

ORDINANCE NO. 2009-05-047

**AN ORDINANCE REPEALING ORDINANCE NO. 2003-03-024  
AND APPROVING AND AUTHORIZING THE SALE OF CERTAIN REAL ESTATE**

**(1107 North Gregory Street and 1109 North Gregory Street,  
Homestead Corporation of Champaign-Urbana)**

Whereas, the City purchased 1109 North Gregory Street in 1992 and 1107 North Gregory Street in 1994 for the purpose of eliminating blighted buildings and for the construction of new affordable housing as part of the Eads at Lincoln Subdivision; and

WHEREAS, at its March 17, 2003 meeting the Urbana City Council approved ORDINANCE NO. 2003-03-024 authorizing the sale of 1107 North Gregory Street and 1109 North Gregory Street to Yvette Gray Brown for expansion of the Peter Pan Day Care; and

WHEREAS, Ms. Yvette Gray Brown has been contacted both before and after June 30, 2003, which is the date contemplated by the Ordinance for completion of the sale, and has not accepted the City's offer to sell the subject real estate; and

WHEREAS, in a letter sent by the City to Ms. Yvette Gray Brown on January 15, 2009, by certified mail, Ms. Yvette Gray Brown was notified that because she had said she was no longer interested in acquiring the subject property, the City intended to rescind the offer and repeal Ordinance #2003-03-024; and

WHEREAS, Homestead Corporation of Champaign-Urbana has expressed interest in the properties for the construction of new affordable housing; and

WHEREAS, the Urbana City Council finds under the circumstances herein set forth, it is desirable to repeal Ordinance No. 2003-03-024 and to approve and authorize the sale of certain real estate; and

WHEREAS, Subsection (a), entitled "Sale of real estate," of Section 2-118, entitled "Purchase, sale, lease, etc., of real estate," of the Code of Ordinances, City of Urbana, Illinois, provides that any real estate owned by the City of Urbana may be sold in any manner prescribed by the City Council in an ordinance authorizing such sale; and

WHEREAS, the requirements of said Subsection (a) of Section 2-118 for a public hearing and for the required notice for such public hearing do not, pursuant to the terms thereof, apply to the sale of residential property acquired under the Community Development Program; and

WHEREAS, the City Council desires to sell the real estate commonly known as 1107 North Gregory Street and 1109 North Gregory Street, which said property has heretofore been acquired under the Community Development Program, in accordance with said Subsection (a) of Section 2-118 and the policy heretofore established with respect thereto; and

WHEREAS, the City Council expressly finds and declares that said real estate is not needed for governmental purposes or proprietary activity of the City of Urbana.

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

Section 1. The Urbana City Council does hereby repeal Ordinance No. 2003-03-024.

Section 2. That the Contract for Sale of Real Estate by and between the City of Urbana, Illinois, and Homestead Corporation of C-U , a copy of which said Contract is attached hereto and incorporated herein by reference, be and the same is hereby authorized and approved.

Section 3. The Mayor of the City of Urbana, Illinois, be and the same is hereby authorized to execute said Contract together with all necessary deeds and documents required by said Contract for and on behalf of the City of Urbana, Illinois.

Section 4. The Mayor of the City of Urbana, Illinois, be and the same is hereby authorized to execute extensions of time set forth in the said Contract for and on behalf of the City of Urbana, Illinois.

Section 5. This ordinance is hereby passed by the affirmative vote, the ayes and nays being called, of three-fourths of the members of the City Council of the City of Urbana, Illinois, at a regular meeting of the said City Council.

PASSED by the City Council this 18th day of May, 2009.

AYES: Bowersox, Lewis, Marilyn Roberts, Smyth

NAYS:

ABSTAINS:



*Phyllis D. Clark*  
Phyllis D. Clark, City Clerk

*J. Robert Clark*  
J. Robert Clark, Deputy Clerk

APPROVED by the Mayor this 20th day of May, 2009.

*Laurel Lunt Prussing*  
Laurel Lunt Prussing, Mayor