

RESOLUTION NO. 13-2018

A RESOLUTION AUTHORIZING THE SALE OF CERTAIN REAL PROPERTY LOCATED AT 4131 HOME AVENUE (PARCEL 1), STICKNEY, ILLINOIS FOR THE VILLAGE OF STICKNEY, COUNTY OF COOK, STATE OF ILLINOIS.

WHEREAS, the Village of Stickney (the "Village") is a home rule municipal corporation in accordance with Article VII, Section 6(a) of the Constitution of the State of Illinois of 1970; and

WHEREAS, the Village has the authority to adopt ordinances and resolutions and to promulgate rules and regulations that pertain to its government and affairs, and to review, interpret and amend its ordinances, rules and regulations, and to make certain declarations related to surplus property, including the sale of same; and

WHEREAS, the Village is a home rule unit of local government as is provided by Article VII, Section 6 of the Illinois Constitution of 1970, and as a home rule unit of local government the Village may exercise any power and perform any function pertaining to its government and affairs; and

WHEREAS, the Village is the owner of the real property located at the address commonly known as 4131 Home Avenue (Parcel 1), Stickney, Illinois 60402, Property Identification Number ("PIN") 19-06-115-010-0000, which is legally described as set forth on Exhibit A, attached hereto and incorporated herein, and further distinguished as set forth in the written appraisal (the "Appraisal") attached hereto as Exhibit B (the "Property"); and

WHEREAS, pursuant to Section 11-76-4.1 of the Illinois Municipal Code (65 ILCS 5/11-76-4.1) (the "Code"), the corporate authorities of a municipality may authorize by resolution the sale or public auction of surplus public real estate; and

WHEREAS, information concerning the size, use and zoning of the Property is set forth on Exhibit A, attached hereto and incorporated herein; and

WHEREAS, the Village President (the "President") and the Board of Trustees of the Village (the "Village Board" and, with the President, the "Corporate Authorities") determined and do hereby determine that the Property is no longer necessary or useful for the operations of the Village and further declare that it is not in the best interests of the Village or its residents to retain title to the Property; and

WHEREAS, in accordance with the Code, the Corporate Authorities deemed and do hereby deem the Property surplus property; and

WHEREAS, pursuant to the Code, the Corporate Authorities secured the Appraisal where the appraised value was conditioned on the Corporate Authorities requiring any potential purchaser of the Property to demolish the structure within a specified time after closing on the purchase of the Property; and

WHEREAS, pursuant to Section 11-76-4.1, the Appraisal is available in the Village Clerk's office for public inspection during regular Village business hours; and

WHEREAS, the Corporate Authorities have determined that it is in the best interests of the Village and its residents to sell the Property, which sale shall be conducted by staff, independent contractors and/or agents of the Village (collectively, "Village Staff"); and

WHEREAS, the Corporate Authorities believe that it is in the best interests of the Village to authorize the President, the Village Attorney (the "Attorney") and Village Staff to take all necessary steps to sell and dispose of the Property in accordance with Section 11-76-4.1 of the Code; and

WHEREAS, the any future purchaser of the Property will purchase the Property from the Village for at least eighty percent (80%) of the appraised value, where the Appraisal was conditioned on the purchaser agreeing to demolish the structure within a specified time-frame but no less than one hundred eighty (180) days of the date of closing, which upon approval by the Corporate Authorities shall available in the Village Clerk's office for public inspection during regular Village business hours; and

WHEREAS, the President is authorized to enter into and the Attorney is authorized to revise agreements for the Village making such insertions, omissions and changes as shall be approved by the President and the Attorney;

NOW, THEREFORE, BE IT RESOLVED by the President and the duly authorized Board of Trustees of the Village of Stickney, County of Cook, State of Illinois, as follows:

**ARTICLE I.
IN GENERAL**

Section 1.0 Findings.

The Corporate Authorities hereby find that all of the recitals hereinbefore stated as contained in the preambles to this Resolution are full, true and correct and do hereby, by reference, incorporate and make them part of this Resolution as legislative findings.

Section 2.0 Purpose.

The purpose of this Resolution is to declare the Property surplus property, to authorize the sale and disposition of the Property by Village Staff in accordance with the terms of this Resolution and to authorize the President or his designee to take all steps necessary to carry out the terms of this Resolution and to ratify any steps taken to effectuate those goals.

**ARTICLE II.
AUTHORIZATION TO DECLARE THE PROPERTY AS SURPLUS AND DIRECT THE SALE OF THE SAME**

Section 3.0 Authorization.

The Village Board hereby declares the Property surplus property. The Village Board further authorizes and directs Village Staff to negotiate for the sale and disposition of the Property in accordance with Section 11-76-4.1 of the Code and ratifies any and all

previous action taken to effectuate the intent of this Resolution. The Village Board authorizes and directs the President or his designee to execute any and all additional documentation, with such insertions, omissions and changes as shall be approved by the President and the Attorney, that may be necessary to carry out the intent of this Resolution. The Village Clerk is hereby authorized and directed to attest to and countersign any documentation as may be necessary to carry out and effectuate the purpose of this Resolution. The Village Clerk is also authorized and directed to affix the Seal of the Village to such documentation as is deemed necessary. The Village Clerk or a designee of the same is further directed and authorized to publish this Resolution, at the first opportunity after its passage, in a newspaper published and of general circulation in the Village.

Section 3.01 Other Actions Authorized.

The officers, employees and/or agents of the Village shall take all action necessary or reasonably required by the Village to carry out, give effect to and consummate the transaction contemplated herein. Any and all actions previously performed by officials, employees and/or agents of the Village in connection with carrying out and consummating the transaction contemplated by this Resolution are hereby authorized, approved and ratified by this reference.

**ARTICLE III.
HEADINGS, SAVINGS CLAUSES, PUBLICATION,
EFFECTIVE DATE**

Section 4.0 Headings.

The headings of the articles, sections, paragraphs and subparagraphs of this Resolution are inserted solely for the convenience of reference and form no substantive part of this Resolution nor should they be used in any interpretation or construction of any substantive provision of this Resolution.

Section 5.0 Severability.

The provisions of this Resolution are hereby declared to be severable and should any provision of this Resolution be determined to be in conflict with any law, statute or regulation by a court of competent jurisdiction, said provision shall be excluded and deemed inoperative, unenforceable and as though not provided for herein, and all other provisions shall remain unaffected, unimpaired, valid and in full force and effect.

Section 6.0 Superseder.

All code provisions, ordinances, resolutions, rules and orders, or parts thereof, in conflict herewith are, to the extent of such conflict, hereby superseded.

Section 7.0 Publication.

A full, true and complete copy of this Resolution shall be published in pamphlet form or in a newspaper published and of general circulation within the Village as provided by the Illinois Municipal Code, as amended.

Section 8.0 Effective Date.

This Resolution shall be effective and in full force immediately upon passage and approval.

PASSED this 12th day of July, 2018.

AYES: Trustee Kapolnek, Milenkovic, Savopoulos, Torres and White

NAYS: none

ABSENT: Trustee Hrejsa

ABSTENTION: none

APPROVED by me this 16th day of July, 2018.

Jeff Walik, President

ATTESTED AND FILED in my
office this 16th day of
July, 2018.

Audrey McAdams, Village Clerk

EXHIBIT A

LEGAL DESCRIPTION

Lots 7 and 8 in the Subdivision of Lots 21 to 35, both inclusive, in Block 9 in Oak Park Avenue Subdivision in Section 6, Township 38 North, Range 13, East of the Third Principal Meridian, in Cook County, Illinois.

Common Address for the Property: 4131 South Home Avenue, Stickney, Illinois 60402

PIN: 19-06-115-010-0000

Size of the Property: 5,700 +/- square foot one and partial two-story masonry building used as a community recreation center situated on a 7,228-square foot lot.

Use of the Property: This property has been historically used as a Community Center.

Zoning for the Property: Single-Family

Terms of Sale of the Property: Any possible sale of the Property must include a condition that the property be demolished within one-hundred eighty (180) days.

EXHIBIT B

(Appraisal)