

**RESOLUTION NO. R-09-01**

**A RESOLUTION APPROVING THE SALE OF REAL PROPERTY COMMONLY KNOWN AS A VACANT PARCEL ON WARREN BETWEEN 8<sup>TH</sup> AND 9<sup>TH</sup> AVENUES PURSUANT TO THE ANLAP PROGRAM OF THE VILLAGE OF MAYWOOD**

**WHEREAS**, the Village of Maywood has the authority to acquire various parcels of real property pursuant to its responsibility to protect the public health, safety and welfare and has acquired title to numerous parcels of vacant, surplus real property pursuant to such authority; and

**WHEREAS**, one such parcel acquired by the Village is title to real property commonly known as a vacant parcel of land on Warren Street between 8<sup>th</sup> and 9<sup>th</sup> Avenues, Maywood, Illinois (PIN: 15-11-340-013 (a part of)) (the "Subject Property"), the legal description of which is attached hereto as **Exhibit A**; and

**WHEREAS**, the Subject Property is a substandard vacant lot in a residential zoning district that qualifies to be sold by the Village under the Adjacent Neighbor Land Acquisition Program (the "ANLAP Program"), which has been enacted by ordinance by the Village President and Board of Trustees of the Village of Maywood as Chapter 155 of the Maywood Village Code; and

**WHEREAS**, Village Staff notified, via certified mail, the owners of the properties adjacent to the Subject Property of the Village's intent to sell the Property pursuant to the ANLAP Program; and

**WHEREAS**, Ms. Susan James, owner of adjacent property commonly known as 720 S. 8<sup>th</sup> Avenue, and Mr. Richard Page, owner of adjacent property commonly known as 717 S. 9<sup>th</sup> Avenue, have separately offered in writing to purchase the Subject Property and to be subject to the conditions and covenants required by Chapter 155 of the Maywood Village Code relative to the sale of real property under the ANLAP Program; and

**WHEREAS**, the Village President and Board of Trustees have reviewed the offers of both parties and has considered a number of factors, including, but not limited to, the fact that a parking pad on the Subject Property has been utilized by Ms. James and other residents of 720 S. 8<sup>th</sup> for over 30 years, and the fact that a sale to Ms. James makes sense from a planning perspective in order to create uniform lot sizes along 8<sup>th</sup> Avenue and is in conformance with the Village Policy that ANLAP transactions not create or further perpetuate irregular-shaped lots (see Section 155.02 of the Maywood Village Code); and

**WHEREAS**, the Village President and Board of Trustees are authorized by Section 155.05 of the Maywood Village Code to, in their sole discretion, accept a particular bid or to reject all bids; and

**WHEREAS**, the Village President and Board of Trustees are authorized under their home rule powers set forth at Article VII, Section 6 of the Illinois Constitution of 1970 and Chapter 155 of the Maywood Village Code to sell the Subject Property to Ms. James for the purchase price of \$501.00, provided that the conditions and covenants required by Chapter 155 of the Maywood Village Code relative to the sale of real property under the ANLAP Program are satisfied, and, in their discretion, have determined that sale of the Subject Property to Ms. James is in the best interests of the Village.

**NOW, THEREFORE, BE IT RESOLVED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF MAYWOOD, COOK COUNTY, ILLINOIS,**

**Section 1:** That each of the recitals above are incorporated by reference into this Section 1.

**Section 2:** That for the reasons set forth herein, and pursuant to their home rule powers as provided by Article VII, Section 6 of the Illinois Constitution of 1970 and their discretionary powers as provided for in Section 155.05 of the Maywood Village Code, the Village President and Board of Trustees find that it is in the best interests of the Village to convey the Subject Property to Ms. Susan James for \$501.00, subject to and provided that the terms, conditions and covenants set forth below and/or required by Chapter 155 of the Maywood Village Code relative to the sale of real property under the ANLAP Program are satisfied. The Village Attorney is directed to prepare the quitclaim deed and all other necessary documents to consummate this real estate transaction. The Village President and Village Clerk, or their designees, are authorized and directed to execute and deliver the quit claim deed and such other documents as may be necessary or convenient to allow the Village to consummate this transaction and to comply with all of the applicable requirements of the Maywood Village Code relative to the sale of the Subject Property under the ANLAP Program.

**Section 3:** That the Subject Property shall be conveyed to Ms. James, subject to the following conditions and covenants:

A. The Subject Property shall be conveyed by the Village in "AS IS, WHERE IS" Condition, including all existing environmental conditions existing in, on, or beneath the property, and subject to all existing non-Village easement rights or other conditions of public record that are enforceable by other persons or private or public utilities. This covenant shall be included in the conveying deed;

B. The Village shall reserve for itself, as determined by the Village Engineer, an easement for any public utilities, street lighting, sanitary or storm sewers, fire hydrants, and related water service lines, public sidewalks, or other above or below

grade infrastructure or public improvements of sufficient size to accommodate the repair, replacement, or maintenance of said public facilities or the installation of additional public facilities. This covenant shall be included in the conveying deed;

C. The Subject Property shall be maintained in accordance with the provisions of the Maywood Village Code. This covenant shall be included in the conveying deed;

D. As part of the conveyance of the Subject Property, the adjacent owner shall execute any documents necessary to consolidate the Subject Property into her improved parcel. Once conveyed and consolidated, the Subject Property may not be conveyed, assigned or otherwise transferred except in conjunction with the adjacent improved property with which it has been consolidated; and

E. The purchasing adjacent owner, in addition to the purchase price, shall be responsible for all actual fees and costs incurred by the Village under the ANLAP Program related to the conveyance of the Subject Property, including costs for preparation of this Resolution, quitclaim deed and other closing documents, plat of consolidation (if necessary), costs related to mailing, filing and recording documents relative to the conveyance, and any title commitment/policy or closing costs.

**ADOPTED** this 13th day of January, 2009, pursuant to a roll call vote as follows:

**AYES:** Mayor Henderson Yarbrough, Sr., Trustee(s): G. Woll, A. Jaycox E. Perkins, D. Flowers, R. Lopez and K. Johnson

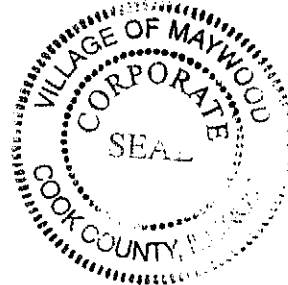
**NAYS:** None

**ABSENT:** None

**APPROVED** this 13 day of January, 2009, by the Village President of the Village of Maywood, and attested by the Village Clerk, on the same day.

  
VILLAGE PRESIDENT

**ATTEST:**  
  
VILLAGE CLERK



Date: 1/14/09

**EXHIBIT A**

**[LEGAL DESCRIPTION TO BE ADDED UPON COMPLETION]**

STATE OF ILLINOIS )  
 ) SS  
COUNTY OF COOK )

**CLERK'S CERTIFICATE**

I, Readith Ester, Clerk of the Village of Maywood, in the County of Cook and State of Illinois, do hereby certify that the annexed and foregoing is a true and correct copy of that certain Resolution now on file in my Office, entitled:

**RESOLUTION NO. R-09-01**

**A RESOLUTION APPROVING THE SALE OF REAL PROPERTY COMMONLY KNOWN AS A VACANT PARCEL ON WARREN BETWEEN 8<sup>TH</sup> AND 9<sup>TH</sup> AVENUES PURSUANT TO THE ANLAP PROGRAM OF THE VILLAGE OF MAYWOOD**

which Resolution was passed by the Board of Trustees of the Village of Maywood at a Regular Village Board Meeting on the 13th day of January, 2009, at which meeting a quorum was present, and approved by the President of the Village of Maywood on the 13th day of January, 2009.

I further certify that the vote on the question of the passage of said Resolution by the Board of Trustees of the Village of Maywood was taken by Ayes and Nays and recorded in the minutes of the Board of Trustees of the Village of Maywood, and that the result of said vote was as follows, to-wit:

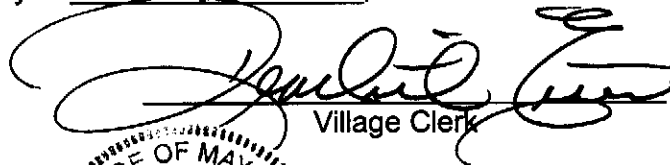
**AYES:** Mayor Henderson Yarbrough, Sr., Trustee(s): G. Woll, A. Jaycox, E. Perkins, D. Flowers, R. Lopez and K. Johnson

**NAYS:** None

**ABSENT:** None

I do further certify that the original Resolution, of which the foregoing is a true copy, is entrusted to my care for safekeeping, and that I am the lawful keeper of the same.

**IN WITNESS WHEREOF**, I have hereunto set my hand and affixed the seal of the Village of Maywood, this 13th day of January, 2009.

  
Village Clerk

[SEAL]

