VEHICLE DONATION AGREEMENT

THIS AGREEMENT is entered into this ___ day of __________, 2019 by and between the City of Evanston (hereinafter, "City"), an Illinois municipal corporation, 2100 Ridge Avenue, Evanston, Illinois 60201 and Village of Lincolnwood, an Illinois municipal corporation (hereinafter, "Village"). The City and the Village will be collectively referred to herein as the “Parties.”

RECITALS

WHEREAS, the City and the Village are each member of the North Regional Major Crime Task Force ("NORTAF"), formed for the purpose of providing a task force system of mutual aid among its municipal members for the investigation of major crimes and serious vehicle accidents; and

WHEREAS, the City is the owner of that certain 2005 International 4300 with Medtec Box Ambulance ("Vehicle"), described in greater detail in Section 1 of this Agreement; and

WHEREAS, the City desires to donate the Vehicle to the Village for use by the NORTAF Major Crash Assistance Team ("MCAT") pursuant to the terms and conditions contained herein; and

WHEREAS, Lincolnwood desires to accept full ownership of the Vehicle from the City for the use and benefit of MCAT operations, which provides assistance in fatal or potentially fatal traffic crashes in 13 communities, including Evanston; and

NOW, THEREFORE, the City and the Village, in consideration of the mutual covenants set forth below, hereby agree as follows; having first found the foregoing recitals as fact:

AGREEMENT

1. DONATION: The City agrees to transfer all rights of ownership to the Vehicle listed below to the Village (the "Donation"). The City will deliver the Vehicle to the Village free and clear of any liens, claims or other encumbrances of any type. The City will furnish a signed, sworn and notarized Certificate of Title, attached hereto and incorporated herein as Exhibit "1", to the Village, certifying that the Donation is free of liens, claims, and other encumbrances. This Section will survive termination of this Agreement.
Vehicle Year: 2005     Vehicle Make: International
Vehicle Model: 4300 SBA LP     Vehicle Color: Red
Vehicle Identification Number ("VIN"): 1HTMNAAMX5H162403
Vehicle Mileage: 90,518     Vehicle Value: $5,000

2. DONATION PURPOSE: The Parties understand and agree that the Village will make the Vehicle available for general use by NORTAF MCAT in accordance with NORTAF policies. Further, the Vehicle will be maintained in accordance with NORTAF policies for as long as it will be reasonable to do so.

3. ACCEPTANCE. The Village agrees to accept ownership of the Vehicle in as “as-is” condition. All warranties of quality, fitness, and merchantability are hereby excluded.

4. NOTICE. Notices under this Agreement are to be in writing and directed to:

   City of Evanston: Village of Lincolnwood:
   Attn: City Manager’s Office Attn: Lincolnwood Chief of Police
   2100 Ridge Avenue 6900 N. Lincoln Avenue
   Evanston, Illinois 60201 Lincolnwood, IL 60712

   With a copy to:
   Law Department
   City of Evanston
   2100 Ridge Avenue
   Evanston, Illinois 60201

5. APPLICABLE LAW. The law of Illinois, including its conflicts of law provisions, shall apply to interpretation and enforcement of this Agreement. Venue shall be within Cook County, Illinois. The parties waive trial by jury.

6. SEVERABILITY. In the event any provision(s) of this Agreement are found by a court of competent jurisdiction to be in violation of applicable law, provision(s) unaffected thereby shall be in effect.

7. ENTIRE AGREEMENT. This document represents the entire Agreement between the City and the Village. Any and all prior agreements, undertakings written and oral, are hereby superseded. This Agreement, and the terms, provisions, promises, covenants and conditions herein, shall be binding upon and shall inure to the benefit of the Parties hereto and their respective heirs, legal representatives, successors and assigns.
IN WITNESS HEREOF, the Parties have caused this agreement to be executed and the Effective Date will be the date that the City executes the Agreement ("Effective Date").

Lincolnwood:
By: __________________________
Print Name: ____________________
Date: _________________________

City of Evanston:
By: Wally Bobkiewicz
Print Name: Wally Bobkiewicz
Date: 4-29-19

Approved as to form
Michelle L. Masoncup
Corporation Counsel
Exhibit 1

Certificate of Title