants to pay for and provide the recommended dog park at Westside Park; and,

WHEREAS, Friends of the Parks wants to publicly dedicate the dog park to the Village once construction is completed; and,

WHEREAS, the Village Board believes it to be in the best interest of the Village to enter into the Construction and Maintenance Agreement attached hereto.

NOW THEREFORE, BE IT RESOLVED by the President and Board of Trustees of the Village of Chatham, Sangamon County, Illinois, as follows:

Section 1. Recitals. The foregoing recitals shall be and are hereby incorporated into and made a part of this Resolution as if fully set forth in this Section 1.

Section 2. Authorization. The Village Board of Trustees hereby authorizes the Village to execute the Westside Dog Park Construction and Maintenance Agreement attached hereto as **Exhibit A.** The Village President and Clerk are hereby authorized to execute the Agreement and any documents necessary to complete the transactions contemplated therein on behalf of the Village.

Section 3. Effective Date. This Resolution shall be in full force and effect from and after its passage and approval.

SO RESOLVED this 27 day of July, 2021.

	YES	NO	ABSENT	PRESENT
KRISTEN CHIARO	X			
ANDREW DETMERS	X			
MEREDITH FERGUSON	X			
BRETT GERGER	X			
MATT MAU	X			
PAUL SCHERSCHEL	X			
DAVE KIMSEY				
TOTAL	6	0		

APPROVED by the President of the Village of Chatham, Illinois this 27 day of July, 2021.



 Dave Kimsey, Village President

Attest:


 Dan Holden, Village Clerk

EXHIBIT A
CONSTRUCTION AND MAINTENANCE AGREEMENT

**WESTSIDE DOG PARK CONSTRUCTION AND
MAINTENANCE AGREEMENT**

This Construction and Maintenance Agreement is made this ____ day of July, 2021, by and between Chatham Friends of the Parks, an Illinois not-for-profit corporation, ("Friends of the Park and the Village of Chatham, Illinois, an Illinois municipal corporation ("Village").

WHEREAS, the Village is the owner and maintainer of Westside Park, Chatham, Illinois ("Westside Park"); and,

WHEREAS, the Village's Comprehensive Plan for Parks, Trails and Open Spaces lists a dog park as a high priority and recommends a dog park as an improvement for Westside Park; and,

WHEREAS, Friends of the Parks wants to pay for and provide the recommended dog park at Westside Park; and,

WHEREAS, Friends of the Parks wants to publicly dedicate the dog park to the Village once construction is completed.

NOW, THEREFORE, for valuable consideration, intending to be legally bound, it is agreed as follows:

1. Friends of the Parks, at its expense, agrees to construct the dog park at Westside Park, in compliance with all legal requirements, at no cost to the Village. Friends of the Park shall indemnify, defend, and hold harmless the Village from and against all claims, liabilities, damages, or injury arising or resulting from Friends of the Park's or its agents' entry onto the park or the work performed by or at the direction of Friends of the Park pursuant to this Construction and Maintenance Agreement.

2. After the dog park is constructed, then the Village agrees to maintain the dog park and keep same in good repair at no charge to Friends of the Parks. The Village shall indemnify, defend, and hold harmless Friends of the Parks from and against all claims, liabilities, damages, or injury arising or resulting from the maintenance and repair of the dog park pursuant to this Construction and Maintenance Agreement.

3. This Construction and Maintenance Agreement, and the obligations and rights created hereby, are permanent and run with the land.

IN WITNESS WHEREOF, this Construction and Maintenance Agreement is made on this ____ day of July, 2021.

[SIGNATURES ON FOLLOWING PAGE]

Chatham Friends of the Parks,

By:

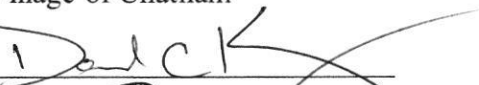
A large, stylized handwritten signature in black ink, written over a horizontal line.

Attest:

A smaller, more compact handwritten signature in black ink, written over a horizontal line.

The Village of Chatham

By:

A large, stylized handwritten signature in black ink, written over a horizontal line.

Attest:

A large, stylized handwritten signature in black ink, written over a horizontal line.

**WESTSIDE DOG PARK CONSTRUCTION AND
MAINTENANCE AGREEMENT**

This Construction and Maintenance Agreement is made this 21th day of July, 2021, by and between Chatham Friends of the Parks, an Illinois not-for-profit corporation, ("Friends of the Park and the Village of Chatham, Illinois, an Illinois municipal corporation ("Village").

WHEREAS, the Village is the owner and maintainer of Westside Park, Chatham, Illinois ("Westside Park"); and,

WHEREAS, the Village's Comprehensive Plan for Parks, Trails and Open Spaces lists a dog park as a high priority and recommends a dog park as an improvement for Westside Park; and,

WHEREAS, Friends of the Parks wants to pay for and provide the recommended dog park at Westside Park; and,

WHEREAS, Friends of the Parks wants to publicly dedicate the dog park to the Village once construction is completed.

NOW, THEREFORE, for valuable consideration, intending to be legally bound, it is agreed as follows:

1. Friends of the Parks, at its expense, agrees to construct the dog park at Westside Park, in compliance with all legal requirements, at no cost to the Village. Friends of the Park shall indemnify, defend, and hold harmless the Village from and against all claims, liabilities, damages, or injury arising or resulting from Friends of the Park's or its agents' entry onto the park or the work performed by or at the direction of Friends of the Park pursuant to this Construction and Maintenance Agreement.

2. After the dog park is constructed, then the Village agrees to maintain the dog park and keep same in good repair at no charge to Friends of the Parks. The Village shall indemnify, defend, and hold harmless Friends of the Parks from and against all claims, liabilities, damages, or injury arising or resulting from the maintenance and repair of the dog park pursuant to this Construction and Maintenance Agreement.

3. This Construction and Maintenance Agreement, and the obligations and rights created hereby, are permanent and run with the land.

IN WITNESS WHEREOF, this Construction and Maintenance Agreement is made on this ____ day of July, 2021.

[SIGNATURES ON FOLLOWING PAGE]

Chatham Friends of the Parks,
an Illinois not-for-profit corporation

West Park Changes

Description

- Small Dog Entrance
- Large Dog Entrance
- Handicap Area
- Sand Volleyball Court
- Large Ball Diamond (Dirt Infield)
- Small Ball Diamond 1 (Grass Infield)
- Small Dog Area
- Large Dog Area
- Walkway Phase 1
- Walkway Phase 2

