

WHEATON PARK DISTRICT

ORDINANCE AUTHORIZING THE NEGOTIATION FOR THE ACQUISITION OF A CERTAIN PROPERTY COMMONLY KNOWN AS THE WILLIAMS PROPERTY FOR PARK DISTRICT PURPOSES BY THE WHEATON PARK DISTRICT - APPROXIMATELY 1.525 ACRES LOCATED AT 1313 GARY AVENUE IN WHEATON, ILLINOIS

ORDINANCE 2015-07

WHEREAS, the Wheaton Park District (the "Park District"), DuPage County, Illinois is a duly authorized and existing Park District under the laws of the State of Illinois; and

WHEREAS, the Statutes of the State of Illinois pertaining to such matters provide that park districts shall have the power to acquire real estate, or rights therein necessary for building, laying out, extending, adorning and maintaining any such parks, boulevards and driveways, or for affecting any of the powers or purposes granted under this Code as its board may deem proper; and

WHEREAS, the Commissioners of the Park District deem it advisable and in the public interest and welfare to acquire fee simple title to additional real estate within the boundaries of the Park District for the purpose of building, laying out, extending, adorning and maintaining any such parks, boulevards and driveways, or for affecting any of the powers or purposes granted under this Code as its Board may deem proper; and

WHEREAS, the Commissioners of the Park District find that a fee simple interest in the real estate described in the attached Exhibit "A" should be acquired and is necessary and desirable for the purposes as hereinabove set forth; and

WHEREAS, in accordance with the property ownership disclosure requirement imposed on units of local government as set forth in 50 ILCS 105/3.1, the Park District has obtained a title commitment identifying the record title holder of the real estate described in the attached Exhibit "A", to be Barbara McLaren Williams as trustee of the Barbara McLaren Williams Trust Dated August 10, 1988, a copy of said title commitment being attached hereto and incorporated herein as Exhibit "B"; and

WHEREAS, the Park District has determined a valuation for said fee simple parcel, which it believes to represent a fair amount to be offered to the owners of said property.

NOW, THEREFORE, be it ordained by the Commissioners of the Wheaton Park District, a Park District existing under the laws of the State of Illinois as follows:

SECTION ONE: The recitals set forth hereinabove shall be and are hereby incorporated as if said recitals were fully set forth within this Section One.

SECTION TWO: That it is necessary and desirable that the real estate described in Exhibit "A" attached hereto, be acquired in fee simple by the Park District for one or more of the purposes as hereinabove set forth.

SECTION THREE: That the Executive Director, his staff and the Park District's attorneys be, and hereby are, authorized and directed to negotiate for the acquisition of the property described in Exhibit "A" in fee simple, based on the appraisal information obtained on the subject real estate, and in accordance with the directives received from the Commissioners of the Wheaton Park District.

SECTION FOUR: The Clerk for the Park District may provide certified copies of said Ordinance upon proper request from the general public.

SECTION FIVE: That all ordinances and resolutions or parts thereof in conflict with the provisions of this Ordinance are, to the extent of such conflict, hereby repealed.

SECTION SIX: This Ordinance shall be in full force and effect from and after its passage, approval and publication in pamphlet form as provided by law.

This Ordinance shall be in full force and effective immediately upon its adoption and approval.

Adopted this 18th day of November, 2015.

AYES: Frey, Kelley, Nee, Morrill, Vies, Schobel, Holzkeason

NAYS: None

ABSENT: None

Raymond W. Morrill
vice President Board of Park Commissioners
Wheaton Park District

ATTEST:

[Signature]
Secretary, Board of Park Commissioners
Wheaton Park District

(S E A L)



EXHIBIT "A"

LEGAL DESCRIPTION OF SUBJECT REALTY

LOT 1 IN WILLIAMS RESUBDIVISION, BEING A RESUBDIVISION OF PART OF THE SOUTHEAST $\frac{1}{4}$ OF SECTION 8, TOWNSHIP 39 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED SEPTEMBER 28, 1989, AS DOCUMENT R89-120886, IN DUPAGE COUNTY, ILLINOIS

AND

LOTS 2, 3 AND 4 OF WILLIAMS RESUBDIVISION OF LOT 8 IN THOMPSON'S SUBDIVISION, BEING A SUBDIVISION IN THE SOUTHEAST $\frac{1}{2}$ OF SECTION 8, TOWNSHIP 39 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED SEPTEMBER 19, 1978, AS DOCUMENT R78-89345, IN DUPAGE COUNTY, ILLINOIS

EXHIBIT "B"

TITLE COMMITMENT