

**RESOLUTION 99- 08**

**A RESOLUTION AUTHORIZING SIGNATURES OF THE VILLAGE  
MANAGER AND VILLAGE CLERK ON AN AGREEMENT AUTHORIZING  
THE REIMBURSEMENT OF FUNDS FOR A DOWNTOWN RETAIL BUSINESS  
GRANT FOR THE PROPERTY LOCATED AT 20 W. ST. CHARLES ROAD**

WHEREAS, the Village is an agent for disbursement of funds for the Downtown Downtown Retail Business Grant Program under the authority granted by the Village Board and will provide monetary grants to qualified property owners in the Lombard Downtown Tax Increment Financing (TIF) District and the Lombard St. Charles TIF 1 West District to increase the economic viability of Downtown Lombard by attracting targeted retail businesses and assisting existing businesses (hereinafter referred to as the “Program”); and,

WHEREAS, Visal Kheam (hereinafter referred to collectively as “Owner”), wish to participate in the Program for renovation of the tenant space located at 20 W. St. Charles Road, Lombard, Illinois as Dutch Liquors (hereinafter referred to as the “Project”); and,

WHEREAS, the Project will complement and support the Village’s plans to maintain a quality Downtown;

NOW, THEREFORE, BE IT RESOLVED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF LOMBARD, DUPAGE COUNTY, ILLINOIS, as follows:

**SECTION 1:** That the Village shall provide Owner with a grant in an amount not to exceed \$20,000 pursuant to the Program (hereinafter referred to as the “Grant”). Such Grant shall be available to Owner upon the authorization of the Village’s Director of Community Development, after receipt of satisfactory evidence that the Project has been completed and Owner has paid all invoices for labor and materials in connection therewith.

**SECTION 2:** The Owner agrees that the Project will be performed in accordance with the submitted application, attached as Exhibit "A" and made a part hereof.

**SECTION 3:** The Owner will comply with the following/taking the following actions in connection with the Project:

- a. Comply with all regulations and standards of the Program and all applicable building codes of the Village.
- b. Take all reasonable action to assure completion of the Project within six (6) months from the date of execution of this Agreement. Failure to complete the Project within six (6) months from the date of the adoption of this Ordinance shall result in forfeiture of the Grant.
- c. Allow inspection of the Project by authorized employees of the Village to assure compliance with federal, state, and local regulations related to the Grant, as well as compliance with applicable building codes of the Village.
- d. Maintain the financial records that pertain to the Project, and allow access thereto by authorized employees of the Village. At a minimum, all contracts, change order, bills, invoices, receipts, cancelled checks and partial and final waivers of liens shall be maintained and made available to the authorized employees of the Village.
- e. Submit copies of all final waivers of lien, cancelled checks and invoices related to the Project to the Department of Community Development.

**SECTION 4:** The Owner agrees to maintain the business at 20 W. St. Charles Road in accordance with all Village codes and ordinances and agrees not to substantially change the use of the interior space of the building for which this Grant was received for a period of not less than three (3) years from the date of this Agreement.

**SECTION 5:** The Owner agrees that this Agreement may be duly recorded against the property located at 20 W. St. Charles Road to serve notice upon future purchasers, assigns, estate representatives, successors, mortgages, and all other interested persons of the conditions outlined in this Agreement.

**SECTION 6:** The Village may suspend or terminate this Agreement if the Owner fails to comply with any of the terms of this Agreement. In the event of

suspension or termination, the Business Owner shall be required to repay any amount of the grant disbursed.

**SECTION 7:** That the Village Manager be and hereby is authorized to sign on behalf of the Village of Lombard said document as attached hereto.

**SECTION 8:** That the Village Clerk be and hereby is authorized to attest said agreement as attached hereto.

Adopted this 17<sup>th</sup> day of April, 2008.

Ayes: Trustees Gron, Tross, O'Brien, Moreau, Fitzpatrick and Soderstrom

Nays: None

Absent: None

Approved this 17<sup>th</sup> day of April, 2008.

  
William J. Mueller, Village President

ATTEST:

  
Brigitte O'Brien, Village Clerk