

**92-O-12**

**AN ORDINANCE**

**Authorizing the City Manager to Negotiate the Sale  
of a portion of City-Owned Real Property to be known as  
Lots 1 and 2, 1600 Foster Avenue, Evanston, Illinois**

NOW BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF  
EVANSTON, COOK COUNTY, ILLINOIS, THAT:

**SECTION 1:** The City Manager is hereby authorized and directed to negotiate the sale of a portion of City owned real estate legally described in Exhibit A attached hereto and incorporated herein by reference.

**SECTION 2:** The portion of real estate subject to the sale is Lots 1 and 2 of the proposed subdivision commonly known as "Emerson Square", 1600 Foster Avenue, Evanston, Illinois 60201 (the "Subject Property"), as depicted on the proposed Plat of Subdivision before City Council as resolution 63-R-12.

**SECTION 3:** Pursuant to Subsection 1-17-4-2-(B) of the Evanston City Code, 1979, as amended (the "City Code"), an affirmative vote of two-thirds ( $\frac{2}{3}$ ) of the elected Aldermen is required to accept the recommendation of the City Manager on the negotiation authorized herein. The City reserves the right to reject any and all negotiations.

**SECTION 4:** Pursuant to City Code Subsection 1-17-4-2-(B)-3, Notice of Intent to Sell Certain Real Estate by Negotiation was published in the *Evanston Review*, a newspaper in general circulation in the City on September 6, 2012, as shown in Exhibit B, attached hereto and incorporated herein by reference. Said publication was neither less than fifteen (15) nor more than thirty (30) days before the date on which the City Council

considered adoption of this ordinance authorizing the City Manager to negotiate the sale of the Subject Property.

**SECTION 5:** All ordinances or parts of ordinances in conflict herewith are hereby repealed.

**SECTION 6:** This ordinance shall be in full force and effect from and after its passage, approval, and publication in the manner provided by law.

**SECTION 7:** If any provision of this Ordinance or application thereof to any person or circumstance is held unconstitutional or otherwise invalid, such invalidity shall not affect other provisions or applications of this Ordinance that can be given effect without the invalid application or provision, and each invalid application of this Ordinance is severable.

**SECTION 8:** The findings and recitals contained herein are declared to be prima facie evidence of the law of the City and shall be received in evidence as provided by the Illinois Compiled Statutes and the courts of the State of Illinois.

Ayes: 9

Nays: 0

Introduced: September 10, 2012

Approved:

Adopted: September 24, 2012

September 27, 2012

Elizabeth B Tisdahl  
Elizabeth B. Tisdahl, Mayor

Attest:

Approved as to form:

Rodney Greene  
Rodney Greene, City Clerk

W. Grant Farrar  
W. Grant Farrar, Corporation Counsel

**EXHIBIT A**

**LEGAL DESCRIPTION**

LOT A IN PLAT OF CONSOLIDATION OF LOTS 1 TO 8 IN BLOCK 6 IN MCNEILL'S ADDITION TO EVANSTON, AND PARTS OF LOTS 12 TO 16 IN BLOCK 4 IN GRANT AND JACKSON'S ADDITION TO EVANSTON, IN SECTION 13, TOWNSHIP 41 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN IN COOK COUNTY, ILLINOIS.

Parcel Number: 10-13-209-021-0000

Real Estate Address: Lots 1 and 2 of the proposed subdivision commonly known as "Emerson Square", 1600 Foster Avenue, Evanston, Illinois 60201

**EXHIBIT B****NOTICE OF INTENT TO NEGOTIATE THE SALE OF  
CERTAIN CITY-OWNED REAL ESTATE INTEREST**

Public Notice is hereby given that on September 24, 2012, at 7:00 P.M., in the Council Chambers at 2100 Ridge Avenue, Evanston, Illinois, 60201, the Evanston City Council will consider adoption of an ordinance for the negotiated sale of the City's interest in certain real estate, Lots 1 and 2 of the proposed subdivision commonly known as "Emerson Square", 1600 Foster Avenue, Evanston, Illinois 60201, as depicted on the proposed Plat of Subdivision and before Council as resolution 63-R-12, with the following legal description:

LOT A IN PLAT OF CONSOLIDATION OF LOTS 1 TO 8 IN BLOCK 6 IN MCNEILL'S ADDITION TO EVANSTON, AND PARTS OF LOTS 12 TO 16 IN BLOCK 4 IN GRANT AND JACKSON'S ADDITION TO EVANSTON, IN SECTION 13, TOWNSHIP 41 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN IN COOK COUNTY, ILLINOIS.

PIN: 10-13-209-021-0000

Said property is improved with a vacant structure and will be used for purposes as set forth in the underlying real estate sales contract, as allowed by the City Zoning Ordinance, but said property shall not be declared tax-exempt.