

**RESOLUTION
R 31-16**

**A RESOLUTION APPROVING A CONTRACT FOR
THE SALE OF SURPLUS REAL ESTATE
(581 West Madison Street)**

WHEREAS, the Village is the owner of the following-described 51.98 foot by two hundred (200) foot improved with a single family residence parcel of real estate, currently zoned R-3 Single-Family Residential District:

LOT 35 IN SURGES FARM ESTATES, A SUBDIVISION OF PART OF THE SOUTHWEST 1/4 OF SECTION 7 AND OF PART OF THE NORTHWEST 1/4 OF SECTION 18, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED OCTOBER 19, 1943 AS DOCUMENT 454869, IN DUPAGE COUNTY, ILLINOIS;

PIN: 06-18-100-001-0000;

Common Address: 581 West Madison Street, Lombard, IL 60148;

(hereinafter the "Madison Street Property"); and

WHEREAS, the President and Board of Trustees have determined that the following portions of the Madison Street Property are surplus property:

PARCEL 1

THAT PART OF LOT 35 IN SURGES FARM ESTATES SUBDIVISION, BEING A SUBDIVISION IN THE SOUTHWEST QUARTER OF SECTION 7 AND THE NORTHWEST QUARTER OF SECTION 18, TOWNSHIP 39 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN ACCORDING TO THE PLAT THEREOF RECORDED OCTOBER 19, 1943 AS DOCUMENT NO. 45869 IN DUPAGE COUNTY, ILLINOIS, BEING DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID LOT 35; THENCE EASTERLY ALONG THE NORTH LINE OF SAID LOT 35 (ALSO BEING THE SOUTH RIGHT-OF-WAY LINE OF MADISON STREET) HAVING AN ILLINOIS COORDINATE SYSTEM, EAST ZONE (N.A.D. 83 WITH 2007 ADJUSTMENT) GRID BEARING OF NORTH 87 DEGREES 04 MINUTES 18 SECONDS EAST, A DISTANCE OF 35.00 FEET; THENCE SOUTH 43 DEGREES 39 MINUTES 58 SECONDS WEST, 50.86 FEET TO A POINT ON THE WEST LINE OF SAID LOT 35 (ALSO BEING THE EAST RIGHT-OF-WAY LINE OF ILLINOIS ROUTE 53); THENCE NORTH 00 DEGREES 15

MINUTES 38 SECONDS EAST, 35.00 FEET ALONG SAID WEST LINE TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINING 0.014 ACRES, MORE OR LESS.

and

PARCEL 2

THAT PART OF LOT 35 IN SURGES FARM ESTATES SUBDIVISION, BEING A SUBDIVISION IN THE SOUTHWEST QUARTER OF SECTION 7 AND THE NORTHWEST QUARTER OF SECTION 18, TOWNSHIP 39 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN ACCORDING TO THE PLAT THEREOF RECORDED OCTOBER 19, 1943 AS DOCUMENT NO. 45869 IN DUPAGE COUNTY, ILLINOIS, BEING DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID LOT 35; THENCE NORTHERLY ALONG THE WEST LINE OF SAID LOT 35 (ALSO BEING THE EAST RIGHT-OF-WAY LINE OF ILLINOIS ROUTE 53) HAVING AN ILLINOIS COORDINATE SYSTEM, EAST ZONE (N.A.D. 83 WITH 2007 ADJUSTMENT) GRID BEARING OF NORTH 00 DEGREES 15 MINUTES 38 SECONDS EAST, A DISTANCE OF 67.17 FEET; THENCE NORTH 43 DEGREES 39 MINUTES 58 SECONDS EAST, 50.86 FEET TO A POINT ON THE NORTH LINE OF SAID LOT 35 (ALSO BEING THE SOUTH RIGHT-OF-WAY LINE OF MADISON STREET); THENCE NORTH 87 DEGREES 04 MINUTES 18 SECONDS EAST, 165.00 FEET ALONG SAID NORTH LINE TO THE NORTHEAST CORNER OF SAID LOT 35; THENCE SOUTH 00 DEGREES 15 MINUTES 36 SECONDS WEST, 5.01 FEET ALONG THE EAST LINE OF SAID LOT 35; THENCE SOUTH 87 DEGREES 04 MINUTES 18 SECONDS WEST, 10.00 FEET; THENCE SOUTH 02 DEGREES 55 MINUTES 42 SECONDS EAST, 35.00 FEET; THENCE SOUTH 87 DEGREES 04 MINUTES 18 SECONDS WEST, 38.41 FEET; THENCE NORTH 02 DEGREES 55 MINUTES 42 SECONDS WEST, 20.00 FEET; THENCE SOUTH 87 DEGREES 04 MINUTES 18 SECONDS WEST, 99.00 FEET; THENCE SOUTH 69 DEGREES 50 MINUTES 21 SECONDS WEST, 40.92 FEET; THENCE SOUTH 00 DEGREES 15 MINUTES 38 SECONDS WEST, 70.00 FEET TO A POINT ON THE SOUTH LINE OF SAID LOT 35; THENCE SOUTH 87 DEGREES 04 MINUTES 49 SECONDS WEST, 15.02 FEET ALONG SAID SOUTH LINE TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINING 0.126 ACRES, MORE OR LESS.

(Parcel 1 and Parcel 2 are referred to herein collectively as the "Subject Property"); and

WHEREAS, the Village has determined that it is in its best interest to convey a fee simple interest in Parcel 1 of the Subject Property to the Illinois Department of Transportation

and a temporary easement over Parcel 2 of the Subject Property to the Illinois Department of Transportation (hereinafter the "Sale"); 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 David White, dated October 20, 2014, 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 \$14,100.00; and

WHEREAS, in accordance with 65 ILCS 5/11-76-4.1, the President and Board of Trustees have determined that the purchase price for the Sale of the Subject Property should not be less than \$11,280.00, which is eighty percent (80%) of the appraised value of the Subject Property; and

WHEREAS, the Illinois Department of Transportation has offered to complete the Sale of the Subject Property for \$14,100.00, pursuant to the terms and conditions of the Offer to Purchase attached hereto as Exhibit A and made part hereof (hereinafter the "Offer to Purchase"); and

WHEREAS, it is in the best interests of the Village to complete the Sale of the Subject Property to the Illinois Department of Transportation, for \$14,100.00, pursuant to the Offer to Purchase;

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 the Subject Property to the Illinois Department of Transportation, for \$14,100.00, pursuant to the terms and conditions of the Offer to Purchase, is hereby approved.

SECTION 2: That Village Staff is hereby directed to prepare the necessary documents to transfer title to Parcel 1 of the Subject Property to the Illinois Department of Transportation and to grant a temporary easement over Parcel 2 of the Subject Property to the Illinois Department of Transportation, pursuant to the terms and conditions of the Offer to Purchase and the Illinois Department of Transportation's normal procedures for said transfers.

SECTION 3: That the Village President, 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 Section 2 above.

Adopted this 7th day of April, 2016, 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 ----- Fugiel, Foltyniewicz, Johnston, Pike and Ware and
Village President Keith Giagnorio

Nays: None

Absent: Trustee Whittington

Approved this 7th day of April, 2016.


Keith T. Giagnorio
Village President

ATTEST:



Sharon Kuderna
Village Clerk

Exhibit A

Offer to Purchase

(attached)



Route: IL 53 (Columbine Ave)
Section @ Madison Street
County: DuPage

Project: 11-00155-00-CH
Job No. R-91-007-14
Parcel 1KZ0002 & TE

Owner(s) of Real Property: The Village of Lombard

Location of Property: 581 W. Madison St., Lombard, IL 60148

Pursuant to 735 ILCS 30/10-5-15, the following has been prepared in order to fully inform you of the details of the acquisition of a portion of your property as right of way for the proposed improvement of the intersection of IL 53 and Madison Street in DuPage County, IL. The legal descriptions of the parcel to be acquired are found in the attached instrument of conveyance.

The amounts shown below are the full amounts of the approved values and are based on fair market value of the property. The fair market value of the part to be acquired is estimated without regard for any decrease or increase in the fair market value caused by the project for which the property is being acquired; however, the damage to the remaining property, if any, is estimated with full consideration of the effect of the proposed improvement.

1. Existing Property:

Total area 0.468 acres, more or less

Highest and best use: Residential

2. Land to be Acquired in Fee Simple:

New right of way 0.014 acres

Existing right of way (when applicable) _____ acres

Total right of way 0.014 acres

3. Improvements and/or Fixtures to be Acquired:

Lawn, trees, wild growth. Asphalt drive to be replaced. Two decorative lights, brick planter, and chain link fence to be relocated.

On behalf of the Illinois Department of Transportation, Division of Highways, and as outlined in the above summary, I hereby offer you the sum of \$14,100.00 for the property described on the attached instruments free and clear of all claims of other parties, liens, taxes and encumbrances.

If the above offer is over \$250,000.00, it is contingent on the Illinois Department of Transportation adhering to 30 ILCS 105/9.02 which requires specific contracting authority for all procurement contracts in the amount of \$250,000.00 or more.

JSS

Realty Specialist

JDA

MAR 25 2016

Date