

ORDINANCE NO. 7778-19

WHEREAS, The City of Urbana owns the following described real property:

Commencing at the N.W. Corner of the N.E. $\frac{1}{4}$ of the S.W. $\frac{1}{4}$ of Section 15, Township 19 North, Range 9 East of the 3rd P.M., thence Westerly along the North line of the N.E. $\frac{1}{4}$ of the S.W. $\frac{1}{4}$ 15-19-9E, a distance of 90.00', thence S 00° 43' 10" E a distance of 40.00' for a true point of beginning. Thence Southerly a distance of 131.00' to the N.W. Corner of Lot 1351 of Country Squire Estates 6th Subdivision, Urbana, Illinois, thence Easterly along the North line of said lot a distance of 60.00', thence N 00° 43' 10" W a distance of 5.13', thence Northwesterly 128.61' along an arc to the right with a radius of 435.50' and a chord bearing of N 11°33'00" W and a chord distance of 128.15', thence Westerly a distance of 35.92' to the point of beginning. Said tract containing 5940 S.F. or 0.136 acres more or less.

which property is located at the Southwest corner of Washington Street and Smith Road; and

WHEREAS, the City Council of the City of Urbana has determined that it is no longer necessary, appropriate, or in the best interest of the City of Urbana that it retain title to said real estate, and that said real estate is not required for the use of, or profitable to the City; and

WHEREAS, pursuant to Urbana Ordinance No. 7677-67, the City Council of the City of Urbana has authority to sell, or to grant an option to purchase, real property owned by the City of Urbana without taking bids therefor after public notice and a public hearing on any such proposed sale or option to purchase; and

WHEREAS, pursuant to said Ordinance No. 7677-67, public notice has been given of a public hearing on the proposal to sell the aforesaid parcel to Northwood, Inc., which said Notice was published in the Courier on August 18, 1977, a newspaper published in the City of Urbana and the News-Gazette on August 19, 1977, a newspaper of general circulation within the City of Urbana; and

WHEREAS, pursuant to the said Ordinance 7677-77, a public hearing on the aforesaid proposal to sell said parcel was held on September 6, 1977, which said date was not less than 15 days subsequent to the date that the notice of such public hearing was published; and

WHEREAS, the City Council of the City of Urbana finds and determines that the parcel of real estate involved in the sale of real estate is no longer needed for governmental purposes or proprietary activity of the City and that the best interests of the City of Urbana and its residents will be served by selling the parcel to Northwood, Inc., for the sum of \$ 2,100.00 .

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF URBANA, CHAMPAIGN COUNTY, ILLINOIS, AS FOLLOWS:

SECTION ONE: The City Council of the City of Urbana finds as facts the recitals hereinabove set forth.

SECTION TWO: The offer of Northwood, Inc. to pay the sum of \$ 2,100.00 for the subject parcel, be and it is hereby accepted.

SECTION THREE: The Mayor is hereby authorized and directed to sign and the City Clerk is hereby authorized and directed to attest an Agreement for the sale and purchase of the aforesaid parcel which agreement shall be in the form attached hereto.

SECTION FOUR: Upon satisfaction of the terms of the aforesaid Agreement and upon the payment of securing of the aforesaid purchase price for the subject parcel in the manner provided in said Agreement, the Mayor is hereby authorized and directed to convey and transfer the aforesaid parcel to Northwood, Inc. by a proper deed of conveyance, stating therein the aforesaid consideration, and the City Clerk is hereby authorized to acknowledge and attest such deed and to affix thereto the seal of the City of Urbana.

SECTION FIVE: The Mayor and the City Clerk are hereby authorized, respectively, to execute and attest such other documents as may be necessary to the conveyance herein authorized.

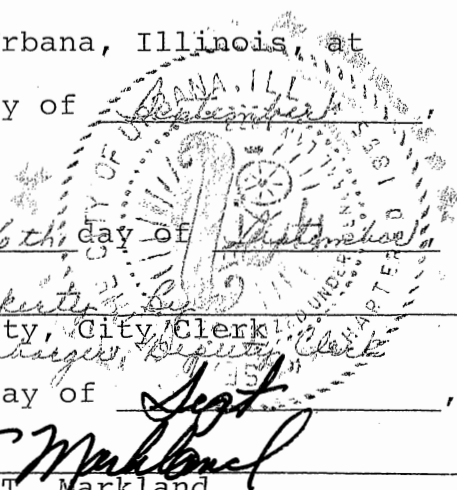
SECTION SIX: This Ordinance is hereby passed by the affirmative vote, the "ayes" and "nays" being called, of a majority of the Members of the Council of the City of Urbana, Illinois, at regular meeting of said Council on the 6th day of September 1977.

PASSED by the City Council this 6th day of September 1977.

Duane Eckerty, City Clerk
Deputy Ambassadors, Deputy Clerk

APPROVED by the Mayor this 12th day of Sept, 1977

Jeffrey T. Markland
Jeffrey T. Markland



7778-19

THIS IS THE ATTACHMENT WHICH IS REFERRED TO IN
ORDINANCE NO. 7778-19 AND IS INCORPORATED
THEREIN BY REFERENCE.

Ruth S. Brookens, City Clerk

Date

AGREEMENT TO SELL REAL ESTATE

WHEREAS, the City of Urbana, Champaign County, Illinois, hereinafter called "City" owns the following described real estate:

Commencing at the N.W. Corner of the N.E. $\frac{1}{4}$ of the S. W. $\frac{1}{4}$ of Section 15, Township 19 North, Range 9 East of the 3rd P.M., thence Westerly along the Northline of the N.E. $\frac{1}{4}$ of the S.W. $\frac{1}{4}$ 15-19-9E, a distance of 90.00', thence S 00° 43' 10" E a distance of 40.00' for a true point of beginning. Thence Southerly a distance of 131.00' to the N.W. Corner of Lot 1351 of Country Squire Estates 6th Subdivision, Urbana, Illinois, thence Easterly along the North line of said lot a distance of 60.00', thence N 00°43'10" W a distance of 5.13', thence Northwesterly 128.61' along an arc to the right with a radius of 435.50' and a chord bearing of N 11°33'00" W and a chord distance of 128.15', thence Westerly a distance of 35.92' to the point of beginning. Said tract containing 5940 S.F. or 0.136 acres more or less.

WHEREAS, the above described real estate is the remaining portion of a parcel which enabled the City to improve the intersection of Washington Street and Smith Road; and

WHEREAS, the above described real estate being the unneeded fragment of the parcel originally acquired for the aforesaid purpose, has been determined to be of no further use to the City, and

WHEREAS, Northwood, Inc., hereinafter called "Northwood", being the owner and developer of that property immediately adjacent to the real estate which is the subject of this agreement, is willing to buy the said real estate.

For and in consideration of the mutual promises contained herein, the parties agree as follows:

1. City agrees to sell and Northwood agrees to buy the above described real estate.
2. City shall deliver to Northwood not less than 10 days prior to closing a title commitment for an Owner's title insurance policy in the amount of the purchase price covering title to the real estate on the date thereof showing title in the City subject only to:
 - (a) the general exceptions usually contained in such policies in Champaign County;
 - (b) title exceptions pertaining to general taxes, if any;
 - (c) easements and restrictions apparent of record.

3. If the title commitment shows unpermitted exceptions, the City shall have thirty (30) days to have the exceptions removed. If the City fails to have the exceptions removed, the contract shall be void.

4. Northwood agrees to pay \$ 2,100.00 in cash at closing for the above described real estate.

5. Possession shall be delivered at closing. Closing shall be on or before September 20, 1977, at the City Building, Urbana, Illinois, or other place mutually agreeable.

6. Conveyance shall be made by proper deed of conveyance stating therein the aforesaid consideration.

7. City shall pay the general taxes, if any, for the year 1976 payable in 1977 and the prorata share of 1977 taxes payable in 1978 based on the last ascertainable taxes, figuring a credit thereon against the purchase price.

CITY OF URBANA, ILLINOIS

NORTHWOOD, INC.

By: Jeffrey T. Markland
Jeffrey T. Markland
Mayor

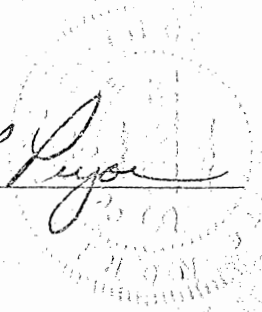
By: Michael J. ...
Its President

ATTEST:

Duane Eckerty, By
Duane Eckerty
City Clerk
Leahy Ambarger, Deputy Clerk

ATTEST:

Brandon L. Piper
Secretary



WARRANTY DEED

For Recorder's Certificate Only

THE GRANTOR, THE CITY OF URBANA, a municipal corporation

of the City of Urbana, in the County of Champaign, and State of Illinois

for and in consideration of Ten Dollars (\$10.00) and other good and valuable consideration in hand paid, CONVEYS AND WARRANTS to the GRANTEE, NORTHWOOD, INC.

of the City of Urbana, County of Champaign, and State of ILLINOIS, the following described real estate:

Commencing at the N.W. Corner of the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 15, Township 19, North, Range 9 East of the 3rd Principal Meridian, thence Westerly along the North line of the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ 15-19-9E, a distance of 90.00', thence South 00 degrees 43 minutes 10 seconds East a distance of 40.00' for a true point of beginning. Thence Southerly a distance of 131.00' to the NW corner of Lot 1351 of Country Squire Estates 6th Subdivision, Urbana, Illinois, thence Easterly along the North line of said lot a distance of 60.00', thence North 00 degrees 43 minutes 10 seconds West a distance of 5.13 feet, thence Northwesterly 128.61 feet along an arc to the right with a radius of 435.50 feet and a chord bearing of North 11 degrees 33 minutes 00 seconds West and a chord a distance of 128.15 feet, thence Westerly a distance of 35.92 feet to the point of beginning, containing 5940 S. F. or 0.136 acres more or less situated in the City of Urbana, in Champaign County, Illinois.

The actual consideration given: \$2,100.00

- Subject to: (1) Real estate taxes for the year 1976 and subsequent years;
- (2) Covenants, conditions, restrictions and easements apparent or of record;
- (3) All applicable zoning laws and ordinances;
- (4) Special assessment - East Washington Street.

Dated this _____ day of _____, 1977.

ATTEST: Duane Eckerty
Duane Eckerty, City Clerk

THE CITY OF URBANA, A Municipal Corporation,
By: Jeffrey T. Markland
Jeffrey T. Markland, Mayor

STATE OF ILLINOIS }
COUNTY OF CHAMPAIGN } SS.

I, Vicki L. McKinney, a Notary Public in and for said County, in the State aforesaid, DO HEREBY CERTIFY that JEFFREY T. MARKLAND, Mayor, and DUANE ECKERTY, City Clerk, to me personally known to be Mayor and City Clerk respectively of THE CITY OF URBANA, ILLINOIS, a Municipal Corporation, and also known to me to be the persons whose names are subscribed to the foregoing instrument, appeared before me this day in person and acknowledged the same as such Mayor and City Clerk respectively they signed, sealed, and delivered the said instrument as the free and voluntary act of said corporation, for the uses and purposes therein set forth, and that they were duly authorized to execute the same by the City Council of said corporation.

Given under my hand and notarial seal, this _____ day of _____, A.D. 19__

Vicki L. McKinney
Notary Public.

Deed Prepared By: <u>Jack Waaler</u> WAALER, EVANS & GORDON 2503 S. Neil Street Champaign, IL 61820	Send Tax Bill To: _____ _____
Exempt under provisions of Paragraph <u>15</u> , Section 4, Real Estate Transfer Tax Act.	
Date _____	Signature <u>Jack Waaler</u> Buyer, Seller or Representative