



ORDINANCE NO. 812

AN ORDINANCE OF THE VILLAGE OF MACKINAW,
TAZEWELL COUNTY, ILLINOIS, AUTHORIZING THE SALE
OF LAND OWNED BY THE VILLAGE OF MACKINAW.

Published in pamphlet form by authority of the Village
President and Board of Trustees of the Village of
Mackinaw

August 9, 2010

STATE OF ILLINOIS)
COUNTY OF TAZEWELL) SS
VILLAGE OF MACKINAW)

CERTIFICATE OF ORDINANCE

I, the undersigned, do hereby certify that I am the duly appointed, qualified and acting Village Clerk of the Village of Mackinaw, Tazewell County, Illinois (the "Issuer"), and as such official I am the keeper of the records and files of its President and Board of Trustees (the "Corporate Authorities").

I do further certify the foregoing constitutes a full, true and complete excerpt from the proceedings of the regular meeting of the Corporate Authorities held on the 9th day of August, 2010, insofar as same relates to the adoption of Ordinance No. 812, entitled:

"An Ordinance of the Village of Mackinaw, Tazewell County, Illinois, authorizing the sale of land owned by the Village of Mackinaw"

A true, correct and complete copy of which ordinance (the "Preliminary Ordinance" or "ordinance") as adopted at such meeting appears in the transcript of the minutes of such meeting. The Preliminary Ordinance was adopted and approved by the vote and on the date therein set forth.

I do further certify the deliberations of the Corporate Authorities on the adoption of such Preliminary Ordinance were taken openly and was on the agenda at least 48 hours before the meeting at which it was adopted, that the adoption of such ordinance was duly moved and seconded, that the vote on the adoption of such ordinance was taken openly and was preceded by a public recital of the nature of the matter being considered and such other information as would inform the public of the business being conducted, that such meeting was held at a specified time and place convenient to the public, that notice of such meeting was duly given to all of the news media requesting such notice, that such meeting was called and held in strict compliance with the provisions of the Open Meetings Act of the State of Illinois, as amended, and the Illinois Municipal Code, as amended, and that the Corporate Authorities have complied with all of the applicable provisions of such Act and such Code and their procedural rules in the adoption of such ordinance.

The pamphlet form of Ordinance No.812, including the ordinance and a cover sheet thereof, was prepared and a copy of such Ordinance was posted for public inspection in the municipal building, the Mackinaw United States Post Office, and the Mackinaw Library commencing on August 11, 2010 and continuing for at least ten days thereafter. The original ordinance was adopted by the Board of Trustees of the Village of Mackinaw at a regular meeting, attended by six members of the Board, and approved by the President, as said Ordinance appears on file in my office and as the same is recorded in the Book of Ordinances of said Village.

IN TESTIMONY WHEREOF, I have hereunto set my hand and the official seal of said Village of Mackinaw, Illinois, this 23rd day of August, 2010.



[Redacted Signature]

Village Clerk

THIS DOCUMENT PREPARED BY:
MCGRATH LAW OFFICE, P.C.
113 S. Main, P.O. Box 139
Mackinaw, Illinois 61755

RETURN DOCUMENT TO:
MCGRATH LAW OFFICE, P.C.
113 S. Main, P.O. Box 139
Mackinaw, Illinois 61755

For Recorder Use Only

ORDINANCE NO. 812

AN ORDINANCE AUTHORIZING THE SALE OF LAND
OWNED BY THE VILLAGE OF MACKINAW

The attached certified copy of Ordinance No. 812 authorizes the transfer of land owned by the Village of Mackinaw.

ORDINANCE 812

ORDINANCE AUTHORIZING THE SALE OF
LAND OWNED BY THE VILLAGE OF MACKINAW

WHEREAS, the Village of Mackinaw owns the following described property situated in the Village of Mackinaw, to-wit:

A part of the Southwest Quarter of Section 17 in Township 24 North, Range 2 West of the Third Principal Meridian, Tazewell County, Illinois, being more particularly described as follows: Commencing at the Northeast corner of Lot 4 as recorded in Plat Book "W", page 141 of the Tazewell County Recorder's Office; thence along the East line of said Lot 4 South 31 minutes 23 seconds East 104.44 feet to the point of beginning; thence continuing South 31 minutes 23 seconds East 105.33 feet; thence along the Northerly line of existing Illinois Route 8 right of way along a curve concave to the South with a radius of 5765.88 feet and a long chord bearing South 69 degrees 58 minutes 41 seconds West 208.12 feet; thence North 53 degrees 26 minutes 19 seconds West 31.53 feet; thence North 31 minutes 23 seconds West 56.99 feet; thence along a curve concave to the South with a radius of 5845.88 feet and along a chord bearing North 69 degrees 42 minutes 38 seconds East 150.19 feet; thence North 31 minutes 23 seconds West 21.15 feet; thence along the Southerly line of said Lot 4 along a curve concave to the South with a radius of 5865.88 feet and along a chord bearing North 70 degrees 55 minutes 33 seconds East 84.38 feet to the point of beginning, containing 0.46 acres, more or less, and being subject to all existing easements and rights of way.

P.I.N. 13-13-17-329-015

situated in Tazewell County, in the State of Illinois.

WHEREAS, at the regular meeting of the Village Board of the Village of Mackinaw held on August 9th, 2010 based upon the recommendation of the Village of Mackinaw Village President determined a sale to be conducive to the interests of the inhabitants of the Village of Mackinaw.

WHEREAS, at the regular meeting of the Village Board of the Village of Mackinaw held on August 9th, 2010, the Village Board made an order for the sale of the above described

property.

WHEREAS, pursuant to 65 ILCS 5/11-76.1, the Village Board of the Village of Mackinaw desire to adopt an ordinance stating the intent to sell the above described real property owned by the Village.

WHEREAS, the Village Board of the Village of Mackinaw desires to state the terms and conditions deemed necessary and desirable for the sale of the above described property.

NOW THEREFORE, be it ordained by the Village Board of the Village of Mackinaw as follows:

1. This Ordinance shall apply to the following described property, to-wit:

A part of the Southwest Quarter of Section 17 in Township 24 North, Range 2 West of the Third Principal Meridian, Tazewell County, Illinois, being more particularly described as follows: Commencing at the Northeast corner of Lot 4 as recorded in Plat Book "W", page 141 of the Tazewell County Recorder's Office; thence along the East line of said Lot 4 South 31 minutes 23 seconds East 104.44 feet to the point of beginning; thence continuing South 31 minutes 23 seconds East 105.33 feet; thence along the Northerly line of existing Illinois Route 8 right of way along a curve concave to the South with a radius of 5765.88 feet and a long chord bearing South 69 degrees 58 minutes 41 seconds West 208.12 feet; thence North 53 degrees 26 minutes 19 seconds West 31.53 feet; thence North 31 minutes 23 seconds West 56.99 feet; thence along a curve concave to the South with a radius of 5845.88 feet and along a chord bearing North 69 degrees 42 minutes 38 seconds East 150.19 feet; thence North 31 minutes 23 seconds West 21.15 feet; thence along the Southerly line of said Lot 4 along a curve concave to the South with a radius of 5865.88 feet and along a chord bearing North 70 degrees 55 minutes 33 seconds East 84.38 feet to the point of beginning, containing 0.46 acres, more or less, and being subject to all existing easements and rights of way.

P.I.N. 13-13-17-329-015

situated in Tazewell County, in the State of Illinois.

2. The following information is hereby furnished concerning the property that is described in paragraph 1 of this Ordinance:
 - A. Size of the lot: approximately 0.46 acres ±

B. Use of the property: the property is currently utilized as vacant, unimproved green space. The property is not improved with a building or any other structure.

C. Zoning: The property has been zoned commercial.

3. The Village Board of the Village of Mackinaw hereby directs and orders that the foregoing described property be sold by the staff of the Village of Mackinaw as hereinafter described. The Village of Mackinaw Village President, Village Clerk, and Village Treasurer are hereby determined to be the staff of the Village of Mackinaw.
4. The Village Clerk shall publish a copy of this Ordinance three times in the Pekin Daily Times as soon as reasonably possible after adoption of this Ordinance. In addition, the Village Clerk shall post the Ordinance at the Village Office. Further, the sale information hereinafter set forth shall also be published and posted by the Village Clerk. It is hereby found that the Pekin Daily Times is a newspaper generally circulated in the Village.
5. The following conditions hereinafter set forth shall apply to the sale of the property. The property shall be sold by sealed bid. Sealed bids shall be submitted to the Village Clerk, 100 E. Fast Ave., Mackinaw, IL 61755, or may be brought to the bid opening. Bids will be opened at the Village of Mackinaw Municipal Building, 100 E. Fast Ave., Mackinaw, IL, on September 13, 2010 at 7:05 p.m. at the regular meeting of the Village Board of the Village of Mackinaw. Any questions should be directed to the Village Clerk at 309-359-5821. The successful bidder must enter into a contract for the purchase of the property on the following terms: 10% of the sale on acceptance of the bid (personal checks accepted), a written contract will be signed

immediately following the sale and the balance of the purchase price shall be paid within 30 days. The buyer shall pay the 2010 real estate taxes. No 2009 taxes have been assessed due to the tax exempt status of the property. The Village of Mackinaw shall furnish a title insurance commitment for an owner's policy in the amount of the successful bid, if any, subject to the usual and customary exceptions. Possession shall be given at closing. The property is sold as is. The seller reserves the right to reject any and all bids. Any of the above terms of sale may be modified by an announcement made at the time that the bids are opened or thereafter. This property shall be marketed and sold with its adjoining tract, PIN # 13-13-17-329-018 as one parcel.

6. The Village Board of the Village of Mackinaw is hereby authorized to accept the high bid or any other bid determined to be in the best interests of the Village by a vote of at least $\frac{3}{4}$ of the Village Board then holding office. However, in no event shall the price accepted be less than 80% of the appraised price as determined by a state licensed appraiser. A copy of the appraisal report shall be made available for inspection at the Village of Mackinaw Municipal Building during normal business hours for inspection for at least thirty (30) days prior to bid opening.
7. The following information shall be published or posted with this Ordinance which authorizes the sale of the foregoing described property:
 - A. All bids submitted by mail must be received by the Village by, on, or before September 13, 2010 and all bids to be personally submitted must be physically presented at the bid opening on September 13, 2010 at 7:05 p.m.; and
 - B. Bids shall be opened at the Village of Mackinaw Municipal Building, 100 E.

Fast Ave., Mackinaw, Illinois, on September 13, 2010 at 7:05 p.m. at the regular meeting of the Village Board of the Village of Mackinaw.

PASSED by at least three-fourths of the corporate authorities then holding office on roll call vote by the President and Board of Trustees of the Village of Mackinaw, Tazewell County, Illinois, on this 9th day of August, 2010.

APPROVED:

[Redacted Signature]

Craig Friend, President of the Board of Trustees of the Village of Mackinaw

ATTEST:

[Redacted Signature]

Village Clerk

AYES: 6

NAYS: 0

ABSENT: 0

Vote of Village President due to super majority requirement

AYE: X

NAY: _____

CERTIFICATION

I, Lisa Spencer, Acting Village Clerk, hereby certify that the foregoing Ordinance was adopted by the Village Board present at the regular meeting of the Village Board of the Village of Mackinaw. I hereby certify as Acting Village Clerk that the proper procedures were followed to call the regular meeting of the Village Board of the Village of Mackinaw.

DATED this 9th day of August, 2010.

A solid black rectangular box redacting the signature of Lisa Spencer.

Lisa Spencer, Acting Village Clerk