

VILLAGE OF LOMBARD  
REQUEST FOR BOARD OF TRUSTEES ACTION  
For Inclusion on Board Agenda

  X   Resolution or Ordinance (Blue) \_\_\_\_\_ *Waiver of First Requested*  
\_\_\_\_\_ Recommendations of Boards, Commissions & Committees (Green)  
\_\_\_\_\_ Other Business (Pink)

TO: PRESIDENT AND BOARD OF TRUSTEES  
FROM: Timothy Sexton, Acting Village Manager  
DATE: November 19, 2013 (B of T) Date: November 21, 2013  
TITLE: 109-115 W. St. Charles Road - Transfer of Title of Surplus Real Estate  
SUBMITTED BY: Department of Community Development

BACKGROUND/POLICY IMPLICATIONS:  
The Department of Community Development transmits for your consideration a Resolution Authorizing the Transfer of Title of Surplus Real Estate pertaining to a portion of the property commonly referred to as 109-115 W. St. Charles Road. (DISTRICT #1)

Staff recommends approval of this request.

Fiscal Impact/Funding Source:


Review (as necessary):  
Village Attorney X \_\_\_\_\_ Date \_\_\_\_\_  
Finance Director X \_\_\_\_\_ Date \_\_\_\_\_  
Village Manager X \_\_\_\_\_ Date \_\_\_\_\_

NOTE: All materials must be submitted to and approved by the Village Manager's Office by 12:00 noon, Wednesday, prior to the Agenda Distribution.



## MEMORANDUM

**TO:** Timothy Sexton, Acting Village Manager

**FROM:** William J. Heniff, AICP, Director of Community Development 

**DATE:** November 21, 2013

**SUBJECT:** **109-115 W. St. Charles Road – Resolution Authorizing Transfer of Title of Surplus Real Estate**

Attached please find a Resolution Authorizing the Transfer of Title of Surplus Real Estate pertaining to a portion of the property commonly referred to as 109-115 W. St. Charles Road.

**Background:**

As previously noted the subject property is located within Downtown Lombard and is currently improved with a surface parking lot and a garage with nine indoor garage spaces. Throughout the late 1990s and early 2000s, the Village also identified the subject property as an opportunity to provide for more public parking within the downtown within the existing surface parking spaces. However, the Village was not and is not desirous of owning the indoor parking spaces located on the subject property and finds that it would be in the Village's best interest to declare the subject property where the existing garage spaces are located as surplus real estate.

Pursuant to State Statute (65 ILCS 5/11-76-4.1), an appraisal was completed for the real estate for the Subject Property this summer, with said appraisal determining the value of the portion of the property at \$49,500.

**Recommendation:**

Please place this item on the November 21, 2013 Village Board agenda under Items for Separate Action, as this matter will require a 2/3rds favorable vote of the Corporate Authorities (i.e., 5 of 7 votes in the affirmative). Staff recommends that the Village Board approve a Resolution Authorizing Transfer of Title of Surplus Real Estate for a Portion of the Property located at 109-115 W. St. Charles Road.

RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION AUTHORIZING  
THE TRANSFER OF TITLE TO SURPLUS REAL ESTATE  
PURSUANT TO 65 ILCS 5/11-76-4.1  
(109-115 West St. Charles Road)**

**WHEREAS**, the Village has offered to enter into a contract for the purchase of the following-described, approximately eighty-eight (88) foot by twenty-two (22) foot piece of real estate, which is improved with a single story, nine (9) car garage building currently being utilized by the members of the Park West Condominium Association of Lombard, Illinois, and is zoned B5 Central Business District:

THAT PART OF LOT 2 IN BLOCK 19 TOWN OF "LOMBARD", BEING A SUBDIVISION IN SECTIONS 5, 6, 7, 8 AND 18, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED APRIL 23, 1868 AS DOCUMENT 9483 DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF SAID LOT 2; THENCE NORTH 09 DEGREES 21 MINUTES 40 SECONDS WEST ALONG THE WEST LINE OF SAID LOT 2, A DISTANCE OF 22.39 FEET TO THE NORTHERLY EDGE OF AN EXISTING ROOF EAVE OVERHANG; THENCE NORTH 78 MINUTES 54 MINUTES 58 SECONDS EAST ALONG SAID NORTHERLY EDGE, A DISTANCE OF 87.66 FEET; THENCE SOUTH 11 DEGREES 05 MINUTES 02 SECONDS EAST ALONG THE EASTERLY EDGE OF SAID ROOF EAVE OVERHANG, A DISTANCE OF 21.95 FEET TO A POINT ON THE SOUTH LINE OF LOT 2; THENCE SOUTH 78 DEGREES 38 MINUTES 11 SECONDS WEST ALONG SAID SOUTH LINE OF LOT 2, A DISTANCE OF 88.33 FEET TO THE POINT OF BEGINNING, IN DUPAGE COUNTY, ILLINOIS.

PIN: Pt. 06-07-209-009;

Common Address: A portion of 109-115 W. St. Charles Road, Lombard, Illinois;

(hereinafter the "Subject Property"); and

**WHEREAS**, the President and Board of Trustees have determined that the Subject Property, if acquired by the Village by January 31, 2014, shall be surplus property; and

**WHEREAS**, pursuant to 65 ILCS 5/11-76-4.1, the Village has had the Subject

Property appraised by a State-certified real estate appraiser, a copy of the written certified appraisal performed by Dale J. Kleszynski, MAI, SRA , of Associated Property Counselors, Ltd., dated August 26, 2013, being on file with the Village Clerk's office, and subject to public inspection, and incorporated herein by reference (hereinafter the "Appraisal"); and

**WHEREAS**, said Appraisal has determined that the value of the Subject Property is \$49,500.00; and

**WHEREAS**, the President and Board of Trustees have determined that the Subject Property shall, if acquired by the Village by January 31, 2014 and pursuant to the requirements of 65 ILCS 5/11-76-4.1, be sold for not less than eighty percent (80%) of the appraised value (\$39,600.00); and

**WHEREAS**, it is in the best interests of the Village to transfer title to the Subject Property, if acquired by the Village by January 31, 2014, pursuant to the sale thereof, for not less than \$39,600.00;

**NOW, THEREFORE, BE IT RESOLVED** by the President and Board of Trustees of the Village of Lombard, DuPage County, Illinois, as follows:

**SECTION 1:** That Village Staff is hereby authorized to sell the Subject Property, if acquired by the Village by January 31, 2014, for a sale price of not less than \$39,600.00.

**SECTION 2:** That a copy of this Resolution shall be published, upon its adoption and approval, in the *Lombardian*, pursuant to 65 ILCS 5/11-76-4.1.

**ADOPTED** this \_\_\_ day of \_\_\_\_\_, 2013, pursuant to a two-thirds (2/3rds) roll call vote of the Corporate Authorities, as required by 65 ILCS 5/11-76-4.1, as follows:

**AYES:** \_\_\_\_\_

**NAYS:** \_\_\_\_\_

**ABSENT:** \_\_\_\_\_

**APPROVED** by me this \_\_\_ day of \_\_\_\_\_, 2013.

\_\_\_\_\_  
Keith T. Giagnorio  
Village President

**ATTEST:**

\_\_\_\_\_  
Janet Downer  
Deputy Village Clerk