

ORDINANCE NO. 2015-07-083

**AN ORDINANCE TO AUTHORIZE EXECUTION OF AN
AMENDMENT TO CONTRACT FOR REAL ESTATE PURCHASE**

**(City's Purchase of Barnes Mobile Home Park Property
Between City of Urbana and the Weisiger Family Trust)**

WHEREAS, the City of Urbana ("City") is a home rule unit of local government pursuant to Article VII, Section 6, of the Illinois Constitution, 1970, and may exercise any power and perform any function pertaining to its government and affairs, including the power to regulate for the protection of the public health, safety, and welfare; and

WHEREAS, from time to time, the City Council deems it necessary and appropriate for the City to purchase or sell certain real estate in furtherance of its governmental functions and operations; and

WHEREAS, on or about December 20, 2013, the City and the Weisiger Family Trust Under Agreement Dated January 2nd, 1987 (hereinafter, "Seller") (collectively, the "Parties") entered into and executed a Contract for Sale of Real Estate (hereinafter, "Agreement") concerning certain real property commonly known as 610 S. Glover Avenue, Urbana, Illinois as more fully described in the Agreement and Exhibit A appended to the Agreement (hereinafter, the "Property");

WHEREAS, the Agreement provided, *inter alia*, that Seller shall be responsible for clearing all leases and tenancies of any kind, the residential building located on the Property, and all above ground manmade objects excepting only concrete pads located on the Property; and

WHEREAS, the Parties agreed, *inter alia*, that a closing on the sale of the Property to the City shall occur on or before June 30, 2015; and

WHEREAS, the Parties further agreed, *inter alia*, that should Seller fail to remove all the structures on the Property as described in the Agreement on or before June 30, 2015, the Agreement shall automatically become null and void; and

WHEREAS, due to efforts to relocate residents of certain mobile homes located on the Property from their then-residences to residences located off the property that extended beyond June 30, 2015, the Parties were unable to close on the sale and purchase of the Property as provided in the Agreement; and

WHEREAS, there still remains on the Property certain manmade structures that the Seller is obligated to remove prior to closing on the sale of the Property to the City; and

WHEREAS, the Parties wish to extend the aforesaid removal date and closing in light of the Seller and City's efforts and difficulties in relocating residents with mobile homes on the Property.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Urbana, Champaign County, Illinois, as follows:

Section 1. The Mayor shall be and hereby is authorized to enter into and execute on behalf of the City of Urbana an Amendment to Contract for Sale of Real Estate in substantially the form as appended hereto.

Section 2. That the Mayor shall be and hereby is authorized to undertake such other actions as are necessary to carry out the purpose and intent of this Resolution.

PASSED BY THE CITY COUNCIL this ____ day of _____, _____.

AYES:

NAYS:

ABSENT:

ABSTAINED:

Phyllis D. Clark, City Clerk

APPROVED BY THE MAYOR this ____ day of _____, _____.

Laurel Lunt Prussing, Mayor