ORDINANCE NO. 73-/

AN ORDINANCE AUTHORIZING CANCELLATION OF A CONTRACT WITH GEORGE LINDSEY

WHEREAS, George Lindsey, a contractor, submitted a bid to the Village of Chatham for certain work in connection with the Walnut Street Water Main Improvement Project, which bid was accepted by the village, and a contract was entered into between the contractor and the village; and,

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WHEREAS, because of certain unforseen difficulties which have since arisen both the contractor and the village deem it to be to their respective best interests that such contract be cancelled and set aside;

Therefore, Be It Ordained by the President and Board of Trustees of the Village of Chatham, Illinois:

Section 1. The president of the Board of Trustees is hereby authorized on behalf of the Village of Chatham to sign a release, releasing the contractor, George Lindsey, from all liability under the terms of a certain bid proposal and contract executed by George Linds by for the performance of certain work on the Walnut Street Water Main Improvement Project.

<u>Section 2.</u> Such release by the village shall be issued only if the contractor executes a release in favor of the village releasing the village of all liability to him or anyone claiming under him by virtue of said bid proposal and contract.

Section 3. Upon the execution of such release by the contractor the village officers having custody or possession of a performance bond, or cash

deposit made by the contractor are hereby authorized to release and return such bond or deposit to the contractor.

PASSED AND APPROVED, ______, 1973.

Auf Jose President

ATTEST:

<u>alline Branham</u> Village Clerk

RELEASE

IN CONSIDERATION of the execution of an ordinance by the Board of Trustees of the Village of Chatham, Illinois, authorizing the release of the undersigned from all liability accruing by virtue of a bid proposal and contract entered into by the undersigned with said village, and the return to the undersigned of his bid bond or cash deposit, the undersigned does hereby release the Village of Chatham, Illinois, from any and all liability, claims and demands which the undersigned has had, now has, or hereafter can or may assert by virtue of the terms of a certain bid proposal and contract between the undersigned and the Village of Chatham for the project known as the Walnut Street Water Main Improvement

Project.

DATED: March 15, 1973.

Steared F Jenday

STATE OFILLINOIS ()) ()) SS SANGAMON COUNTY ()

I, <u>Manuland Bunham</u>, a notary public, hereby certify that George Lindsey, who is personally known to me to be the same person who signed the foregoing release appeared before me this day in person and acknowledged that he signed same as his free and voluntary act for the uses and purposes therein set forth, this 15 day of March , 1973.

<u>Heraldine Brankan</u> Notary Public

STATE OF ILLINOIS SS SANGAMON COUNTY)

GEORGE LINDSEY, under oath says that he is the contractor under the terms of a certain bid proposal and contract let by the Village of Chatham, Illinois, for the Walnut Street Water Main Improvement Project.

For the purpose of inducing the Village of Chatham to execute a release in his favor releasing him from all liability under said bid proposal and contract, and returning his bid bond or cash deposit, affiant states that the names and addresses of all persons furnishing any labor, as employees of his or otherwise on said project, and the names and addresses of all persons, firms or corporations supplying any materials for use on said project are set forth below, and in the absence of any such names and addresses specifically noted below, there were no persons furnishing labor, or furnishing materials for said project except as follows:

<u>Slearch F And Europ</u> George Lindsey

I, <u>Mulline Bunkam</u>, a notary public, hereby certify that George Lindsey, who is personally known to me to be the same person whose name is subscribed to the foregoing affidavit appeared before me this day in person and acknowledged that he signed said instrument as his free and voluntary

act on this 1.5 day of March, 1973.

Sualdine Branham Notary Public