

ORDINANCE NO. 2023-1024-2

ORDINANCE DECLARING CERTAIN PARK DISTRICT PERSONAL PROPERTY AS SURPLUS AND AUTHORIZING DISPOSAL

WHEREAS, the Oakbrook Terrace Park District has authority pursuant to 70 ILCS 1205/8-22 to sell or donate personal property when three-fifths of the Board of Park Commissioners determines that the property is no longer necessary; and

WHEREAS, the Board of Park Commissioners has determined that it is in the Park District's best interest to sell or donate the personal property identified below.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF PARK COMMISSIONERS OF THE OAKBROOK TERRACE COMMUNITY PARK DISTRICT, DU PAGE COUNTY, ILLINOIS, AS FOLLOWS:

SECTION ONE: The Park District hereby finds that the personal property identified on Exhibit A attached hereto and made a part hereof is no longer necessary, useful to or for the best interests of the Park District.

SECTION TWO: The identified personal property shall be destroyed because it is no longer usable and is unable to be repaired. The property is disposed of "AS IS." In particular, **THE SELLER MAKES NO WARRANTIES OR REPRESENTATIONS EXPRESSED OR IMPLIED ABOUT THE PERFORMANCE ABILITY OF THE SUBJECT PROPERTY, ABOUT ITS PRESENT STATE OF REPAIR, ABOUT ITS CONDITION OR MAINTENANCE, ITS MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE.** The person receiving said property may take the property only upon execution of an "indemnification and hold harmless agreement" in substantially the same form as Exhibit B.

SECTION THREE: The Ordinance shall be in full force and effect upon its adoption and shall supersede any ordinance or motions or parts of resolutions or motions in conflict with any part herein and any such ordinances or motions or parts of ordinances are hereby repealed to the extent of the conflict.

SECTION FOUR: If any section, paragraph or provision of this ordinance shall be held invalid or unenforceable for any reason, such invalidity or unenforceability shall not affect any of the remaining provisions of this Ordinance.

PASSED THIS 24th day of October 2023

AYES: Commissioner Jow, Commissioner Rispens, Commissioner Rispens,
NAYS: N/A Commissioner Sweitzer

ABSENT: Susan Lugo

APPROVED THIS 24th day of October 2023

ATTEST:

Vicki Rispens
Vicki Rispens, Treasurer
Board of Park Commissioners
Oakbrook Terrace Community Park District

Roger Sweitzer
Roger Sweitzer, President
Board of Park Commissioners
Oakbrook Terrace Community Park District

EXHIBIT A

Administration

F-450 Dump Truck (pictures attached)

***THIS PROPERTY IS BEING DISPOSED OF, AS APPROPRIATE. IT IS
DEEMED INOPERABLE AND UNABLE TO BE REPAIRED.***

**THE ABOVE DESCRIBED PROPERTY IS ACCEPTED "AS IS". THE SELLER MAKES NO WARRANTIES
OR REPRESENTATIONS EITHER EXPRESSED OR IMPLIED ABOUT THE PERFORMANCE ABILITY OF
THE PROPERTY, ITS PRESENT STATE OF REPAIR, ITS CONDITIONS OR MAINTENANCE, ITS
MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE.**





