



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.

RESOLUTION NO. 1920-128

East Peoria, Illinois

_____, 2020

RESOLUTION BY COMMISSIONER _____

**RESOLUTION AUTHORIZING THE SELLING PROCESS
FOR CITY-OWNED SURPLUS REAL ESTATE**

WHEREAS, the City has acquired title to a parcel of real estate located 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 process set forth under Section 11-76-4.1 of the Illinois Municipal Code (65 ILCS 5/11-76-4.1), which provides for the appraisal of the Property by a certified or licensed appraiser and then the sale of the Property by City Officials, by a local licensed real estate agency, or by public auction for no less than 80% of the appraised value; and

WHEREAS, the Property is further described by the parcel’s current zoning classification, size, and use in Exhibit A; 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 purchasing party;

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

Section 1. The above recitations are found to be true and correct.

Section 2. The Property, after an appraisal of the Property is obtained from a certified or licensed appraiser, is hereby directed to be sold by any process set forth under Section 11-76-4.1 of the Illinois Municipal Code for no less than 80% of the appraised value.

Section 3. City Officials are hereby authorized to execute any documents necessary to initiate the sale or transfer of the Property, including, but not limited to, the execution of a listing agreement with a local licensed real estate agency, and to negotiate the terms of such sale or transfer of the Property to an interested purchasing party. The terms of such sale or transfer of the Property shall include payment by the purchasing party of the City's costs, including, but not limited to, the cost of the appraisal, recording fees, and City attorneys' fees in the amount of five hundred dollars (\$500.00); together with the standard real estate agent commission rate if listed by a local real estate agency.

Section 4. The City Clerk is hereby authorized and directed to publish this Resolution and exhibits attached hereto (excluding Exhibit B) immediately upon the passage of this Resolution by the City Council in a daily or weekly newspaper circulated in the City of East Peoria.

Section 5. City Officials, in their discretion, are hereby authorized to withdraw the Property from the sale or transfer process for any reason they deem necessary or appropriate.

APPROVED:

Mayor

ATTEST:

City Clerk

EXHIBIT A

DESCRIPTION OF SURPLUS REAL ESTATE

127 Canterbury Court, East Peoria

Size: Approximately 220 ft x 55 ft (irregular lot shape); 0.3 acres

Zoning Classification: R-1 One Family Dwelling District

Use: Vacant land

Legal Description: Lot Two Hundred Forty-Four (244) in Highway Village Section Two, a Subdivision of Part of the West Half of the Southeast Quarter of Section 35, Township 26 North, Range 4 West of the Third Principal Meridian, as Shown by the Plat Thereof Recorded in Plat Book "A" at Page1, in the Recorder's Office of Tazewell County, Situated in the County of Tazewell and State of Illinois.

Tax I.D. No. 01-01-35-406-011

EXHIBIT B

MAP OF SURPLUS REAL ESTATE

Surplus Parcel: 127 Canterbury Court, East Peoria

Sale of City Owned Property

Exhibit "A"

127 Canterbury Ct

Legal Description: P.I.N.: 01-01-35-406-011

