

Ordinance No. 2010-08

**AN ORDINANCE AUTHORIZING AN AGREEMENT
FOR THE PURCHASE OF CERTAIN PROPERTY**

WHEREAS, the Village President and Board of Trustees of the Village of West Dundee, Kane County, Illinois (the "*Corporate Authorities*"), deem it advisable and necessary for the health, safety, and welfare of the residents of the Village of West Dundee (the "*Village*") to purchase certain real estate located at 118 South First Street, West Dundee, Illinois (the "*Property*"); and,

WHEREAS, pursuant to the provisions of Section 11-61-3 of Article 11 of the Illinois Municipal Code, a municipality having a population of less than 1,000,000 is authorized to purchase real and personal property for public purposes; and,

WHEREAS, Z Investments, L.L.C. ("*Seller*") has agreed to sell the Property to the Village for the purchase price of \$350,000 as currently improved, under the following terms:

1. The property would be transferred directly to the Village of West Dundee upon execution of a real estate contract, which include the below parameters by May 1, 2010.
2. The costs to demolish the building and rehabilitate the property into parking would be the Village of West Dundee's obligation.
3. The Village, as part of the real estate transaction, would pay \$350,000 for the purchase of the property and building, with an up-front payment this year of \$50,000, due upon completion of the real estate contract.
4. The Village would pay the remaining \$300,000 on an annual basis.
5. The repayment schedule would be for 5 years, reflecting a current general obligation municipal bond interest rate of 2.5% for a simple interest loan on the money that is due.

The annual payment obligation by the Village would be \$64,575 over the 5 years, due January of each year.

6. Included in the contract would be an upside clause to the benefit of the Ziegler Land Trust that states if, within a period of 15 years, the property is included in a redevelopment plan, the Village will require the future developer to pay \$350,000 to the Ziegler Trust as an equity contribution towards that redevelopment.

If within 15 years, the property is never included in a redevelopment plan or used for redevelopment purposes, or remains a parking lot, there would be no payment obligation.

NOW, THEREFORE, BE IT ORDAINED by the Village President and Board of Trustees of the Village of West Dundee, Kane County, Illinois, as follows:

Section 1. That the Real Estate Sales Contract by and between Z Investments, L.L.C. and the Village of West Dundee is hereby approved in the form as presented to this meeting and attached hereto.


Section II. From and after the effective date of this Ordinance, the Village President and Village Clerk of the Village of West Dundee are hereby authorized and directed to execute the Real Estate Sales Contract; and, the Village President, Village Clerk, Village Manager and Village Attorney are further authorized to do all things necessary and essential, including the execution of any documents and certificates, to carry out the provisions of the Real Estate Contract.

Section III. This Ordinance shall be in full force and effect from and after its passage and approval as provided by law.

Passed by the President and Board of Trustees of the Village of West Dundee, Kane County, Illinois, this 5th day of April 2010.

AYES: Trustees Voss, Gillam, Price, Osth, Hanley and Yuscka
NAYS:
ABSTAIN:
ABSENT:

APPROVED by me, as Village President of the Village of West Dundee, Kane County, Illinois, this 5th day of April 2010.


Larry A. Keller, Village President

ATTEST:


Barbara Traver, Village Clerk