



LAKE COUNTY FOREST PRESERVES
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Preservation, Restoration, Education and Recreation

DATE: August 4, 2016
MEMO TO: S. Michael Rummel, Chair
Finance and Administrative Committee
FROM: James E. Ballowe
Director of Facilities

Agenda Item# 9.2

RECOMMENDATION: Recommend adoption of an Ordinance to Amend the Lake County Farm Heritage Association License Agreement, extending the term of the Agreement through November 14, 2017.

STRATEGIC DIRECTION SUPPORTED: Organizational Sustainability.

FINANCIAL DATA: The District will receive an annual License Fee of \$3,000.00.

BACKGROUND: For the past seven years, the Lake County Farm Heritage Association has had an agreement with the District to store farm equipment at Prairie Stream Forest Preserve. Upon the expiration of the initial three year Agreement, the Farm Heritage Association was given a five-year renewal and extension of the previous Agreement under the same financial terms as allowed by the original Agreement.

With the decision made by the Finance Committee during the Facilities Assessment presentations to discontinue License Agreements for certain District facilities, including Prairie Stream, the Lake County Farm Heritage Association has requested one additional year be added to their existing license to allow time for the removal of the large quantity of farm equipment stored at the facility.

The Lake County Farm Heritage Association has had a good working relationship with the District for many years. They are an active partner in preparing and presenting the annual Farm Heritage Show at Lakewood each year.

REVIEW BY OTHERS: Executive Director, Chief Operations Officer, Director of Finance and Corporate Counsel.

PRESENTER: James E. Ballowe

STATE OF ILLINOIS)
) SS
COUNTY OF LAKE)

**BOARD OF COMMISSIONERS
LAKE COUNTY FOREST PRESERVE DISTRICT
REGULAR AUGUST MEETING
AUGUST 9, 2016**

MADAM PRESIDENT AND MEMBERS OF THE BOARD OF COMMISSIONERS:

Your **FINANCE AND ADMINISTRATIVE COMMITTEE** presents herewith "An Ordinance Amending the Lake County Farm Heritage Association License Agreement" and requests its adoption.

FINANCE AND ADMINISTRATIVE COMMITTEE:

Date: 8/4/2016 Roll Call Vote: Ayes: _____ Nays: _____
 Voice Vote Majority Ayes; Nays: 0

**LAKE COUNTY FOREST PRESERVE DISTRICT
LAKE COUNTY, ILLINOIS**

**AN ORDINANCE APPROVING AN AMENDMENT TO THE LICENSE AGREEMENT
WITH THE LAKE COUNTY FARM HERITAGE ASSOCIATION**

WHEREAS, the Lake County Forest Preserve District (the "District") has entered into a license agreement (the "License Agreement") with the Lake County Farm Heritage Association (the "Licensee") to use certain property owned by the District at Prairie Stream Forest Preserve (the "Property") for farm equipment storage; and

WHEREAS, pursuant to Section 7b of the Downstate Forest Preserve District Act, 70 ILCS 805/7b, the District is authorized to issue licenses for any activity reasonably connected with the purposes for which the District was created; and

WHEREAS, the use of the Property for equipment storage facilitates the District's annual Farm Heritage Show at Lakewood Forest Preserve and therefore is reasonably connected with the purposes for which the District was created; and

WHEREAS, it is in the best interests of the District, to approve an amendment to the License Agreement with Licensee in substantially the form attached hereto as Exhibit A to extend the term of the License Agreement by one year (the "Amendment");

NOW, THEREFORE, BE IT ORDAINED by the Board of Commissioners of the Lake County Forest Preserve District, Lake County, Illinois, **THAT**:

Section 1: Recitals. The recitals set forth above are incorporated as a part of this Ordinance by this reference.

Section 2: Approval of Amendment. The Amendment is hereby approved in substantially the form attached hereto. The Executive Director and Secretary are hereby authorized and directed to execute and attest to the Amendment.

Section 3: Effective Date. This Ordinance shall be in full force and effect from and after its passage and approval in the manner provided by law.

PASSED this ____ day of _____, 2016.

AYES:

NAYS:

APPROVED this ____ day of _____, 2016.

Ann B. Maine, President
Lake County Forest Preserve District

ATTEST:

Julie Gragnani, Secretary
Lake County Forest Preserve District

Exhibit No. _____

**SECOND AMENDMENT TO
LAKE COUNTY FOREST PRESERVE DISTRICT
FARM BUILDING LICENSE AGREEMENT**

This Amendment is made as of the 9th day of August, 2016, by and between the **LAKE COUNTY FOREST PRESERVE DISTRICT**, an Illinois unit of local government and a political subdivision, organized and existing under the Downstate Forest Preserve District Act, 70 ILCS 805/0.01 *et seq.*, with its principal office located at 1899 West Winchester Road, Libertyville, Illinois 60048-1199 (the "District"), and **Lake County Farm Heritage Association** ("Licensee").

NOW, THEREFORE, in consideration of the recitals and the mutual covenants and agreements set forth below, the parties do hereby agree as follows:

SECTION 1. RECITALS.

- A. On November 15, 2008, the parties entered into that certain "Farm Building License Agreement" (the "Agreement").
- B. On April 12, 2012, the parties amended the Agreement and extended the term of the Agreement through November 14, 2016.
- C. The Parties desire to amend the Agreement once more by extending the term of the Agreement through November 14, 2017.

SECTION 2. AMENDMENT.

Section 2.A of the Agreement is hereby deleted in its entirety and replaced with the following new Section 2.A. (deletions are shown in ~~strike-through~~ and additions are shown in double underline:

- A. District hereby grants to Licensee and Licensee hereby accepts from District a license for the use of the Licensed Premises beginning November 15, 2008 and ending November 14, 2016~~17~~.

All terms, conditions, and provisions of the Agreement not amended by this Amendment will remain in full force and effect.

IN WITNESS WHEREOF the parties have caused this Amendment to be executed, effective as of, and retroactive to, the date first written above.

WITNESS:

LICENSEE:

By: _____

ATTEST:

By: _____

Its: Secretary

LAKE COUNTY FOREST PRESERVE DISTRICT

By: _____

Its: President