

ORDINANCE NO. 9293-78

AN ORDINANCE AMENDING CHAPTER 2 OF
THE CODE OF ORDINANCES, CITY OF URBANA, ILLINOIS

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF URBANA, ILLINOIS, as follows:

Section 1. That Section 2-118 of Chapter 2 of the Code of Ordinances, City of Urbana, Illinois, is hereby amended to read as follows:

Sec. 2-118. Purchase, sale, lease, etc., of real estate.

(a) Sale of real estate. (1) Except as provided for in A(3) below, any real estate now owned or hereafter owned by the city, or any interest in real estate now held or hereafter held by the city, 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 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, at least fifteen (15) days prior to the holding of such meeting and the 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 vote of all the alderpersons then holding office and the Mayor. In such ordinance the city council shall expressly find and declare that the 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.

(2) The above requirements for a public hearing and for the required notice for such public hearing shall not apply, however, to the sale of residential property acquired under the community development program of the City of Urbana. In lieu of such public hearing and such notice, any such property acquired under the Community Development Block Grant Program of the city shall be sold in accordance with Applicable guidelines cited in the Housing and Community Development Act of 1974, as amended.

(3) As an exception to a(1) above, any property owned by the City and offered for sale as part of a Community Development Program specifically approved by an ordinance (previously adopted by a majority vote of all the alderpersons then holding office) can be sold without further approval of such specific sale by the City Council in accordance with the standards set forth in

such Community Development Program. The Community Development Program specifically approved, as referred to in this Section, shall also specifically make reference to this subsection and identify such Community Development Project as one that qualifies for the sales under this Section.

(b) Leasing real estate, city lessor. Any real estate now owned or hereafter owned by the city, or any interest therein, may be leased from the city in any manner prescribed by the city council in an ordinance authorizing such lease; provided that prior to the enactment of such ordinance, the same procedures as are set forth in Subsection (a)(1) above regarding the sale of real estate are followed.

(c) Leasing real estate, city lessee. The city may lease from any person any real estate or interest therein for any corporate purposes found and declared by the city council and pursuant thereto, may authorize the leasing thereof under any terms and any conditions approved by the city council by ordinance duly passed, or as authorized herein.

(d) Purchase of real estate. The city may purchase real estate, or any interest therein, for any corporate purposes found and declared by the city council and pursuant thereto, may authorize the purchase thereof under any terms and any conditions approved by the city council by ordinance duly passed, or as authorized herein.

(e) Selling options. 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 section.

(f) Buying options. 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 section, or as authorized herein.

(g) Transfers to and from other municipalities and to the state. Nothing contained in this section shall be deemed to apply to transfers of property by the city to or from other municipalities as authorized in Section 156 et. seq., Chapter 30, Illinois Revised Statutes, or to the state as authorized by Section 158a, Illinois Revised

Statutes, as therein respectively appearing. (Ord. No. 7677-67, §§ 2-7, 12-20-76; Ord. No. 7980-7, 8-6-79; Ord. No. 7980-113, § 6(D), 6-16-80).

(h) Exception for minor transactions. The requirements of this division pertaining to the purchase of an option shall not apply to transactions in which the consideration for such option is less than One Thousand (\$1,000.00) Dollars. Nor shall the requirements of this division pertaining to the leasing of real estate or granting of easements (whether the city is the lessee/grantee or the lessor/grantor) apply when the term of the lease or easement is for two (2) years or less. In such cases, the only requirement shall be that the Mayor or Chief Administrative Officer shall authorize such transaction.

Section 2. That Section 2-118.1 of Chapter 2 of the Code of Ordinances, City of Urbana, Illinois, is hereby amended to read as follows:

Sec. 2-118.1. Sale of personal property.

Items of personal property belonging to the city may be sold or offered for sale to any financially responsible person by the department head of the city department utilizing such item of personal property, provided such department head determines first that such items of personal property are no longer useful or necessary for the use of the city or its employees and provided further that the chief administrative officer finds that the manner and method of sale will achieve the highest price that can be reasonably expected to be achieved for the sale of such item. (Ord. No. 8182-61, 2-15-82; Ord. No. 8990-53, 11-20-89; Ord. No. 9091-72, 12-17-90)

Section 3. That Section 2-118.2 is hereby added to Chapter 2 of the Code of Ordinances, City of Urbana, Illinois, to read as follows:

Sec. 2-118.2. Liens and mortgages.

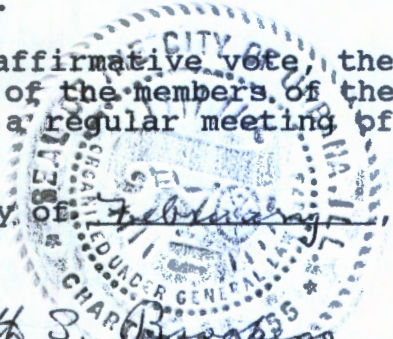
The Comptroller is designated as the city officer authorized to sign claims for lien to be recorded based upon monies due to the city. The City Attorney is designated as the city officer authorized to sign all instruments needful to release claims for lien and/or mortgages upon receipt of satisfaction of all obligations secured thereby. The Chief Administrative Officer is authorized to substitute one or more parcels of real estate for one or more other parcels of real estate in any mortgage arrangements between the city and the Illinois Housing Development Authority involving real estate owned by the city.

Section 4. All ordinances, resolutions or motions or parts thereof, in conflict with the provisions of this Ordinance are, to the extent of such conflict, hereby repealed.

Section 5. The City Clerk is directed to publish this Ordinance in pamphlet form by authority of the corporate authorities, and this Ordinance shall be in full force and effect from and after its passage and publication in accordance with Section 1-2-4 of the Illinois Municipal Code.

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.

PASSED by the City Council this 15th day of February, 1993.



Ruth S. Brookens
Ruth S. Brookens, City Clerk

APPROVED by the Mayor this 23rd day of February, 1993.

Jeffrey T. Markland
Jeffrey T. Markland, Mayor