

7677-67

An Ordinance Repealing Urbana City Code
Section 2.19(b) "Procedures for the Sale or Purchase
of Real Estate" and Enacting an Ordinance Regarding
Procedures for the Sale, Leasing and Purchase of Real Estate

BE IT ORDAINED by the Urbana City Council that upon the effective date of this Ordinance, the former Section 2.19(b) of the Urbana City Code is repealed and in its place is enacted the following:

1. The City of Urbana, Illinois, in the exercise of its home rule powers as contained in Article VII, Section 6 of the Constitution of the State of Illinois, 1970, herewith ordains that, any provisions contained in the statutes of the State of Illinois to the contrary notwithstanding, the following provisions of this Ordinance shall govern the sale of any real estate, or any interest therein, now owned or hereinafter owned by the City of Urbana or the leasing by, or from the City of Urbana, of any real estate, or the purchase of any real estate by the City of Urbana, other than through the exercise of the power of eminent domain, and the purchase or sale of any options for the foregoing transactions.

2. Sale of Real Estate. Any real estate now owned or hereafter owned by the City of Urbana, or any interest in real estate now held or hereafter held by the City of Urbana, may be sold in any manner prescribed by the City Council in an ordinance authorizing such sale; provided that prior to the enactment of such Ordinance, a public hearing is held on the question of the sale before the City Council or some regular standing committee of the said Council, and provided further that notice that such public hearing will be held is published in a local newspaper having a general circulation within the City of Urbana, Illinois, at least fifteen (15) days prior to the holding of such meeting and the said notice states the time, place and date of such meeting, and describes the property that may be sold. The ordinance authorizing the sale of any such real estate, or interest therein, shall require a three-fourths (3/4) vote of the City Council according to Ordinance No. 7374-61 and shall be approved by the Mayor. In such ordinance the City Council shall expressly find and declare that the said real estate,

or interest therein, that is therein authorized to be sold is no longer needed for governmental purposes, or proprietary activity of the City.

3. Leasing Real Estate, City Lessor. Any real estate now owned or hereafter owned by the City of Urbana, or any interest therein, may be leased from the City of Urbana in any manner prescribed by the City Council in an ordinance authorizing such lease; provided that prior to the enactment of such ordinance, a public hearing is held on the question of the said lease before the City Council or some regular standing committee of the said Council, and provided further that notice that such public hearing will be held is published in a newspaper having a general circulation within the City of Urbana, Illinois, at least fifteen (15) days prior to the holding of such meeting and the said notice states the time, place and date of such meeting and describes the property that is to be leased. The ordinance authorizing the lease from the City of Urbana of any such real estate or interest therein shall require a three-fourths (3/4) vote of the City Council according to Ordinance No. 7374-61 and shall be approved by the Mayor. In such ordinance the City Council shall expressly find and declare that the said real estate or interest therein that is therein authorized to be leased from the City of Urbana is not needed for governmental purposes or proprietary activity of the City for the period of the said leased term.

4. Leasing Real Estate, City Lessee. The City of Urbana may lease from any person, partnership, corporation or other public entity any real estate or interest therein for any corporate purposes found and declared by the City Council of the City of Urbana and pursuant thereto, may authorize the leasing thereof under any terms and any conditions approved by the City Council by ordinance duly passed.

5. Purchase of Real Estate. The City of Urbana may purchase real estate, or any interest therein, for any corporate purposes found and declared by the City Council of the City of Urbana and pursuant thereto, may authorize thereof under any terms and any conditions approved by the City Council by ordinance duly passed.

6. Options. (a) If the City desires to sell an option to purchase, or option to lease from the City (or any combination thereof), any real estate or interest therein that the City now owns or hereafter owns, the City may do so in a like manner as is prescribed for the outright sale or lease of such real estate in this Ordinance.

(b) If the City desires to buy an option for the purchase of or lease of (or any combination thereof), any real estate or any interest therein, the City may do so in like manner as is prescribed for the outright purchase or lease to the City of such real estate in this Ordinance.

7. In any ordinance enacted pursuant to this ordinance the provisions of Ordinance No. 7374-61 of the City of Urbana, entitled "An Ordinance Governing Voting Procedures in Actions by the City Council of the City of Urbana" shall apply.

8. This Ordinance shall be effective immediately upon its passage and approval by the Mayor.

This Ordinance is hereby passed by the affirmative vote, the "ayes" and "nays" being called of a majority of the members of the Council of the City of Urbana, Illinois, at a regular meeting of said Council on the 20th day of December, 1976.

PASSED by the City Council this 20th day of December, 1976.

Duane Eckerty
Duane Eckerty, City Clerk

APPROVED by the Mayor this 22 day of December, 1976.

Hiram Paley
Hiram Paley, Mayor