

4/3/2019

37-O-19

AN ORDINANCE

Authorizing the City Manager to Execute a Sale Contract for City Owned Real Property located at 1824 Emerson Street to Evanston Township High School District No. 202

WHEREAS, the City of Evanston owns real property located at 1824 Emerson Street, Evanston, Illinois, 60201 and legally described in Exhibit A, attached hereto and incorporated herein by reference (the "Subject Property"); and

WHEREAS, the City acquired the Subject to implement the Intergovernmental Agreement for Affordable Housing Agreement ("Agreement") dated February 11, 2018 by and between the City and Evanston Township High School District No. 202 (ETHS); and

WHEREAS, ETHS will construct a home through the Geometry in the Classroom program and the home will be relocated to the Subject Property; and

WHEREAS, the City Council of the City of Evanston has determined that ownership of the aforesaid Subject Property is no longer necessary, appropriate, required, or in the best interests of the City of Evanston and seeks to sell the Subject Property to ETHS to further implement terms of the Agreement for affordable housing; and

WHEREAS, pursuant to Ordinance 36-O-19, the City Council, by a vote of at least two-thirds ($\frac{2}{3}$) of the elected Aldermen then holding office, did direct the City Manager to negotiate the sale of 1824 Emerson Street; and

WHEREAS, pursuant to Ordinance 36-O-19, the City Manager has negotiated the sale of the Subject Property; and

WHEREAS, the City Manager recommends that the City Council hereby approve the sale of the Subject Property, with the City as Seller and ETHS as Buyer; and

WHEREAS, the City Council hereby finds and determines that the best interests of the City of Evanston and its residents will be served by conveying the Subject Property, on terms consistent with the Sale Agreement for Real Estate, attached hereto as Exhibit B and incorporated herein by reference (hereinafter, the "Agreement"); and

WHEREAS, as required by Section 1-17-4-2-(B) of the Evanston City Code, 2012, as amended (the "City Code"), a Notice of Intent to Sell Certain Real Estate, was published in the *Evanston Review*, a newspaper in general circulation in the City of Evanston, on May 9, 2019, 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 sale of the Property,

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

SECTION 1: The foregoing recitals are hereby found as fact and incorporated herein by reference.

SECTION 2: The City Council of the City of Evanston hereby approves the negotiated sale of the Subject Property with the City as Seller and ETHS as Buyer.

SECTION 3: The City Manager is hereby authorized and directed to sign, and the City Clerk is hereby authorized and directed to attest, the Agreement, pursuant to the terms of which the Subject 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 Subject 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 effectuate the sale herein authorized.

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 hereof that can be given effect without the invalid provision or application, and each invalid application hereof 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

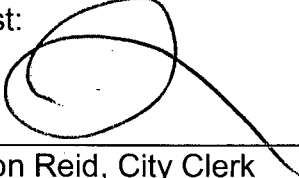
Nays: 0

Introduced: June 10, 2019

Adopted: June 10, 2019

Approved: June 24, 2019

Stephen H. Hagerty
Stephen H. Hagerty, Mayor

Attest: 
Devon Reid, City Clerk

Approved as to form:
Michelle L. Masoncup
Michelle L. Masoncup, Corporation Counsel

EXHIBIT A

LEGAL DESCRIPTION

THE EAST 16 AND 2/3 FEET OF LOT 1 AND THE WEST 16 AND 2/3 FEET OF LOT 2
IN BLOCK 2 IN MERILL LADD'S SECOND ADDITION TO EVANSTON IN THE WEST
HALF OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF
SECTION 13, TOWNSHIP 41 NORTH, RANGE 13, EAST OF THE THIRD
PRINCIPAL MERIDIAN IN COOK COUNTY, ILLINOIS.

COMMON ADDRESS: 1824 Emerson St., Evanston, IL 60201

PERMANENT INDEX NUMBERS: 10-13-214-002-0000

EXHIBIT B

Sale Agreement of Real Estate