42-O-19

AN ORDINANCE

Authorizing the City Manager to Execute a Sale Contract for City Owned Real Property located at 2222 Oakton Street with Clark Street Real Estate LLC

WHEREAS, the City of Evanston owns real property located at 2222 Oakton Street, Evanston, Illinois, 60202 and legally described in Exhibit A, attached hereto and incorporated herein by reference (the "Subject Property"); and

WHEREAS, the Subject Property formerly served as the recycling center for the City of Evanston and is now utilized by the City for storage of equipment and vehicles; and

WHEREAS, the City Council of the City of Evanston has determined that ownership of the aforesaid Subject Property is no longer necessary, appropriate, required, or in the best interests of the City of Evanston and seeks to sell the Subject Property to Clark Street Real Estate LLC to further implement terms of the Agreement for affordable housing; and

WHEREAS, pursuant to Ordinance 122-O-18, the City Council, by a vote of at least two-thirds (2/3) of the elected Aldermen then holding office, did direct the City Manager to negotiate the sale of 2222 Oakton Street; and

WHEREAS, pursuant to Ordinance 122-O-18, the City Manager has negotiated the sale of the Subject Property; and
WHEREAS, the City Manager recommends that the City Council hereby approve the sale of the Subject Property, with the City as Seller and Clark Street Real Estate LLC, as the Buyer; and

WHEREAS, the City Council hereby finds and determines that the best interests of the City of Evanston and its residents will be served by conveying the Subject Property, on terms consistent with the Sale Agreement for Real Estate, attached hereto as Exhibit A and incorporated herein by reference (hereinafter, the "Agreement"); and

WHEREAS, as required by Section 1-17-4-2-(B) of the Evanston City Code, 2012, as amended (the "City Code"), a Notice of Intent to Sell Certain Real Estate, was published in the Evanston Review, a newspaper in general circulation in the City of Evanston, on April 25, 2019, neither less than fifteen (15) nor more than thirty (30) days before the date on which the City Council considered adoption of this ordinance authorizing the sale of the Property,

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EVANSTON, COOK COUNTY, ILLINOIS, THAT:

SECTION 1: The foregoing recitals are hereby found as fact and incorporated herein by reference.

SECTION 2: The City Council hereby approves the negotiated sale of the Subject Property with the City as Seller and Clark Street Real Estate LLC as Buyer.

SECTION 3: The City Manager is hereby authorized and directed to sign, and the City Clerk is hereby authorized and directed to attest, the Agreement, pursuant to the terms of which the Subject Property shall be conveyed. The City Manager is further authorized to negotiate any additional terms that he deems fit and proper.
SECTION 4: The City Manager and the City Clerk, respectively, are hereby authorized and directed to execute, attest, and deliver such other documents, agreements, and certificates as may be necessary to effectuate the sale herein authorized.

SECTION 5: All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 6: This ordinance shall be in full force and effect from and after its passage, approval, and publication in the manner provided by law.

SECTION 7: If any provision of this ordinance or application thereof to any person or circumstance is held unconstitutional or otherwise invalid, such invalidity shall not affect other provisions or applications hereof that can be given effect without the invalid provision or application, and each invalid application hereof is severable.

SECTION 8: The findings and recitals contained herein are declared to be prima facie evidence of the law of the City and shall be received in evidence as provided by the Illinois Compiled Statutes and the courts of the State of Illinois.

Ayes: 6
Nays: 3

Introduced: May 13, 2019
Adopted: June 10, 2019

Approved: June 24, 2019

Stephen H. Hagerty, Mayor

Approved as to form:

Michelle L. Masoncup, Corporation Counsel