

**RESOLUTION NUMBER 15 - 01**

**RESOLUTION AUTHORIZING THE SALE  
OF SURPLUS REAL ESTATE**

**WHEREAS**, pursuant to the Illinois Municipal Code, 65 ILCS 5/11-76-4.1, **Sale of Surplus Real Estate**, (the "Act"), the corporate authorities of a municipality, by resolution, may authorize the sale of surplus public real estate; and

**WHEREAS**, the Village of East Dundee has determined that certain property, the legal description of which is set forth in Exhibit "A" is "surplus" and is no longer necessary or useful to or for the best interests of the Village; and

**WHEREAS**, the value of said real estate was determined by a written MAI certified appraisal prepared by Mark F. Coleman of Coleman Land Company dated April 13, 2001, a copy of which Appraisal is available for public inspection at the East Dundee Village Hall; and

**WHEREAS**, such Appraisal determined that the fair market value of such property was \$420,000; and

**WHEREAS**, pertinent information concerning the size, use, and zoning of the real estate is attached hereto as Exhibit "B"; and

**WHEREAS**, such sale of surplus real estate may be conducted by the Village staff; and

**WHEREAS**, the Act requires that this resolution be published at the first opportunity following its passage in a paper published in the county where the municipality is located; and

**WHEREAS**, the corporate authorities may accept any contract proposal determined by them to be in the best interests of the municipality by a vote of three-fourths of the corporate authorities then holding office, but in no event at a price less than 80 percent of the appraised value.

**NOW THEREFORE BE IT RESOLVED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF EAST DUNDEE, COOK AND KANE COUNTIES, ILLINOIS, AS FOLLOWS:**

**Section One.** The corporate authorities of the Village of East Dundee hereby authorize the sale of the surplus public real estate set forth in Exhibit "A" attached hereto. The value of the real estate is hereby determined to be \$420,000. The Village staff may conduct such sale and receive contract proposals, which in no event may be at a price less than 80 percent of said appraised value.

**Section Two.** This resolution shall be published at the first opportunity following its passage in a newspaper in the County of Kane.

**Section Three.** That upon such publication as provided by the Act, the corporate authorities of the Village of East Dundee, may review and choose to accept any contract proposal determined by them to be in the best interests of the Village of East Dundee by a vote of three-fourths of the corporate authorities then holding office, but in no event at a price less than 80 percent of the appraised value.

**Section Four. Severability.** If any section, paragraph or provision of this resolution shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph or provision shall not affect any of the remaining provisions of this resolution.

**Section Five. Repeal.** All ordinances, resolutions, motions or parts thereof in conflict herewith shall be and the same are hereby repealed.

**Section Six. Publication.** This resolution shall be in full force and effect forthwith upon its adoption, approval and publication in pamphlet form as provided by law.

Adopted this 4th day of June, 2001, pursuant to a roll call vote as follows:

AYES: Szalla, Zaeske, Arnone, Ruffulo, Bartels, Schock.

NAYES: None.

ABSENT: None.

Approved by me this 4th day of June, 2001.

  
\_\_\_\_\_  
ROGER AHRENS, President

Published in pamphlet form this 6th day of June, 2001, under the authority of the President and Board of Trustees.

**ATTEST:**

  
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JANE THEIS, Village Clerk

Recorded in the Village Records on June 6th, 2001.

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**EXHIBIT "A"**  
**LEGAL DESCRIPTION**

That part of the North half of Section 25, Township 42 North, Range 8 East of the Third Principal Meridian described as follows: Beginning at the Northwest corner of the said Section 25; thence East along the North line of the said Section 25, a distance of 768.50 feet; thence Southwesterly along a line forming an angle of 94 degrees 30 minutes measured clockwise from the North line of the said Section 25, a distance of 933.99 feet, to the TRUE POINT OF BEGINNING; thence continuing Southwesterly along the extension of the last mentioned course, a distance of 325.71 feet to the original centerline of State Route 72; thence Southeasterly 252.70 feet along the said centerline; thence Northeasterly at right angles to the said centerline, a distance of 297.75 feet; thence Northwesterly on a parallel with the said centerline, a distance of 384.71 feet to the TRUE POINT OF BEGINNING, being situated in Dundee Township, Kane County, Illinois.

EXHIBIT NO. BPROPERTY DESCRIPTIONSITE DATA:

Subject site consists of an irregular shaped inside parcel located on the north side of State Route #72, just east of the Dundee Township Cemetery. The site's gross dimensions are as follows:

- Route #72- 252.70 feet
- West Line- 325.71 feet
- North Line- 384.71 feet
- East line- 297.75 feet

The gross area of the subject property is 2.28 gross acres. Deducting the area within the highway right-of-way, the remaining land area is 2.14 acres, or 93,218.40 square feet. The net acreage will be used as the valuation acreage. The site is essentially level.

The survey notes the existence of water mains and sanitary sewer mains in the Route #72 roadway to the property lines. I assumed these resources are of adequate capacity to serve future development with no off-site investment required. I understand East Dundee has just completed a major sanitary sewage treatment plant expansion which is located on the south side of the Village, near the Fox River.

The site is zoned B-2, Community Business District. The zoning code for B-2 cites all standard retail and service uses in the B-1 district, plus acknowledges drive-in and drive-up facilities as special uses.

PROPERTY DESCRIPTION CONTINUED

Regarding environmental impacts, I did not observe any evidence of above-ground or underground fuel storage tanks. To my knowledge, an environmental audit has not been conducted on the property. This report is predicated on the assumption that no deleterious impacts are present on the site.

I reviewed the FEMA flood plain maps for East Dundee to determine if the site is located in a flood designated area. The most recent FEMA map published in 1984 does not indicate flood plain on the site. I also reviewed the SCS soil maps, which classifies the site the same as the adjacent gravel pits. This does not reveal any of the soil characteristics, because typically the soils in pits are removed and replaced. The typical buyer would have the soils tested for strength and stability.

Easements and setback requirements-

At the time of sale, a 30 foot wide utility easement will be recorded along the west property line for trunk extensions of underground water and sewer. Additionally, a 45 foot wide easement will be recorded along the Route #72 frontage for the same purpose. Together, these easements encumber approximately 18,000 square feet of land area. It is usually possible to place non-permanent improvements upon easement areas, such as landscaping and parking improvements, but these encumbrances do impact site utility, and therefore value.

Improvement Data:

The subject site is unimproved.