

51-R-03

**A RESOLUTION**

**Authorizing the City Manager to Execute an  
Acceptance of a Gift from the Richard L. Merrick Trust  
For the Maintenance of the Merrick Rose Garden**

**WHEREAS**, the City of Evanston has been given a gift of \$50,000 from the Richard L. Merrick Trust; and

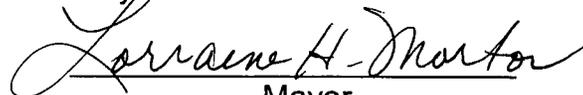
**WHEREAS**, this restricted gift is an endowment for the maintenance of the Merrick Rose Garden; and

**WHEREAS**, the City Council believes it is in the best interest of the City to accept said gift and to authorize the City Manager to sign the Acceptance, attached as Exhibit A,

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EVANSTON, COOK COUNTY, ILLINOIS:**

**SECTION 1:** That the City Manager is hereby authorized and directed to sign, and the City Clerk is hereby authorized and directed to certify on behalf of the City of Evanston, an Acceptance, attached hereto as Exhibit A and made a part hereof, for the acceptance of a restricted gift of \$50,000 from the Richard L. Merrick Trust for the maintenance of the Merrick Rose Garden.

**SECTION 2:** That this Resolution shall be in full force and effect from and after its passage and approval in the manner provided by law.

  
\_\_\_\_\_  
Mayor

ATTEST:

  
\_\_\_\_\_  
City Clerk

Adopted: October 13, 2003

**ACCEPTANCE  
OF A RESTRICTED GIFT FROM THE  
RICHARD L. MERRICK TRUST**

Richard L. Merrick, a resident of Evanston, Illinois, died on June 18, 2003, leaving a Trust known as The Richard L. Merrick Trust, under which The Northern Trust Company is a fiduciary, and which provides for a restricted gift to this organization as follows:

Article 5, Paragraph 5.3: As of my death, the Trustees shall distribute from the Trust Estate to each of the following organizations the sum of twenty-five thousand dollars (\$25,000) in cash:

- (c) The CITY OF EVANSTON, of Evanston, Illinois, as an endowment for the maintenance of the Merrick Rose Garden, or if the Merrick Rose Garden is no longer in existence, for the city's general purposes.

[Further]

Article 5, Paragraph 5.5: If the value of my estate is in excess of five million dollars (\$5,000,000), then each distribution under this article shall be doubled.

[Further]

Article 5, Paragraph 5.6: Each gift under this article shall bear income between the date of my death and the date or dates of distribution at the rate of 6% per annum.

Therefore, it is resolved that the restricted gift is hereby accepted by the City of Evanston for the uses and purposes set forth above. Further, Roger D. Crum, acting as the City Manager of the City of Evanston is authorized, on behalf of the City, to: (1) accept payment, (2) execute receipts and other documents, and (3) receive notices, make and communicate decisions as necessary to facilitate administration of the Estate.

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CERTIFICATION

(TO BE EXECUTED BY THE PERSON IN CHARGE OF THE ORGANIZATION RECORDS. IT MUST ALWAYS BE EXECUTED BY SOMEONE OTHER THAN THE INDIVIDUAL SIGNING THE ACCEPTANCE.)

I, Mary Morris, certify that I am the City Clerk of the City of Evanston, a municipal corporation under the laws of the State of Illinois, and that I am responsible for keeping the organization records. I further certify that the above is a correct and complete copy of a resolution properly adopted by the governing body of this organization on October 13, 2003, and that this resolution appears in the organization records.

I further certify that gifts to this organization qualify for treatment as charitable gifts for income and estate tax purposes under the United States Internal Revenue Code, and that the correct tax identification number is shown below.

Certified, under the penalties of perjury, October 21, 2003.

TAX I.D. NUMBER 36-6005870

Corporate Seal

Mary J. Morris  
Signature  
Address:  
Evanston City Clerk  
2100 Ridge Ave.  
Evanston, IL 60201