Legislation Details (With Text)

File #:	19-0455	**Version:**	1	**Name:**	AUTHORIZING THE TRANSFER OF REAL ESTATE FROM THE FOREST PRESERVE DISTRICT OF COOK COUNTY TO THE VILLAGE OF MORTON GROVE
Type:	Resolution			**Status:**	Approved
File created:	10/30/2019			**In control:**	Real Estate Committee
On agenda:	11/19/2019			**Final action:**	12/17/2019
Title:	PROPOSED RESOLUTION				

AUTHORIZING THE TRANSFER OF REAL ESTATE FROM THE FOREST PRESERVE DISTRICT OF COOK COUNTY TO THE VILLAGE OF MORTON GROVE

WHEREAS, the Forest Preserve District of Cook County, an Illinois Special District ("District"), is the owner of real estate located in Morton Grove, Cook County, Illinois, legally described on Exhibit A ("District Real Estate"); and

WHEREAS, the Village of Morton Grove, a body politic and corporate of the State of Illinois ("Village"), has a District issued license to locate, operate and maintain a water reservoir on the District Real Estate; and

WHEREAS, the District Real Estate is located wholly within the corporate limits of the Village; and

WHEREAS, the Village desires to obtain title to the District Real Estate for the public purpose of operating and maintaining a water reservoir; and

WHEREAS, the provisions of Article VII, Section 10 of the 1970 Illinois Constitution and the provisions of the Intergovernmental Cooperation Act, 5 ILCS 220/1 et seq. authorize and encourage the intergovernmental cooperation set forth in this Resolution; and

WHEREAS, the Local Government Property Transfer Act, 50 ILCS 605/0.01 et seq. provides statutory authority for one municipality to convey title to real estate to another municipality when the territory of the transferor municipality is at least partly within the corporate limits of the transferee municipality and it is necessary or convenient to use, occupy or improve real estate held by the transferor municipality in the making of any public improvement or for any public purpose; and

WHEREAS, pursuant to the Local Government Property Transfer Act, 50 ILCS 605/0.01 et seq., this Resolution is conditioned upon the Village adopting an Ordinance which declares that it is necessary or convenient for the Village to use, occupy or improve the District Real Estate for the aforementioned public purposes and the Ordinance shall further declare that the Village is authorized by law to receive title to the District Real Estate and will accept any transfer of title to the District Real Estate made by the District to the Village; and

WHEREAS, the District's Board of Commissioners hereby finds and determines that the transfer of the District Real Estate to the Village is in the best interests of the District and the District's Board of Commissioners hereby authorizes and directs that such transfer shall proceed as set forth in the instant Resolution notwithstanding the terms, conditions and procedures of Title 2, Chapter 5 Code of Ordinances of the District; and

WHEREAS, the Village has agreed to purchase the District Real Estate for the sum of Two Hundred Ninety-Five Thousand Dollars ($295,000.00) payable in ten (10) annual installments of Twenty-Nine Thousand Five Hundred Dollars ($29,500.00) beginning in 2021; and

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WHEREAS, the Village has agreed to accept title to the District Real Estate with a covenant or deed restriction limiting use of the District Real Estate to its current use as a water reservoir or other Village uses that benefit the public; and

WHEREAS, the District adopts this Resolution, by a vote of two-thirds or more of its members, which Resolution authorizes the conveyance of the District Real Estate to the Village pursuant to its statutory authority, including the Local Government Property Transfer Act, 50 ILCS 605/0.01 et seq.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF FOREST PRESERVE DISTRICT OF COOK COUNTY, ILLINOIS AS FOLLOWS:
Section 1:
The foregoing recitals are incorporated herein as findings of the Board of Commissioners of the Forest Preserve District of Cook County, Illinois.
Section 2:
The President of the Forest Preserve District of Cook County Board of Commissioners is hereby authorized to execute on behalf of the District, a quit claim deed conveying the District Real Estate to the Village, subject to any covenants, conditions and restrictions contained therein, which quit claim deed shall be attested and delivered by the appropriate District officials.
Section 3:
The President of the Forest Preserve District of Cook County Board of Commissioners and the General Superintendent of the District are hereby authorized to execute and deliver any and all other documents or instruments and take any and all steps necessary or desirable to effectuate such conveyance.
Section 4:
This Resolution shall be in full force and effect from and after its passage and approval in the manner provided by law.
EXHIBIT A

DISTRICT REAL ESTATE

LEGAL DESCRIPTION

THAT PART OF THE SOUTH HALF OF THE SOUTHEAST QUARTER OF SECTION 19, TOWNSHIP 41 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN LYING WEST OF CALDWELL AVENUE, IN COOK COUNTY, ILLINOIS.

SAID PARCEL CONTAINING 152,460 SQUARE FEET, OR 3.5 ACRES, MORE OR LESS. ..END

Sponsors: TONI PRECKWINKLE (President)

Indexes:

Code sections:

Attachments:

Date	Ver.	Action By	Action	Result
12/17/2019	1	FPD Board of Commissioners	approve	Pass
12/17/2019	1	FPD Board of Commissioners	reconsider	Fail
12/17/2019	1	Real Estate Committee	approve	Pass
11/19/2019	1	FPD Board of Commissioners	refer	Pass

PROPOSED RESOLUTION

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WHEREAS, the Village desires to obtain title to the District Real Estate for the public purpose of operating and maintaining a water reservoir; and

WHEREAS, the provisions of Article VII, Section 10 of the 1970 Illinois Constitution and the provisions of the Intergovernmental Cooperation Act, 5 ILCS 220/1 *et seq.* authorize and encourage the intergovernmental cooperation set forth in this Resolution; and

WHEREAS, the Local Government Property Transfer Act, 50 ILCS 605/0.01 *et seq.* provides statutory authority for one municipality to convey title to real estate to another municipality when the territory of the transferor municipality is at least partly within the corporate limits of the transferee municipality and it is necessary or convenient to use, occupy or improve real estate held by the transferor municipality in the making of any public improvement or for any public purpose; and

WHEREAS, pursuant to the Local Government Property Transfer Act, 50 ILCS 605/0.01 *et seq.*, this Resolution is conditioned upon the Village adopting an Ordinance which declares that it is necessary or convenient for the Village to use, occupy or improve the District Real Estate for the aforementioned public purposes and the Ordinance shall further declare that the Village is authorized by law to receive title to the District Real Estate and will accept any transfer of title to the District Real Estate made by the District to the Village; and

WHEREAS, the District's Board of Commissioners hereby finds and determines that the transfer of the District Real Estate to the Village is in the best interests of the District and the District's Board of Commissioners hereby authorizes and directs that such transfer shall proceed as set forth in the instant Resolution notwithstanding the terms, conditions and procedures of Title 2, Chapter 5 Code of Ordinances of the District; and

WHEREAS, the Village has agreed to purchase the District Real Estate for the sum of Two Hundred Ninety-Five Thousand Dollars ($295,000.00) payable in ten (10) annual installments of Twenty-Nine Thousand Five Hundred Dollars ($29,500.00) beginning in 2021; and

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