

RESOLUTION CONDEMNING THE ACTION TAKEN BY ROAD MATERIALS CORPORATION IN THE MATTER OF MELVIN J. THOMPSON, ET AL., vs. MARY NAGEL, ET AL., and ROAD MATERIALS CORPORATION vs. MELVIN J. THOMPSON, ET AL; FILED IN THE CIRCUIT COURT OF KANE COUNTY -

WHEREAS on the <sup>14th</sup> ~~8th~~ day of <sup>July</sup> ~~May~~, 1961, the Village President and Board of Trustees of the Village of Barrington Hills met at a special meeting and resolved to protest the rezoning of certain property, then owned by Mary Nagel, for the purpose of permitting Road Materials Corporation to operate thereon a gravel pit and aggregate mixing plants; and

WHEREAS said Village of Barrington Hills, by the action of both its President and Board of Trustees, did protest and object to the rezoning of said real estate; and

WHEREAS said real estate was purportedly rezoned by the Village of East Dundee; and

WHEREAS, the President and Board of Trustees of the Village of Barrington Hills determined that said Village and the property therein would suffer special damage as a result of this alleged rezoning; and

WHEREAS the President and Board of Trustees, pursuant to law, determined to take such other and further action as may be necessary to prevent any loss or damage due to said rezoning, and thereafter join as a party plaintiff in the aforesaid suit to have said alleged rezoning ordinance declared invalid, and to enjoin the operation of said gravel pit and aggregate mixing plants; and

WHEREAS said Village of Barrington Hills, by the action of both its President and Board of Trustees, did protest and object to the rezoning of said real estate; and

WHEREAS said real estate was purportedly rezoned by the Village of East Dundee; and

WHEREAS, the President and Board of Trustees of the Village of Barrington Hills determined that said Village and the property therein would suffer special damage as a result of this alleged rezoning; and

WHEREAS the President and Board of Trustees, pursuant to law, determined to take such other and further action as may be necessary to prevent any loss or damage due to said rezoning, and thereafter join as a party plaintiff in the aforesaid suit to have said alleged rezoning ordinance declared invalid, and to enjoin the operation of said gravel pit and aggregate mixing plants; and

WHEREAS the said Road Materials Corporation filed a counter-suit joining the Village of Barrington Hills, the President, the clerk and the members of the Board of Trustees of the Village

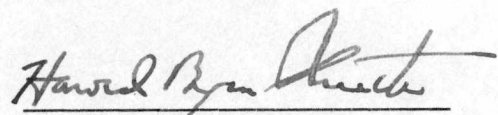
of Barrington Hills, the individuals as individuals as well as in their official capacities, and as parties counter-defendant to said suit,

NOW, THEREFORE, be it resolved by the President and Board of Trustees of the Village of Barrington Hills, Illinois, that:

The Village of Barrington Hills condemn and protest the action taken by the said Road Materials Corporation, and express its indignation at the scurrilous attack against the individual members of the Board of Trustees and the officers of said Village while in the performance of their official duties as such officers and trustees; and

Be it further resolved that the Village take such further action as may be necessary and required by law to protect the said officers and trustees, both in their official and individual capacities; and hereby authorize and direct the Village Attorney to take such action as he may deem appropriate to that end.

APPROVED AND ADOPTED THIS 5<sup>th</sup> DAY OF NOVEMBER, 1961.

  
Village President

ATTEST:

  
Village Clerk

Be it further resolved that the Village take such further action as may be necessary and required by law to protect the said officers and trustees, both in their official and individual capacities; and hereby authorize and direct the Village Attorney to take such action as he may deem appropriate to that end.

APPROVED AND ADOPTED THIS 5<sup>th</sup> DAY OF NOVEMBER, 1961.

Harold B. Smith  
Village President

ATTEST:

Frances Patt Arnold  
Village Clerk