

**WHEATON PARK DISTRICT  
ORDINANCE NO. 2020-02**

**AN ORDINANCE APPROVING THE TERMS AND AUTHORIZING THE EXECUTION OF THE FIRST AMENDMENT TO FUNDING AND REIMBURSEMENT AGREEMENT FOR THE CONSTRUCTION OF PHASE II OF A SENSORY GARDEN AND PLAYGROUND BETWEEN THE WHEATON PARK DISTRICT AND PLAY FOR ALL PLAYGROUND AND GARDEN FOUNDATION**

WHEREAS, Play For All Playground and Garden Foundation ("Play for All") and the Wheaton Park District ("Park District") are parties to an agreement entitled "Funding and Reimbursement Agreement for the Construction of Phase II of a Sensory Garden And Playground Between the Wheaton Park District And Play For All Playground and Garden Foundation" dated April 17, 2019 ("Agreement"); and

WHEREAS, Play for All and the Park District wish to amend the Agreement to modify the Construction Fee, as that term is defined in Section 1 of the Agreement; and

WHEREAS, Play for All and the Park District have determined that it is in their respective best interests to amend the Agreement on the terms and subject to the conditions set forth in the First Amendment to Funding and Reimbursement Agreement for the Construction of Phase II of a Sensory Garden and Playground Between the Wheaton Park District and Play For All Playground and Garden ("Amendment").

NOW, THEREFORE, IT IS HEREBY ORDAINED by the Board of Park Commissioners of the Wheaton Park District, DuPage County, Illinois as follows:

1. The foregoing preambles to this Ordinance are hereby determined to be true and correct and are hereby incorporated in and made part of this Ordinance.
2. The form, terms and provisions of the proposed Amendment as presented to the Park District's Board of Park Commissioners ("Park Board") at this meeting are hereby in all respects approved as provided herein.
3. The President and Secretary of the Park Board, or his or her designee, are hereby authorized and directed to execute and deliver the Amendment, in the name and on behalf of the Park District, and to take all such other actions and steps and execute all such further documents as said President and Secretary, or his or her designee, deem necessary or appropriate to carry out the terms and conditions of the Amendment and to effectuate its purpose.

15 April

Adopted this 18<sup>th</sup> day of ~~March~~, 2020 by roll call vote of the members of the Board of Park Commissioners as follows:

Roll Call:

Ayes: Fahey, Frey, Hodgkinson, Kelly, Morrill, Vires, Mee

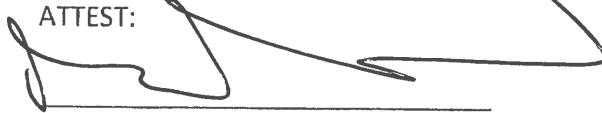
Nays: Ø

Absent: Ø

Abstain: Ø



President, Board of Park  
Commissioners

ATTEST: 

Secretary, Board of Park Commissioners