

CITY OF FREEPORT

STEPHENSON COUNTY, ILLINOIS

ORDINANCE NO. 2018-23

AN ORDINANCE DIRECTING THE SALE OF REAL ESTATE
CONTAINING THE VACANT FIRE STATION LOCATED AT
1819 SOUTH WEST AVENUE IN THE CITY OF FREEPORT,
ILLINOIS

ADOPTED BY THE CITY
COUNCIL OF THE
CITY OF FREEPORT, ILLINOIS

THIS _____ DAY OF _____, 2018

Published in pamphlet form by
authority of the City Council of
the City of Freeport, Stephenson
County, Illinois, this
_____ day of _____, 2018.

**AN ORDINANCE DIRECTING THE SALE OF REAL ESTATE CONTAINING
THE VACANT FIRE STATION LOCATED AT 1819 SOUTH WEST AVENUE IN
THE CITY OF FREEPORT, ILLINOIS**

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Preamble

WHEREAS, the City of Freeport is a Municipal Corporation under the laws of the State of Illinois and is a home rule unit of local government under Section 7 of Article VII of the Illinois Constitution of 1970; and

WHEREAS, Illinois statute (65 ILCS 5/11-76-2, as amended) authorizes the corporate authorities of the City of Freeport to enact an Ordinance directing the sale of real estate now owned by the City of Freeport; and

WHEREAS, the City of Freeport currently owns a parcel of real estate with a common street address of 1819 South West Avenue in the City of Freeport, County of Stephenson and State of Illinois and with PIN 18-19-06-300-114 (hereinafter referred to as the "Property") and upon which there is located an one-story building formerly utilized as a fire station by the City of Freeport (hereinafter, the "Vacant Fire Station") and said Property also contains a fire training facility to the east of the current Vacant Fire Station; and

WHEREAS, the fire training facility on said Property contains two wooden training towers, two one-story storage buildings, a concrete above-ground and below-ground water pump testing pit, and a fire hydrant (hereinafter, the "City Training Facility"); and

WHEREAS, the Property is currently unused by the City other than for the purposes of storage of personal property owned by the City and for fire training purposes; and

WHEREAS, the corporate authorities of the City of Freeport hereby specifically find that the Property (along with the Vacant Fire Station and City Training Facility) is no longer necessary, appropriate, required for the use of, profitable to, or for the best interest of the City of Freeport; and

WHEREAS, the sale of the Property, is expressly conditioned upon the new Buyer being an entity who will annually pay real estate taxes upon the Property and who will only utilize the Property for a lawful private purpose; and

WHEREAS, this City Council has reviewed the document entitled "NOTICE OF SALE Of Property Owned by the City of Freeport And Invitation to Bid Thereon," a true and complete copy of which is marked as "Exhibit A," attached hereto and incorporated by reference as if fully set forth herein; and

WHEREAS, this City Council hereby finds that the sale of the Property under the above stated conditions to be in the best interests of the citizens of the City of Freeport.

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FREEPORT,
STEPHENSON COUNTY, ILLINOIS** as follows:

Section 1: That the above Preamble is an integral part of this Ordinance and are not mere surplusage.

Section 2: That the City of Freeport shall sell the Property, as described above, by receipt of sealed bids for the same, subject to the Bidder's(s)' strict compliance with the conditions as stated above. That said Sealed Bids shall be opened at the regularly scheduled City Council meeting on May 7, 2018, in the City Council Chambers of the City Hall Offices located on the second floor of 314 West Stephenson Street in the City of Freeport, County of Stephenson and State of Illinois. That the City Clerk, at her earliest convenience, shall cause to be published in a daily or weekly paper published within the City of Freeport the "NOTICE OF SALE Of Property Owned by the City of Freeport And Invitation to Bid Thereon," Exhibit A hereto, under the conditions of publication as required by 65 ILCS 5/1-76-2.

Section 3: That all ordinances or parts of ordinances in conflict with this Ordinance are repealed insofar as they conflict.

Section 4: That this Ordinance shall be in full force and effect immediately upon its passage by the corporate authorities, its approval by the Mayor and its publication as provided by law.

Section 5: That the provisions of this Ordinance are severable, and should a court of competent jurisdiction declare any phrase, sentence, clause or section of this Ordinance to be invalid and/or unenforceable, such decision shall not affect this Ordinance as a whole or any part thereof, other than the part so declared to be invalid and/or unenforceable and the City Council hereby expressly declares that it would have passed this Ordinance even with the invalid and/or unenforceable portion deleted.

Section 6. This ordinance is expressly adopted pursuant to the Home Rule Powers of the City of Freeport under Section 6 of Article VII of the Illinois Constitution of 1970.

**PASSED BY A ROLL CALL VOTE OF THE CITY COUNCIL OF THE CITY OF
FREEPORT, ILLINOIS** this _____ day of _____, 2018.

Dovie L. Anderson, City Clerk

YEAS:
NAYS:
ABSTAIN:
PRESENT:

APPROVED by the Mayor of the City of Freeport this ____ day of _____,
2018.

Jodi Miller, Mayor

Date Published:

Date Effective:

Approved as to form:

City Legal Counsel

EXHIBIT A

NOTICE OF SALE

Of Property Owned by the City of Freeport and Invitation to Bid Thereon

PLEASE TAKE NOTICE THAT the City of Freeport will receive separate sealed bids for purchase, under the successful bid, of the fee simple interest in the following real property which property is generally located at:

1819 S. West Avenue, Freeport, Illinois (PIN 18-19-06-300-114)

Formerly in use as a fire station and now vacant.

Bids for the purchase of the aforesaid interest in the above-described property are hereby invited and will be received by the City Clerk between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday and until 10:00 a.m. on May 7, 2018. Said proposals shall be addressed to:

**City Clerk of the City of Freeport
314 West Stephenson Street
Freeport, Illinois 61032**

And shall bear the legend "**PROPOSAL - SALE OF 1819 S. WEST AVENUE, FREEPORT, ILLINOIS**" and the name and address of the bidder.

All bids will be opened the regularly scheduled City Council meeting held on May 7, 2018. A contract may be awarded respectively to the highest bidder(s) or any other bid(s) found to be in the best interests of the City of Freeport. The City Council reserves the right to reject any and all bids and to waive any informalities or irregularities in the bidding. The City Council further reserves the right to review and study any and all bids to make a contract award within 30 days after the bids have been opened and publicly read. As a condition of sale, the successful bidder must agree to lease the use of the fire training facility located on the property back to the City at a cost not to exceed \$1,000.00 per year.

Copies of the bidding documents may be obtained in the office of the City Clerk.

Authorization:

Jodi Miller, Mayor
Date: April 2, 2018

To be published in the Journal Standard on or about
April 4, 2018



CITY OF FREEPORT
PRESENTS
PROPERTY FOR SALE
BID FORM

I (we) hereby submit a bid and offer to purchase certain real property owned by the City of Freeport entitled "City of Freeport 1819 S. West Avenue," a true and correct copy of which is attached hereto and incorporated by reference as if fully set forth herein.

The property is identified in the tax office as:

Parcel ID # 18-19-06-300-114

Street Address: 1819 S. West Avenue, Freeport, Illinois

My (our) bid for the property is \$_____

By signing below, I state I have read and understand the provisions of Ordinance #2018-23, An Ordinance Directing the Sale of Surplus Real Estate Containing the Vacant Fire Station Located at 1819 South West Avenue in the City of Freeport, Illinois and the Instructions to Bidders and fully acknowledge that the City of Freeport may decide to reject all bids for the property and thus to retain ownership.

Upon notification that my offer is accepted and there have been no upset bids, I (we) will pay the balance of the purchase price in full by cash or certified check. I (we) understand that I (we) will be responsible for all expenses involved in recording the deed. I (we) understand the agreement of purchase stated in the bidding documents, and accept the property in accordance with the conditions stated therein.

NAME: _____

ADDRESS: _____

TELEPHONE: _____

SIGNATURE(S) _____ DATE _____