

**ORDINANCE 7489**

**AN ORDINANCE AUTHORIZING THE DISPOSAL OF, AND  
TRANSFER OF TITLE TO, MUNICIPAL OWNED PERSONAL PROPERTY**

**WHEREAS**, in the opinion of the Corporate Authorities of the Village of Lombard, it is no longer necessary or useful to or in the best interests of the Village of Lombard to retain the following-described personal property:

- Three hundred seventy (370) lineal feet of eight (8) inch diameter sanitary sewer main and two (2) sanitary sewer manholes on the Clover Creek Apartments property located at 830 Foxworth Boulevard, Lombard, Illinois,

now owned by the Village of Lombard; and

**WHEREAS**, the Village routinely declares such type of personal property surplus when: (1) the underlying property owner desires to take over the ownership and maintenance thereof, as a private sanitary sewer service line; (2) no other property owners rely on said personal property for sewage disposal purposes; and (3) the best interests of the Village of Lombard will be served by the transfer of title thereto;

**NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF LOMBARD, DU PAGE COUNTY, ILLINOIS, as follows:**

**Section 1:** Pursuant to 65 ILCS 5/11-76-4, the President and Board of Trustees find the following-described property:

- Three hundred seventy (370) lineal feet of eight (8) inch diameter sanitary sewer main and two (2) sanitary sewer manholes on the Clover Creek Apartments property located at 830 Foxworth Boulevard, Lombard, Illinois,

now owned by the Village of Lombard is no longer necessary or useful to the Village of Lombard and the best interests of the Village will be served by the transfer of title thereto to the underlying property owner, Clover Creek Apartments Property Owner, LLC.

**Section 2:** Pursuant to said 65 ILCS 5/11-76-4, the Village President and Clerk are hereby authorized and directed to transfer ownership of the aforementioned personal property now owned by the Village of Lombard to Clover Creek Apartments Property Owner, LLC, and to execute any and all documents necessary to transfer ownership of the personal property to Clover Creek Apartments Property Owner, LLC, including, but not limited to, the bill of sale relative to said personal property, attached hereto as Exhibit 1 and made part hereof.

**Section 3:** This Ordinance shall be in full force and effect from and after its passage and approval as provided by law.

Passed on first reading this \_\_\_\_ day of \_\_\_\_, 2018.

First reading waived by action of the Board of Trustees this 15<sup>th</sup> day of March, 2018.

Passed on second reading this 15<sup>th</sup> day of March, 2018, pursuant to a roll call vote as follows:

Ayes: Trustee Whittington, Fugiel, Foltyniewicz, Johnston, Pike and Ware

Nays: None


Absent: None

Approved by me this 15<sup>th</sup> day of March, 2018.



Keith Giagnorio,  
Village President

**ATTEST:**



Sharon Kuderna,  
Village Clerk

**Exhibit 1**

**BILL OF SALE**

(attached)

**BILL OF SALE**

The Village of Lombard, 255 East Wilson Avenue, Lombard, Illinois 60148 (the "Seller"), in consideration of TEN AND NO/100 DOLLARS (\$10.00), and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged by the Seller, does hereby sell, assign, transfer and set over unto Clover Creek Apartments Property Owner, LLC, a Delaware limited liability company authorized to do business in Illinois (the "Buyer") the following-described personal property (the "Personalty"):

- Three hundred seventy (370) lineal feet of eight (8) inch diameter sanitary sewer main and two (2) sanitary sewer manholes on the Clover Creek Apartments property located at 830 Foxworth Boulevard, Lombard, Illinois,

the location of which is depicted on Exhibit A attached hereto and made part hereof.

Seller hereby represents and warrants to Buyer that Seller is the absolute owner of the Personalty, that the Personalty is free and clear of all liens, charges and encumbrances, and that Seller has full right, power and authority to sell the Personalty and to provide this Bill of Sale. **ALL WARRANTIES OF QUALITY, FITNESS AND MERCHANTABILITY ARE HEREBY EXCLUDED AND DISCLAIMED.**

IN WITNESS WHEREOF, Seller has signed and sealed this Bill of Sale as of the \_\_\_\_ day of \_\_\_\_\_, 2018.

**Seller:**  
**Village of Lombard**

**Buyer:**  
**Clover Creek Apartments Property Owner,**  
**LLC, a Delaware limited liability company**  
**authorized to do business in Illinois**

**ACCEPTED:**

By: \_\_\_\_\_  
Keith Giagnorio, Village President

By: JRK MF Opportunities II LP  
Its Manager

Attest: \_\_\_\_\_  
Sharon Kuderna, Village Clerk

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_

Date: \_\_\_\_\_, 2018

Date: \_\_\_\_\_, 2018

**Exhibit A**

**Depiction of the Location of the Personalty**

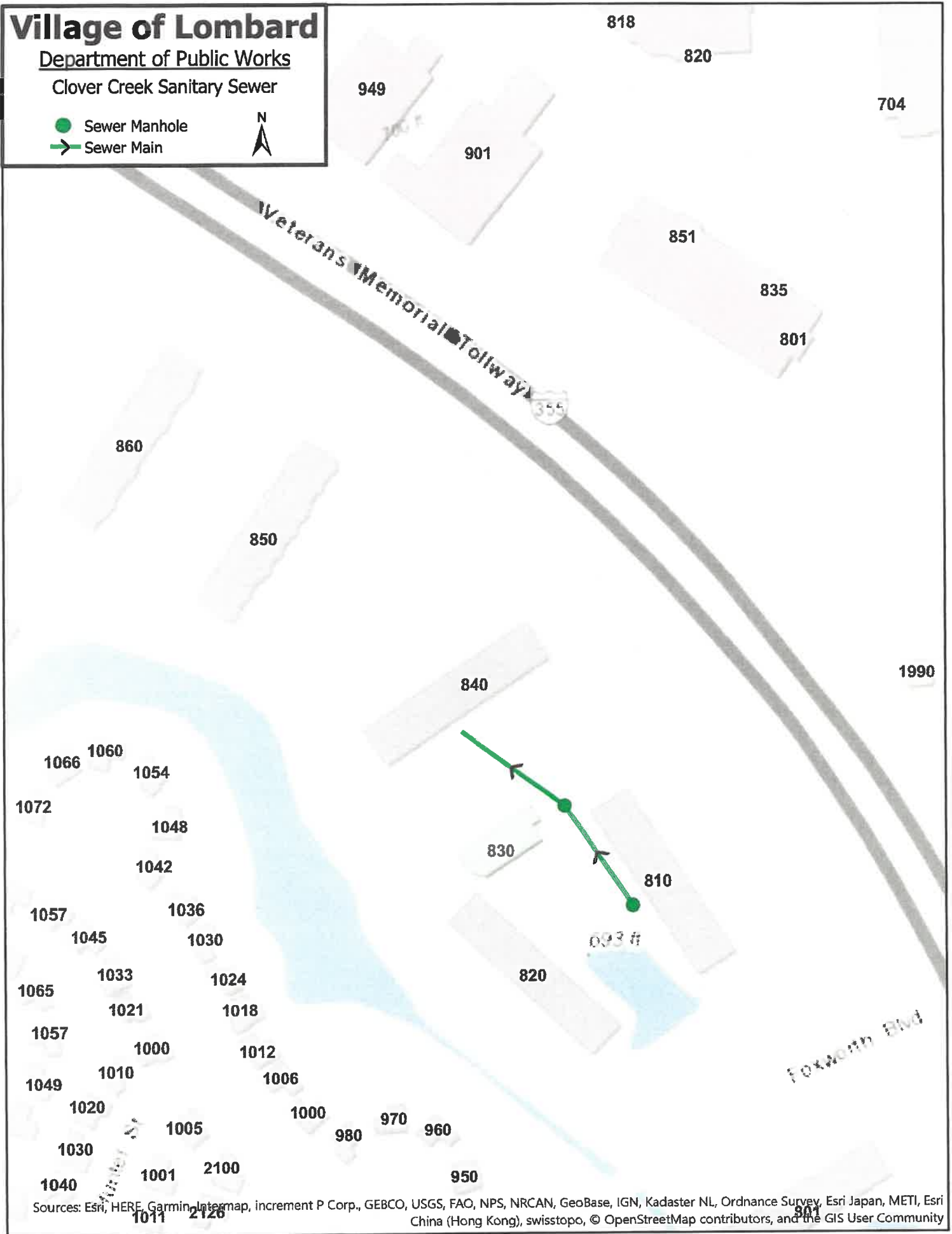
(attached)

# Village of Lombard

Department of Public Works

Clover Creek Sanitary Sewer

- Sewer Manhole
- Sewer Main



Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), swisstopo, © OpenStreetMap contributors, and the GIS User Community

## BILL OF SALE

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**IN WITNESS WHEREOF**, Seller has signed and sealed this Bill of Sale as of the 15<sup>th</sup> day of March, 2018.

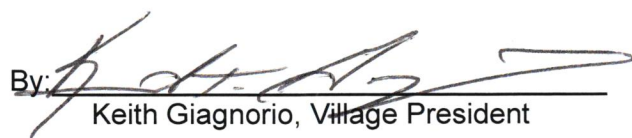
**Seller:**

Village of Lombard

**Buyer:**

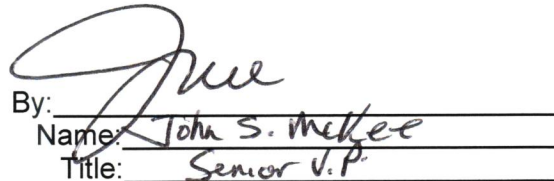
**Clover Creek Apartments Property Owner, LLC**, a Delaware limited liability company authorized to do business in Illinois

**ACCEPTED:**

By:   
Keith Giagnorio, Village President

By: JRK MF Opportunities II LP  
Its Manager

Attest:   
Sharon Kuderna, Village Clerk

By:   
Name: John S. McKee  
Title: Senior V.P.

Date: March 15, 2018

Date: March 20, 2018

**Exhibit A**

**Depiction of the Location of the Personalty**



(attached)

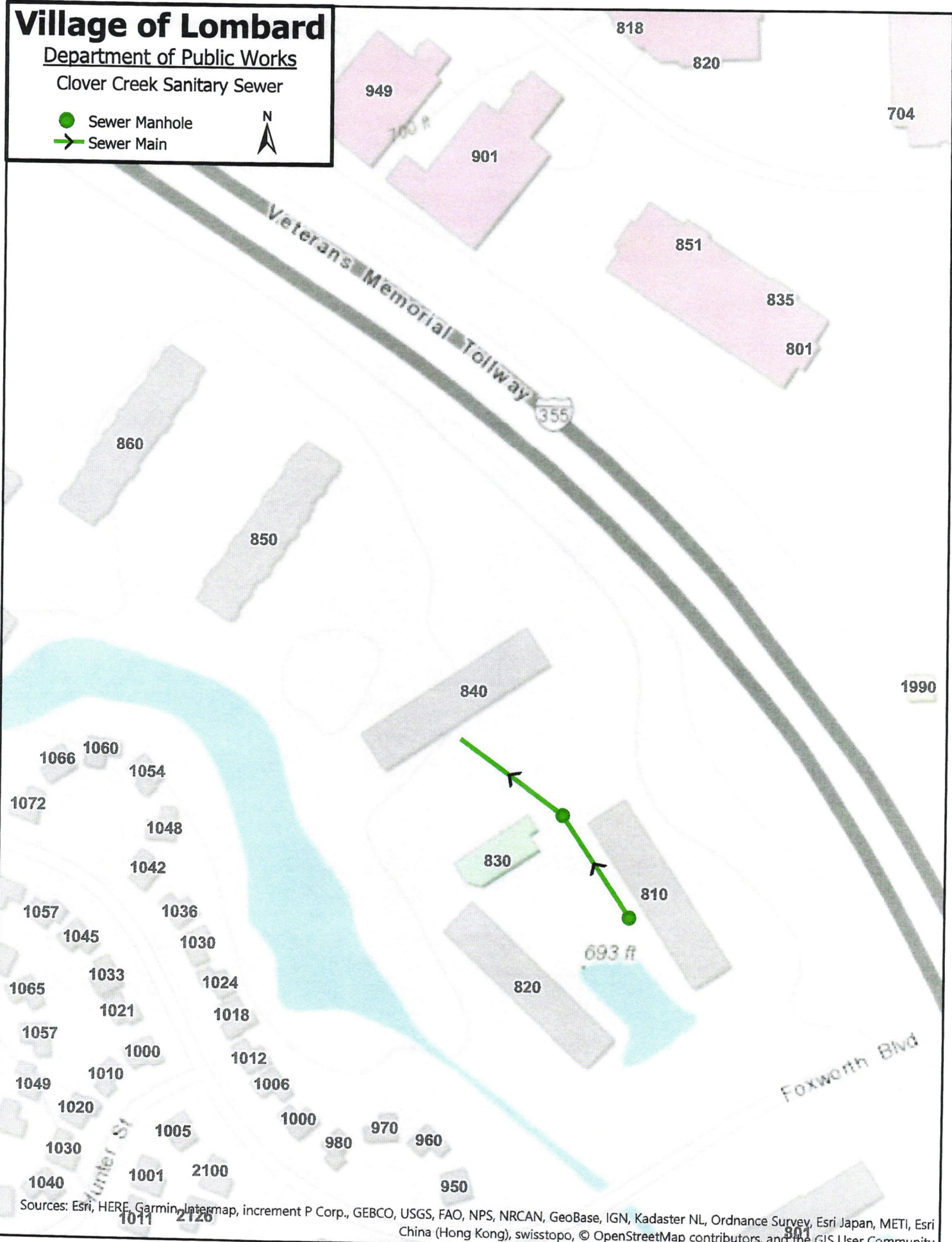


# Village of Lombard

Department of Public Works

Clover Creek Sanitary Sewer

-  Sewer Manhole
-  Sewer Main



Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), swisstopo, © OpenStreetMap contributors, and the GIS User Community