(03/24/25) ORDINANCE NO. 2025-4516

AN ORDINANCE AUTHORIZING THE SALE OF SURPLUS REAL ESTATE OWNED BY THE VILLAGE OF BARRINGTON

(Re: The Property is a portion of the property commonly known as 1410 S. Barrington Road, Barrington, IL, and is identified as Permanent Index Number 01-12-107-020)

WHEREAS, the Corporate Authorities of the Village of Barrington, Cook and Lake Counties, Illinois (the "Village"), previously acquired for municipal purposes, certain real property commonly known as a portion of 1410 S. Barrington Road, Barrington, IL, which property is identified as Permanent Index Number 01-12-107-020 (the "Village Property"); and

WHEREAS, the Corporate Authorities of the Village have determined that the Village Property is surplus, is no longer necessary or useful to the Village, and the best interests of the Village and its residents would be served by the sale of said Village Property; and

WHEREAS, Collina 1410, LLC is the owner of the remainder of the property commonly known as 1410 S. Barrington Road, Barrington, IL and identified as Permanent Index Number 01-12-107-021, which property is directly West of and adjacent to the Village Property, and Collina 1410, LLC desires to acquire the subject Village Property, and the Village desires to sell to Collina 1410, LLC the subject Village Property, which is legally described as follows:

PARCEL 1:

THE NORTH 217 FEET OF THE EAST 150.15 FEET (AS MEASURED ALONG THE EAST AND NORTH LINES THEREOF) OF THE SOUTH THREE-QUARTERS OF THE EAST HALF OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 12, TOWNSHIP 42 NORTH, RANGE 9, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

PARCEL 2:

EASEMENT FOR THE BENEFIT OF PARCEL 1 AS CREATED BY MUTUAL GRANT OF INGRESS AND EGRESS EASEMENT BY AND BETWEEN HEALTH QUEST REALTY XII, AN INDIANA GENERAL PARTNERSHIP AND THE FIRST NATIONAL BANK AND TRUST COMPANY OF BARRINGTON, AS TRUSTEE UNDER TRUST NO. 568 DATED APRIL 30, 1984 AND RECORDED MAY 1, 1984 AS DOCUMENT 27065750 FOR INGRESS AND EGRESS OVER THE FOLLOWING DESCRIBED LAND:

(A) THE SOUTH 14 FEET OF THE NORTH 217 FEET OF THE WEST 510.00 FEET OF THE EAST 560.05 FEET, AS MEASURED ALONG THE EAST AND NORTH LINES RESPECTIVELY, OF THE SOUTH THREE-QUARTERS OF THE EAST HALF OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 12, TOWNSHIP 42 NORTH, RANGE 9, EAST OF THE THIRD PRINCIPAL MERIDIAN (EXCEPT THEREFROM THAT

PART THEREOF LYING WEST OF THE EAST LINE OF PARCEL 1 AFORESAID), IN COOK COUNTY, ILLINOIS;

(B) THE SOUTH 14 FEET OF THE NORTH 231 FEET OF THE WEST 510.00 FEET OF THE EAST 560.05 FEET, AS MEASURED ALONG THE EAST AND NORTH LINES RESPECTIVELY, OF THE SOUTH THREE-QUARTERS OF THE EAST HALF OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 12, TOWNSHIP 42 NORTH, RANGE 9, EAST OF THE THIRD PRINCPAL MERIDIAN (EXCEPTING THEREFROM THAT PART THEREOF LYING WEST OF THE WEST LINE OF PARCEL 1 AFORESAID EXTENDED SOUTH 14 FEET), IN COOK COUNTY, ILLINOIS

(hereinafter, the "Property") ; and

WHEREAS, Sections 11-76-1 and 11-76-4.1 of the Illinois Municipal Code (65 ILCS 5/11-76-1 and 5/11-76-4.1) respectively provide as follows:

65 ILCS 5/11-76-1:
Any city or village incorporated under any general or special law which acquires or holds any real estate for any purpose whatsoever, except real estate granted to a municipality as commons by a grant which has been confirmed by the government of the United States, has the power to lease the real estate for any term not exceeding 99 years, and to convey the real estate when, in the opinion of the corporate authorities, the real estate is no longer necessary, appropriate, required for the use of, profitable to, or for the best interests of the city or village. This power shall be exercised by an ordinance passed by three-fourths of the corporate authorities of the city or village then holding office, at any regular meeting or at any special meeting called for that purpose. However, the corporate authorities have the power to authorize any municipal officer to make leases for terms not exceeding 2 years in such manner as they may determine. The disposition of real estate acquired pursuant to Section 6 of the "Urban Community Conservation Act", approved July 13, 1953, as heretofore and hereafter amended, and acquired pursuant to Sections 12, 22 and 31 of the "Urban Renewal Consolidation Act of 1961", enacted by the Seventy-Second General Assembly, and acquired pursuant to Division 11-11 by a municipality as the Local Public Agency under an urban renewal project as defined therein, shall be exempt from the requirements of this section.

65 ILCS 5/11-76-4.1:
Sale of surplus real estate. The corporate authorities of a municipality by resolution may authorize the sale of surplus public real estate. The value of the real estate shall be determined by a written MAI certified appraisal or by a written certified appraisal of a State certified or licensed real estate appraiser. The appraisal shall be available for public inspection. The resolution may direct the sale to be conducted by the staff of the municipality or by listing with local licensed real estate agencies, in which case the terms of the agent's compensation shall be included in the resolution; or by public auction. The resolution shall be published at the first opportunity following its passage in a newspaper published in the municipality or, if none, then in a newspaper published in the county where the municipality is located. The resolution shall also contain pertinent information concerning the size, use, and zoning of the real estate and the terms of sale. The corporate authorities may accept any contract proposal determined by them to

be in the best interest of the municipality by a vote of two-thirds of the corporate authorities then holding office, but in no event at a price less than 80% of the appraised value."; and

WHEREAS, the Village Property is subject to a reverter in favor of the original grantor to the Village, or its successor(s) and assign(s), as set forth in the original conveyance to the Village recorded in Cook County, Illinois as Document No. 27287389; and

WHEREAS, in the opinion of at least three-fourths of the Corporate Authorities of the Village of Barrington now holding office, it is no longer necessary or useful to, or in the best interests of the Village of Barrington to retain the Village Property as described above:

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Barrington, Cook and Lake Counties, Illinois, pursuant to Sections 11-76-1 and 11-76-4.1 of the Illinois Municipal Code (65 ILCS 5/11-76-1 and 5/11-76-4.1), in exercise of the authority of this Village as a Home Rule unit, as follows:

SECTION 1: The Corporate Authorities of the Village of Barrington hereby find that the recitals set forth in the preamble hereof are true and correct and are incorporated into the text of this Ordinance as its findings of fact to the same extent as if such recitals had been set forth herein in their entirety.

SECTION 2: The Corporate Authorities of this Village find that the Property now owned by the Village commonly known as part of 1410 S. Barrington Road, Barrington, IL and identified as P.I.N. 01-12-107-020, is surplus, is no longer necessary or useful to the Village, and the best interests of the Village and its residents will be served by the sale of said Property in the manner hereinafter provided.

SECTION 3: Appraisal: The fair market value of the Property has been determined by written M.A.I. certified appraisal, which reflects an appraised value of the Village Property of $15,000, a copy of which real estate appraisal is on file with the Village Clerk and is available for public inspection, but the Village also reserves the right to reject any or all offers.

SECTION 4: Authority of the Village Manager to Conduct and Negotiate Sale: The Village Manager, or his designee, is hereby authorized and directed to conduct and negotiate the sale of the Property, and the Property shall be offered at a sales price of not less than 80% of the appraised value as shown on the aforesaid appraisal, i.e., $12,000, subject to the reservation of the right of the Corporate Authorities to reject any or all offers and to approve any contract for such sale by ordinance.

SECTION 5: General Terms and Condition of Sale:

(i) Said contract for the sale of the Property shall not be or become effective, regardless of whether or not it has been signed or accepted by the Village President and/or by the Village Clerk, unless or until such contract has been approved by an ordinance adopted by a vote of three-quarters of the corporate authorities (six (6) members) of this Village then holding office. The President and Board of Trustees reserve the right to reject any and all offers, and in no event shall a contract be accepted at a selling price of less than eighty percent (80%) of the appraised value of the Property.

(ii) The sale of the Property shall be by quit claim deed from the Village.

(iii) The Village shall not be obligated to accept any offer which shall not provide payment of the full purchase price by certified funds or by cashier's check at closing.

(iv) The Village will pay no real estate commissions relative to the sale of the Property.

(v) The Village shall reserve the following easements in the Property by its conveyance to the Purchaser at closing: Easements shall be reserved to the Village of Barrington, and its officers, employees, agents, and contractors for the purpose of installing, constructing, inspecting, operating, replacing, renewing, re-constructing, altering, enlarging, removing, repairing, cleaning and maintaining sanitary sewers, storm sewers, water mains, and including, without limitation, any and all manholes, hydrants, pipes, connections, catch basins, buffalo boxes, public utilities, drains, ditches, swales, culverts, and for such other installations as the Village may deem necessary in, on upon, over, under, across, and through the Property in order to furnish water, sanitary sewer service, and storm water drainage to territory within the Village and such appurtenances and additions thereto as the Village may deem necessary, together with the right of access across the Property for the necessary persons and equipment to do any or all of the above work within the Property; for the maintenance, repair, renewal, and reconstruction of any existing public utilities and/or Village facilities located within the Property.

SECTION 6: Size, Use and Zoning of the Subject Property: The Property is identified as P.I.N. 01-12-107-020 and is located on the West side of Barrington Road within the Village of Barrington and has overall approximate dimensions of 217 feet x 150 feet, having approximately 217 feet of frontage on the West side of Barrington Road, and is approximately 15,050 square feet, more or less, in area, excluding any area dedicated for right-of-way purposes. At the time of any sale of the Property, the Village will reserve an easement for Village utility purposes over the Property, and the purchaser shall be required to take title by quit claim deed subject to such easement and any existing encroachments. The Property is otherwise vacant and unimproved and is presently zoned as part of the B-3 Zoning District according to the Village of Barrington Zoning Ordinance, as amended, and the Official Village of Barrington Zoning Map.

SECTION 7: All resolutions, ordinances, or parts of resolutions or ordinances in conflict herewith be and the same are hereby repealed to the extent and only to the extent that they are in conflict herewith.

SECTION 8: This Ordinances shall be in full force and effect from and after its passage by at least three-fourths of the Corporate Authorities then holding office, approval, and publication in a manner as provided by law.

Passed by the Corporate Authorities of the Village of Barrington, Cook and Lake Counties, Illinois on a roll call vote constituting of three-fourths (i.e., 6 votes) of the Corporate Authorities then holding office at a regular or special meeting of the Corporate Authorities on the 28 day of April, 2025, as follows:

AYES: Trustees Lehmeyer, Sholeen, Wondrasek, Morand and President Darch

NAYS: NONE

ABSENT: Trustees Duncan and Prigge

ABSTAIN: NONE

RECUSE: NONE

APPROVED THIS 28 OF April, 2025

Karen Y. Darch, Village President

ATTESTED AND FILED THIS
28 DAY OF April, 2025.

Tony Ciganek, Village Clerk

(SEAL)

Village of Barrington CORPORATE SEAL Cook & Lake Counties, IL