

VILLAGE OF MT. AUBURN

ORDINANCE NO. 35

**AN ORDINANCE TO ACCEPT TRACTS OF REAL ESTATE
FROM THE BOARD OF EDUCATION OF MT. AUBURN COMMUNITY
UNIT SCHOOL DISTRICT NO. 5, CHRISTIAN COUNTY, ILLINOIS**

**ADOPTED BY THE
BOARD OF TRUSTEES
OF THE
VILLAGE OF MT. AUBURN
THIS 22ND DAY OF JUNE, 1992.**

**PUBLISHED IN PAMPHLET FORM BY AUTHORITY
OF THE BOARD OF TRUSTEES OF THE VILLAGE OF
MT. AUBURN, CHRISTIAN COUNTY, ILLINOIS,
THIS 22ND DAY OF JUNE, 1992.**

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FROM THE BOARD OF EDUCATION OF MT. AUBURN COMMUNITY
UNIT SCHOOL DISTRICT NO. 5, CHRISTIAN COUNTY, ILLINOIS

WHEREAS, the Board of Education of Mt. Auburn Community Unit School District No. 5, Christian County, Illinois, has heretofore used for school purposes the following two tracts of real estate, the title to which is held by the Regional Board of School Trustees for Christian/Montgomery Counties, Illinois, to-wit:

Tract 1: Lots 2 through 13 of Block 2, Lots 10 and 11 in Block 1, and Lot 20 in Block 1, all in the original Village of Mt. Auburn, Christian County, Illinois.

Tract 2: A part of the Southeast Quarter of Section 12, Township 15 North, Range 2 West of the Third Principal Meridian, being more particularly described as follows: The East 134.00 feet of that part of the East Half of Lot 9 and the West 356.00 feet of that part of Lot 10; as shown on the plat of Section 12, Township 15 North, Range 2 West of the Third Principal Meridian, known as H.D. Hall Survey and recorded in Book 49 at page 351; lying North of the centerline of the abandoned Baltimore and Ohio Railroad, containing 7.3 acres, more or less, all in Christian County, Illinois.

WHEREAS, said Board of Education has determined that the aforesaid Tracts 1 and 2 have become unnecessary, unsuitable, and inconvenient for uses of said School District; and

WHEREAS, said Board of Education, has by Resolution, offered to convey said tracts of real estate unto the Village of Mt. Auburn, Illinois, a municipal corporation, according to the terms and provisions as set forth in said Board of Education Resolution, a copy of which is attached hereto and incorporated herein by reference.

NOW, THEREFORE, BE IT HEREBY ORDAINED BY THE VILLAGE PRESIDENT

AND BOARD OF TRUSTEES OF THE VILLAGE OF MT. AUBURN, ILLINOIS, A MUNICIPAL CORPORATION, AS FOLLOWS:

1. That the aforesaid two tracts of real estate described as Tracts 1 and 2 above, are necessary and convenient for the Village of Mt. Auburn, Illinois, a municipal corporation, to use, occupy and/or improve same for public purposes.

2. That the Village of Mt. Auburn, Illinois, a municipal corporation, shall accept the transfer of title to the aforesaid Tracts 1 and 2 in consideration for the payment of One Dollar to be paid by the Village Treasurer to the School Treasurer for said School District, and upon the other terms set forth herein; and upon receipt of title, the Village of Mt. Auburn intends to use the aforesaid Tracts 1 and 2 for a Village park and other municipal and public purposes:

a). The conveyance shall be subject to any existing easements, including a sewer easement under said Tract 2 for a sewer line used by the Mt. Auburn Community Unit School District and others.

b). The Village of Mt. Auburn, Illinois, shall assume any expenses or costs to evidence good and merchantable title, including the cost to obtain title insurance.

3. That upon the said School District removing all buildings and structures from said Tracts 1 and 2, the Village President and Village Clerk are hereby authorized and directed to accept and record, in the Recorder's Office for Christian County, Illinois, the transfer of title to the aforesaid Tracts 1 and 2 by and on

behalf of the Village of Mt. Auburn, Illinois, a municipal corporation, pursuant to the terms of this Ordinance, and pursuant to Sections 156, 157, and 158 of Chapter 30, Ill. Rev. Stat., as amended.

4. That the Village President and Village Clerk of the Village of Mt. Auburn, Illinois, are hereby authorized and directed to execute any documents and to perform any act as may be reasonably required by statute in order to carry out the terms and provisions of this Ordinance.

5. That the Village Treasurer is hereby authorized and directed to pay any expenses or costs to evidence good and merchantable title, including the cost to obtain title insurance.

6. That all Ordinances or parts thereof in conflict herewith be and the same are hereby repealed; and this Ordinance shall be in full force and effect immediately upon its adoption.

ON MOTION DULY MADE AND SECONDED and pursuant to roll call vote, this Ordinance was passed, approved and adopted by at least a two-thirds affirmative vote of the elected corporate authorities then holding office at the Village of Mt. Auburn Special Board Meeting this 22nd day of June, 1992.

Bruce Hohenstein
BRUCE HOHENSTEIN, Village President
Village of Mt. Auburn, Illinois

ATTEST:

Brenda M Copenbarger
BRENDA COPENBARGER, Village Clerk

AYES: Trustees: C. Butcher, T. Butcher, Copenbarger, Pollard, Vincent

NAYS: -0-

ABSENT: Trustee: Anderson

FILED IN THE OFFICE OF THE VILLAGE CLERK,
VILLAGE OF MT. AUBURN, ON THE 22ND DAY OF JUNE, 1992.

CERTIFICATE

STATE OF ILLINOIS)
) SS.
COUNTY OF CHRISTIAN)

I, BRENDA COPENBARGER, certify that I am the duly elected and acting Village Clerk of the Village of Mt. Auburn, Christian County, Illinois.

I further certify that on June 22, 1992, at the Village's Special Board Meeting, the Board of Trustees of said Village passed and approved Ordinance No. 35 entitled "An Ordinance to Accept Tract of Real Estate From the Board of Education of Mt. Auburn Community Unit School District No. 5, Christian County, Illinois".

The pamphlet form of Ordinance No. 35, including the Ordinance and a cover sheet thereof was prepared, and a copy of such Ordinance was posted in the Village Hall, commencing on June 22, 1992, and continuing for at least ten days thereafter. Copies of such Ordinance were also available for public inspection upon request in the Office of the Village Clerk.

DATED at Mt. Auburn, Illinois, this 3rd day of July, 1992.


BRENDA COPENBARGER, Village Clerk

(SEAL)