

ORDINANCE NO. 2016-07-056

**AN ORDINANCE AUTHORIZING THE PURCHASE OF CERTAIN REAL ESTATE
(202 and 204 North Wood Street)**

WHEREAS, Urbana City Code Section 2-118, Subsection (d), provides that the City may purchase real estate for any corporate purposes found and declared by the City Council, and that the City Council may authorize the purchase thereof under any terms and any conditions by ordinance duly passed; and

WHEREAS, the City desires to purchase the real estate commonly known as 202 and 204 North Wood Street for construction of a planned Boneyard Creek beautification and trail area following demolition of the structure located on the real estate; and

WHEREAS, the City Council expressly finds and declares that said real estate is needed for governmental purposes of the City of Urbana.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Urbana, Champaign County, Illinois, as follows:

Section 1.

The purchase of the real estate commonly known as 202 and 204 North Wood Street in Urbana, Illinois, and legally described below, substantially on such terms as contained in the Real Estate Transfer Agreement attached hereto and incorporated herein, is hereby approved:

The South Fifty-Nine (59) feet of Lot 16 and all of Lot Seventeen (17) all in S.T. Busey's Addition to Urbana, as per Plat recorded in Deed Record 19 at Page 285, situated in Champaign County, Illinois.

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Section 2.

The Mayor of the City of Urbana, Illinois, be and the same is hereby authorized to execute and deliver and the City Clerk of the City of Urbana,

Illinois, be and the same is hereby authorized to attest to said execution of said Real Estate Transfer Agreement as so authorized and approved for and on behalf of the City of Urbana, Illinois.

Section 3.

The Mayor of the City of Urbana, Illinois, or her designee, be and hereby is authorized to perform all acts necessary on behalf of the City of Urbana to effectuate the acquisition of the real estate.

Section 4.

This Ordinance shall not be construed to affect any suit or proceeding pending in any court, or any rights acquired, or a liability incurred, or any cause or causes of action acquired or existing prior to the effective date of this Ordinance; nor shall any right or remedy of any character be lost, impaired, or affected by this Ordinance.

Section 5.

This Ordinance shall be in full force and effect from and after its passage.

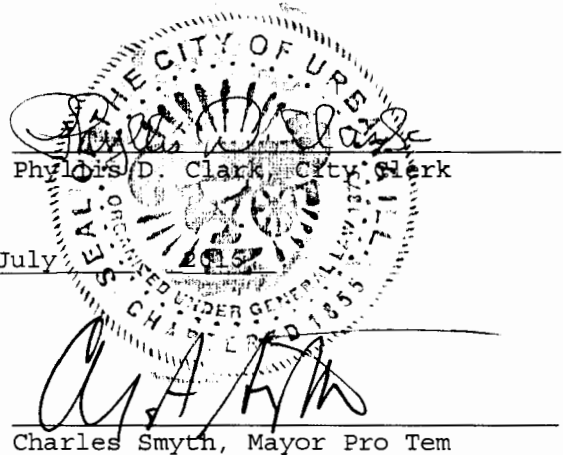
This Ordinance is hereby passed by the affirmative vote, the "ayes" and "nays" being called, of a majority of the members of the Council of the City of Urbana, Illinois, at a meeting of said Council.

PASSED BY THE CITY COUNCIL this 18th day of July, 2016.

AYES: Ammons, Brown, Jakobsson, Madigan, Marlin, Roberts, Smyth, Prussing

NAYS:

ABSTAINED:



Phylis D. Clark, City Clerk

Charles Smyth, Mayor Pro Tem

APPROVED BY THE MAYOR this 21st day of July

2 ACT 517574



SPECIAL WARRANTY DEED

THE GRANTOR, LEHMAN CREEKSIDE PROPERTIES, LLC, an Illinois limited liability company, of 3525 77th Avenue N, Brooklyn Park, Minnesota 55443-2816, for and in consideration of **TEN DOLLARS (\$10.00)** and other good and valuable consideration in hand paid, **CONVEYS and SPECIALLY WARRANTS** to the **CITY OF URBANA, ILLINOIS**, a municipal corporation duly organized and existing under and by virtue of the laws of the State of Illinois, all interest in the following described real estate situated in the County of Champaign, in the State of Illinois, to wit:

2016R15972
REC ON: 08/19/2016 1:12:28 PM
CHAMPAIGN COUNTY
BARBARA A. FRASCA, RECORDER
REC FEE: 48.00
PAGES 2
PLAT ACT: OPLAT PAGE:

The South Fifty-Nine (59) feet of Lot 16 and all of Lot Seventeen (17) all in S.T. Busey's Addition to Urbana, as per Plat recorded in Deed Record 19 at Page 285, situated in Champaign County, Illinois.

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COMMONLY KNOWN AS: 202 and 204 North Wood Street, Urbana, Illinois 61801-2641

The Grantor warrants and covenants to the Grantee and its successors in title that the real estate is free and clear from any encumbrance made, done, or suffered by the Grantor, except as herein set out, and that the Grantor will defend the title to the real estate to the extent of the warranties made herein against the lawful claims and demands of all persons or entities.

Subject to covenants, conditions, restrictions and easements apparent or of record, real estate taxes for the year 2015 and subsequent years, and all applicable zoning laws and ordinances.

The Grantor has caused its name to be signed to these presents by its Members this 11th day of August, 2016.

LEHMAN CREEKSIDE PROPERTIES, LLC

By:

Thomas L. Lehman
Thomas L. Lehman, Member

Debra A. Lehman
Debra A. Lehman, Member

STATE OF ILLINOIS)
)
COUNTY OF CHAMPAIGN) ss.

I, the undersigned, a notary public in and for the said County, in the State aforesaid do hereby certify that Thomas L. Lehman and Debra A. Lehman, personally known to me to be the same persons whose names are subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that they signed, sealed, and delivered the said instrument in their capacity as the duly authorized Members of Lehman Creekside Properties, LLC as their free and voluntary acts and the free and voluntary act of Lehman Creekside Properties, LLC for the uses and purposes therein set forth.

GIVEN under my hand and official seal, this 11th day of August, 2016
2016.



Jenny H Park
Notary Public

THIS INSTRUMENT WAS PREPARED BY: Curt Borman, Assistant City Attorney, City of Urbana, 400 S. Vine Street, Urbana, IL 61801

MAIL RECORDED DOCUMENT AND TAX BILL TO: City of Urbana Legal Division, 400 S. Vine Street, Urbana, IL 61801

This transaction is exempt under the provisions of 35 ILCS 200/31-45(b).

Date: August 11, 2016 Buyer, Seller, or Representative Curt Borman