



TO: The Honorable Mayor and the City Council
FROM: Ty Livingston, Director of Planning & Community Development
DATE: March 12, 2020
SUBJECT: Resolution & Ordinance to sell City-owned property

BACKGROUND:

Staff has identified two properties to be sold. Both are vacant, but each is to be sold by a different method based upon potential market interest. The two properties are identified below:

- 136 Johnson 01-01-32-413-009 (sealed bid)
- 127 Canterbury 01-01-35-406-011 (thru realtor)

The action here is to only authorize the sale of these properties. The ultimate sale of each will be presented to the City Council at a future meeting.

RECOMMENDATION: Approval, as presented.

ORDINANCE NO. 4494

**ORDINANCE AUTHORIZING THE SELLING PROCESS
BY SEALED BID FOR CITY-OWNED SURPLUS REAL ESTATE**

WHEREAS, the City has acquired title to a parcel of real estate located at 136 Johnson Street within the City of East Peoria through the foreclosure and abandonment provisions of the “Unsafe Property” Division of Article 11 of the Illinois Municipal Code (65 ILCS 5/11-31-1, *et seq.*), and this parcel is legally described in Exhibit A and depicted in Exhibit B, attached hereto and incorporated by reference (hereinafter the “Property”); and

WHEREAS, the City has determined that the Property is surplus public real estate owned by the City, and the City considers the Property to be excess property and unnecessary for City use or City purposes; and

WHEREAS, the City seeks to sell the Property pursuant to the public sealed bidding process as provided under Section 11-76-2 of the Illinois Municipal Code (65 ILCS 5/11-76-2); and

WHEREAS, the City Council hereby finds that it is in the best interests of the City to sell the Property such that the Property can be developed and put to use by an interested party;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF EAST PEORIA, TAZEWELL COUNTY, ILLINOIS, THAT:

Section 1. The Property is hereby directed to be sold by the public sealed bidding process as provided herein. The terms of such sale of the Property shall include payment by the purchasing party of the purchasing party’s 50% share of closing costs, all recording costs, and the City’s legal costs related to the acquisition and sale of the Property in the amount of five hundred dollars (\$500.00).

Section 2. The City Clerk is hereby authorized and directed to publish notice that the City is seeking sealed bids for the Property as provided in Exhibit C, attached hereto, with all bids to be open at the regular City Council meeting to be held at East Peoria City Hall on Tuesday, May 19, 2020, at 6:00 p.m. or as soon thereafter as time permits during the City Council meeting.

Section 3. The City Clerk is further hereby authorized and directed to have this notice (Exhibit C) published in a daily or weekly newspaper circulated in the City of East Peoria and published in Tazewell County for three successive weeks, with the first publication being not less than 30 days before the May 19th City Council meeting (the first publication to be prior to or on April 18, 2020).

Section 4. The City Clerk shall also post this notice (Exhibit B) at City Hall during this 30-day period prior to the May 21st City Council meeting and by any other reasonable means or any other reasonable locations.

Section 5. At the City Council meeting on May 19, 2020, all properly and timely submitted sealed bids will be opened during the meeting, and the City Council may thereafter (1) accept the highest bid properly received by a 3/4 vote of the City Council and Mayor, (2) accept any bid properly received if such other bid is determined to be in the best interest of the City by a 3/4 vote of the City Council and Mayor, or (3) reject any and all bids by a majority vote of the City Council and Mayor.

PASSED BY THE COUNCIL OF THE CITY OF EAST PEORIA, TAZEWELL COUNTY, ILLINOIS, IN REGULAR AND PUBLIC SESSION THIS _____ DAY OF _____, 2020.

APPROVED:

Mayor

ATTEST:

City Clerk

EXAMINED AND APPROVED:

Corporation Counsel

EXHIBIT A

DESCRIPTION OF SURPLUS REAL ESTATE

136 Johnson Street, East Peoria

Zoning Classification: R-4 Multi-Family Residential District

Use: Undeveloped, vacant land

Lot Size: 50 ft x 172 ft (0.2 acres)

Legal Description: Lot Sixty-Nine (69) in ALMIRON S. COLE Addition to East Peoria, situated in the County of Tazewell, in the State of Illinois.

Tax I.D. No. 01-01-32-413-009

EXHIBIT B

MAP OF SURPLUS REAL ESTATE

Surplus Parcel: 136 Johnson Street, East Peoria

EXHIBIT C [Form of Notice]

**CITY OF EAST PEORIA:
NOTICE OF CITY'S ACCEPTANCE OF
SEALED BIDS FOR SALE OF REAL ESTATE**

Notice is hereby given that the City Council for the City of East Peoria, Tazewell County, Illinois, has authorized by ordinance the sale of the City-owned property described below by the public sealed bidding process.

The City-owned property is described as follows:

136 Johnson Street, East Peoria

Legal Description: Lot Sixty-Nine (69) in ALMIRON S. COLE Addition to East Peoria, situated in the County of Tazewell, in the State of Illinois.

Tax I.D. No. 01-01-32-413-009; Zoning: R-4 Multi-Family Residential District

The property is vacant and unoccupied and open for public inspection. **This property is being sold in "as is" condition, and the City makes no warranties regarding the condition of the property.** In addition to paying the bid price for the Property, the successful bidder shall also pay 50% of closing costs and all recording costs related to the transfer of the property, and shall further pay five hundred dollars (\$500.00) to the City for the City's legal costs related to the acquisition and sale of the property.

All bids must be submitted to the City Clerk for the City of East Peoria before 6:00 p.m. on Tuesday, May 19, 2020, in the manner provided below at the following address:

Morgan Cadwalader, City Clerk
Attn: Sealed Bid for 136 Johnson St.
East Peoria City Hall
401 W. Washington Street
East Peoria, IL 61611

Bids may be hand-delivered or mailed to the City Clerk, but must be received by the City Clerk before 6:00 p.m. on Tuesday, May 19, 2020. The City Council reserves the right to reject any and all bids received for this property sale. Any questions can be directed to City Clerk Morgan Cadwalader by phone at (309) 698-4715 or by email at MorganCadwalader@cityofeastpeoria.com.

Dated this ____ day of _____, 2020.

Morgan Cadwalader, City Clerk
City of East Peoria, Illinois

Sale of City Owned Property

Exhibit "A"

136 Johnson St

Legal Description: P.I.N.: 01-01-32-413-009

