

RESOLUTION NO. 174-13

**A RESOLUTION APPROVING A CONTRACT FOR
THE SALE OF SURPLUS REAL ESTATE AND THE CONVEYANCE OF AN
INGRESS/EGRESS EASEMENT AND AN EASEMENT FOR ADDITIONAL PARKING
(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 (hereinafter "Park West"), 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, Park West has offered to purchase the Subject Property, for \$45,000.00, pursuant to the terms and conditions of the purchase agreement attached hereto as Exhibit A and made part hereof (hereinafter the "Purchase Agreement"); and

WHEREAS, Park West has offered to acquire a non-exclusive ingress/egress easement and a non-exclusive easement for additional parking, for \$12,888.00, pursuant to the Purchase Agreement; and

WHEREAS, it is in the best interests of the Village to sell the Subject Property to Park West, for \$45,000.00, and grant Park West non-exclusive easements for ingress/egress and additional parking, for \$12,888.00, pursuant to the Purchase Agreement;

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 the sale of, and transfer of title to, the Subject Property to Park West, for \$45,000.00, pursuant to the terms and conditions of the Purchase Agreement, is hereby approved.

SECTION 2: That the conveyance to Park West of a non-exclusive ingress/egress easement and a non-exclusive easement for additional parking, for \$12,888.00, pursuant to the terms and conditions of the Purchase Agreement, is hereby approved.

SECTION 3: That Village Staff is hereby directed to prepare the necessary documents to transfer title, and to thereafter transfer title, to the Subject Property to Park West, and to grant Park West a non-exclusive ingress/egress easement and a non-exclusive easement for additional parking, pursuant to the terms and conditions of the Purchase Agreement.

SECTION 4: That the Village President, Village Clerk, Deputy Village Clerk, Village Manager and/or Village Finance Director are hereby authorized and directed to execute any and all necessary documents to complete the transaction contemplated by the Purchase Agreement.

ADOPTED this 5th day of December, 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: Trustee Whittington, Fugiel, Foltyniewicz, Breen, Ware, Fitzpatrick and President Giagnorio

Nays: None

Absent: None

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Approved this 5th day of December, 2013.


Keith T. Giagnorio
Village President

ATTEST:

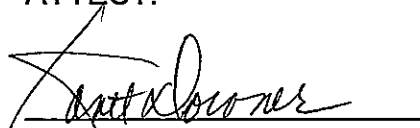

Janet Downer
Deputy Village Clerk

Exhibit A

Purchase Agreement

(attached)