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

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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 SUBDIVISON, 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:

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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:

Aves: Trustee ----- Fugiel, Foltyniewicz, Johnston, Pike and Ware and

Village President Keith Giagnorio

Nays: None

Absent: Trustee Whittington

Approved this 7th day of April, 2016.

Village President

ATTEST:

Sharon Kuderna

Village Clerk

Exhibit A

Offer to Purchase

(attached)



Basis for Computing Total Approved Compensation and Offer to Purchase

Route:	IL 53 (Columbine Ave)		Project:	11-00155-00-CH
Section	@ Madison Street		Job No.	R-91-007-14
County:	DuPage		Parcel	1KZ0002 & TE
Owner(s	s) of Real Property: <u>The Village o</u>	of Lombard		
Location	of Property: <u>581 W. Madison S</u>	t., Lombard,	IL 60148	
of the ac of IL 53 found in	equisition of a portion of your prope and Madison Street in DuPage the attached instrument of convey	rty as right o County, IL ance.	of way for the pe . The legal des	I in order to fully inform you of the details roposed improvement of the intersection criptions of the parcel to be acquired are
of the proor or increase	roperty. The fair market value of the ase in the fair market value caused age to the remaining property, if an	e part to be by the proje	acquired is esti	alues and are based on fair market value mated without regard for any decrease property is being acquired; however, sideration of the effect of the proposed
	ting Property: f area <u>0.468</u> acres, m	ore or less		
High	est and best use: Residential			
2. Lanc	to be Acquired in Fee Simple:			
New	right of way	0.014	acres	
Exist	ting right of way (when applicable)		_ acres	
Total	right of way	0.014	acres	
3. Impr	ovements and/or Fixtures to be Acc	quired:		
	n, trees, wild growth. Asphalt drive	e to be repla	iced. Two deco	erative lights, brick planter, and chain link

٦.	Compensation for Early Acquired its ree Simple.			
	Fair market value of the 0.014 acres to be acquired including all improve part of the whole property, based on an analysis of market data in the vicinity of	ments as		
	the acquisition.	\$3,100.00		
	Damage to the remaining property as a result of the acquisition (if any).			
	Total compensation for permanent right of way acquired in fee simple.	\$3,100.00		
	Less cost of construction to be offset against total compensation.	\$0.00		
	Net compensation	\$3,100.00		
	Benefits in the amount of N/A have been estimated to the remaining prohave been offset against any possible damages but have not been offset against compensation of the part acquired.	perty. These benefits any part of the		
5.	Compensation for Easements Including Any Damages or Benefits:			
	Permanent Easements- for (state purpose)			

	Temporary Easements- 0.126 for 3 years (state purpose)	\$11,000.00		
	Total compensation for easements (when applicable)			
6.	Total Compensation for Entire Acquisition, which includes all interests in the land required for the highway improvement and damages to the remainder property, if any. (sum of 4+5) \$14,100.00			
7.	Personal Property (Not Being Acquired) located on the Proposed Right of Way:			
No	ne.			
Yo acc	u may want to retain and remove from the right of way some, or all, of the improve quisition. If so, the following owner-retention values have been established for the ove in Item 3, and the total of the owner-retention values for the improvements retain the total compensation.	improvements listed		
	Improvement	Owner-Retention Value		
		\$		
or c	Any agreement to retain such improvements does not convey with it a permit to mo over, any state highway. Mr. J. Steve Santacruz will be happy to furnish information a permit if one is needed.	ove the improvements on, in for your use in applying		
	John Fortmann, P.E.			
	John Fortmann, P.E.			
	Region One Engineer			

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.

188	MAR 25 2016
Realty Specialist	Date