

8/21/2014  
9/4/2014

**103-O-14**

**AN ORDINANCE**

**Authorizing the City Manager to Negotiate with the Illinois  
Department of Natural Resources for the Sale and Ground Lease of  
City-Owned Real Property Located at  
2603 Sheridan Road in 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 with the Illinois Department of Natural Resources for the sale and a ground lease of the City's interests in the real estate legally described in Exhibit A attached hereto and incorporated herein by reference, commonly known as the Harley Clarke Mansion with a real property address of 2603 Sheridan Road in Evanston, Illinois (the "Subject Property").

**SECTION 2:** The City Manager is directed to adhere to the following points in negotiations with the Illinois Department of Natural Resources:

1. The Harley Clarke Mansion and Coach House ("Buildings") only are to be made available for sale.
2. No land is to be offered for sale. The land occupied by the Buildings only may have a long term ground lease negotiated.
3. No other land or buildings adjacent to the Buildings are available for ground lease or sale.
4. Provisions for permits for appropriate parking spaces for occupants of the Buildings may be negotiated.
5. Provisions shall be included that stipulate the current and future uses of the Buildings by the State of Illinois.

6. Provisions shall be included that allow the City of Evanston first right to ownership of the Buildings should the State of Illinois wish to vacate the building in the future.
7. Provisions shall be included that allow the Evanston Preservation Commission right of review of any exterior modifications of the Buildings to ensure consistency with appropriate local and state laws.

**SECTION 3:** Pursuant to Subsection 1-17-4-2-(B) of the Evanston City Code, 2012, 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 and Lease Certain Real Estate by Negotiation was published in the *Sun Times*, a newspaper in general circulation in the City, on August 22, 2014. 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 and lease 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: 7

Nays: 1

Introduced: September 8, 2014

Adopted: September 22, 2014

Approved:

September 24, 2014

Elizabeth B. Tisdahl  
Elizabeth B. Tisdahl, Mayor

Attest:

Rodney Greene  
Rodney Greene, City Clerk

Approved as to form:

W. Grant Farrar <sup>msm.</sup>  
W. Grant Farrar, Corporation Counsel

**EXHIBIT A**

**LEGAL DESCRIPTION**

LOTS 9, 10 AND 11 OF BLOCK 5 BROWN'S LAKE GROVE ADDITION TO EVANSTON, A SUBDIVISION OF A PART OF LOTS 35 TO 38 OF BAXTER'S SHARE OF THE SOUTH SECTION OF OUILMETTE RESERVE, ALSO PARTS OF LOTS 23 TO 25 IN GEORGE SMITH'S SUBDIVISION OF THE SOUTH PART OF OUILMETTE RESERVE, IN TOWNSHIP 42 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

COMMONLY KNOWN AS: 2603 SHERIDAN ROAD, EVANSTON ILLINOIS

PIN: 11-19-111-024-0000.