

8/14/2015

114-O-15

AN ORDINANCE

**Authorizing the City Manager to Enter into a Real Estate Contract for
the Sale of the Certain City-Owned Real Property at
1821 Ridge Avenue to NRG Acquisitions, LLC**

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

SECTION 1: Legislative Statement.

At the time of passage of this ordinance, the City of Evanston owns real property with a real property address of 1821 Ridge, Evanston, Illinois, legally described in Exhibit A attached hereto and incorporated herein by reference (the "Subject Property").

The City Council of the City of Evanston has determined that ownership of the Subject Property is no longer necessary, appropriate, required, or in the best interest of the City of Evanston. The City Council determined that the best interest of the City of Evanston would be served to sell the Subject Property to NRG Acquisitions, an Illinois limited liability company ("NRG Acquisitions"). On April 13, 2015, the City Council adopted Ordinance 29-O-15 authorizing the City Manager to negotiate the sale of the Subject Property to potential purchasers.

Pursuant to Ordinance 29-O-15, the City Council, by a vote of two-thirds (2/3) of the elected Aldermen then holding office directed that the Subject Property be sold by negotiation on behalf of the City. Negotiations commenced and concluded. The City Manager recommends that a sale between the City of Evanston as Seller, and NRG Acquisitions, LLC, as Buyer, be hereby accepted by the City Council for the aforesaid

Property legally described in Exhibit A. The City Council finds and determines that the best interests of the City of Evanston and its residents will be served by conveying the aforesaid Subject Property to NRG Acquisitions on terms consistent with the Agreement for Purchase and Sale of Real Estate and in a form acceptable to the Corporation Counsel prior to execution, the proposed agreement is attached as Exhibit B and incorporated herein by reference (hereinafter, the "Agreement").

SECTION 2: That the negotiated sale of the Subject Property to NRG Acquisitions, as Buyer is hereby accepted by the City Council of the City of Evanston for the real Property legally described in Exhibit A and commonly known as 1821 Ridge, Evanston, Illinois.

SECTION 3: The City Manager is hereby authorized and directed to sign the real estate sale agreement and the City Clerk is hereby authorized and directed to attest, the Agreement for Purchase and Sale of Real Estate in Exhibit B, pursuant to the terms of which the Property shall be conveyed. The City Manager is further authorized to negotiate any changes or additional terms and conditions with respect to the sale of the aforesaid Property as the City Manager may deem fit and proper.

SECTION 4: The City Manager and the City Clerk, respectively, are hereby authorized and directed to execute, attest, and deliver such other documents, agreements, and certificates as may be necessary to the sale herein authorized, which are in a form acceptable to the Corporation Counsel.

SECTION 5: 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 6: Pursuant to City Code Subsection 1-17-4-2-(B)-3, Notice of Intent to Sell and Lease Certain Real Estate was published in the *Sun Times*, a newspaper in general circulation in the City, on August 27, 2015. 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 execute a sales contract as the result of a negotiated sale.

SECTION 7: All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 8: This ordinance shall be in full force and effect from and after its passage, approval, and publication in the manner provided by law.

SECTION 9: 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 10: 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

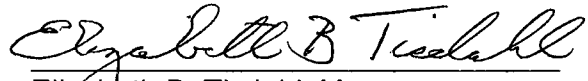
Nays: 0

Introduced: September 15, 2015


Adopted: September 15, 2015

Approved:

September 17, 2015


Elizabeth B. Tisdahl, Mayor

Attest:


Rodney Greene, City Clerk

Approved as to form:


W. Grant Farrar, Corporation Counsel

EXHIBIT A

LEGAL DESCRIPTION

LOTS ONE (1), TWO (2) AND THREE (3) IN THE RESUBDIVISION OF BLOCK ONE (1) IN E.A. PRATT'S ADDITION TO EVANSTON, A SUBDIVISION OF THE SOUTHWEST QUARTER (SW ¼) OF THE NORTHWEST QUARTER (NW ¼), LYING EAST OF RIDGE ROAD, AND WEST OF THE MILWAUKEE DIVISION OF THE CHICAGO AND NORTHWESTERN RAILROAD IN SECTION EIGHTEEN (18), TOWNSHIP FORTY-ONE (41) NORTH, RANGE FOURTEEN (14) EAST OF THE THIRD PRINCIPAL MERIDIAN.

Real property address: 1821 Ridge, Evanston, Illinois 60201

PINs: 11-18-116-018-0000
11-18-116-019-0000
11-18-116-020-0000

EXHIBIT B
REAL ESTATE PURCHASE AND SALE AGREEMENT