

ORDINANCE NO. 72

AN ORDINANCE AUTHORIZING THE ACQUISITION OF
REAL ESTATE BY THE VILLAGE OF MT. AUBURN, ILLINOIS

WHEREAS, the Mt. Auburn Fire Protection District intends to sell, at public auction or by private sale, its existing fire house and the real estate lot (approximately 78' x 195') upon which it is situated (herein referred to as "real estate"); and it is deemed advisable and necessary to acquire said real estate from said Fire Protection District; and

WHEREAS, attached hereto and incorporated herein by reference is a copy of the said Fire Protection District existing terms relating to the sale of said real estate; and

WHEREAS, pursuant to applicable provisions of the Illinois Municipal Code, including, but not limited to, 65 ILCS 5/11-61-3 (1998 State Bar Edition), the Village of Mt. Auburn is authorized to acquire the aforesaid real property for public purposes, including, but not limited to, the location of a Village Hall.

NOW, THEREFORE, BE IT ORDAINED BY THE VILLAGE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF MT. AUBURN, ILLINOIS, AS FOLLOWS:

Section 1. It is hereby determined that it is advisable, necessary and in the best interests of the public health, safety, and welfare of the residents of the Village of Mt. Auburn, Illinois, that the Village of Mt. Auburn acquire said real estate from said Fire Protection District.

Section 2. That the Village President and Board of Trustees hereby approve of the acquisition of said real estate; and hereby authorize and direct the Village President, on behalf of the Village, to bid and/or otherwise make an offer or offers to purchase said

real estate upon such terms and to sign any and all contracts, documents, or instruments as he may deem appropriate and to take all other actions as may be necessary or as he may deem appropriate to bid for, offer to purchase, and to consummate the purchase of said real estate; and the Village Clerk is hereby authorized and directed, on behalf of the Village, to sign any and all contracts, documents, or instruments and to place the corporate seal thereon as may be necessary to consummate the purchase of said real estate. The Village President, on behalf of the Village, is authorized to bid, offer, and purchase said real estate for any purchase price as he deems appropriate provided such purchase price does not exceed the purchase price approved and identified to him in a sealed envelope during the Special Board meeting held on September 2, 1999. Such purchase price limitation shall remain sealed in said envelope and not subject to public disclosure until after said bid(s), offer(s), and contract(s), document(s), and instrument(s) have been made and signed.

Section 3. If any section, clause, provision or portion of this Ordinance shall be held to be invalid or unconstitutional by any Court of competent jurisdiction, such holding shall not affect or otherwise impair any other section, clause, provision or portion of this Ordinance which is not, in or of itself, invalid or unconstitutional.

Section 4. This Ordinance shall take effect immediately upon its passage, due to the urgency of submitting a bid(s) and/or offer(s) on or before September 13, 1999.

ON MOTION DULY MADE AND SECONDED and pursuant to roll call vote, this Ordinance was passed, approved, adopted by at least a two thirds affirmative vote of the corporate authorities then holding office.

Village President

ATTEST:

Tommy J. Hamell
Village Clerk

(MUNICIPAL SEAL)

AYES: Bick, Bottell, Clayton, Copenbarger,
Campbell, Hampland

NAYS: _____

ABSENT: _____

FILED IN THE OFFICE OF THE VILLAGE CLERK
VILLAGE OF MT. AUBURN, ON THE 2ND DAY OF SEPTEMBER, 1999.

CERTIFICATE

STATE OF ILLINOIS)
)
COUNTY OF CHRISTIAN) SS.

I 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 September 2, 1999, the Village President and Village Board of Trustees passed and approved Ordinance No. 72, entitled, "An Ordinance Authorizing the Acquisition of Real Estate by the Village of Mt. Auburn, Illinois" which provided by its terms that it should become effective immediately upon its passage.

DATED at Mt. Auburn, Illinois, this 2nd day of September, 1999.


Village Clerk

(MUNICIPAL SEAL)

The Mt. Auburn Fire Protection District will accept bids on the existing fire house, located on South Broad Street, in Mt. Auburn. The building is 44 years old, with 2634 sq. feet. The building consists of a meeting room (21' x 20'), 2 bathrooms (6' x 10') ea., store room (10' x 11'), a furnace room (9' x 1'), and a three bay garage (34.5' x 52') with three 13' x 10' overhead doors with electric door openers. The building is concrete block with brick veneer construction. It has a full concrete floor, a gabled roof with 3 in 1 shingles.

The building is located on a 78' x 195' lot located in the business district of Mt. Auburn. The property is zoned commercial 1. It has a oil over rock with rock chip overlay parking lot, a septic system, and a radio tower that will be left in place.

The Mt. Auburn Fire Protection District will accept sealed bids until 12 noon September 13, 1999. The bids will be opened at the Board of Trustees special meeting to be held September 13, 1999, at 7.00 p.m., at which time all persons or entities that have submitted a sealed bid will be welcome to attend and have the right to raise their bid if they so wish.

Anyone wanting to inspect the building may call Fire Chief Terry Buzzard at 676-4613, Asst. Fire Chief Kenny Copenbarger at 676-8771, Trustee John Mullins at 676-4283, to arrange an inspection.

The successful bidder will be required to make a 10% deposit upon acceptance of their bid, with the balance upon closing. Failure to make the required bid deposit will result in the cancellation of the acceptance of the bid and the district may, without resoliciting, sell the real-estate to any other bidder.

Sale of the property is subject to existing zoning and any other land use regulations and is sold strictly on an "AS IS" basis in its current condition and without warranty by the district.

Title insurance or examination and survey, if any, will be at the expense of the buyer. District will procure a title insurance commitment on the property and deliver same to successful bidder.

Closing will occur upon completion of title work through a title company selected by the district with the escrow closing fee to be shared equally by the district and the successful bidder. Standard provisions will be made, if required.

The district reserves the right to reject any and all bids and to waive technical informalities.

Acceptance may occur subsequent to bid opening.