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RESOLUTION #2022 - 92

APPROVING THE SALE OF CITY OWNED SURPLUS VACANT PROPERTY LOCATED ADJACENT TO 525 HAMILTON WOOD, CHICAGO HEIGHTS PURSUANT TO THE CITY'S "LOT NEXT DOOR" PROGRAM.

WHEREAS, the City of Chicago Heights is a home rule unit of local government as is provided by Article VII, Section 6 of the Illinois Constitution of 1970, and as a home rule unit of local government may exercise any power and perform any function pertaining to its government and affairs; and

WHEREAS, the Mayor and City Council recognize the impact that abandoned and vacant properties have on neighboring properties and the community in general, and desire to combat the negative consequences of the same; and,

WHEREAS, the City wishes to encourage residents to acquire, care for and develop vacant properties within the city in order to combat the negative consequences of abandonment and lack of care, and to promote the positive effects to home values and neighborhood security that well maintained, privately owned property effectuates throughout the community, and to restore property to the tax rolls; and,

WHEREAS, the City has established and hereby continues the "Lot Next Door" program, whereby residents whose owner occupied residence is in good standing on the property tax rolls, may purchase a city owned vacant surplus lot located next door to or near said owner occupied residence for a minimal purchase price as approved by the City Council; and,

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WHEREAS, the City owns a parcel of vacant land directly adjacent to and West of 525 Hamilton Wood, Chicago Heights, IL (and legally described as Parcel 2 on the survey attached hereto); that said parcel of land was originally dedicated as a section of street once known as Ashland Avenue; and, that as a consequence of the approval of the Hamilton Woods Subdivision, said parcel (hereinafter referred to as the "*Subject Property*") became landlocked and of no practical use as it is bordered on the North by a residential structure located in unincorporated Bloom Township; on the East by the residential structure located at 525 Hamilton Wood, Chicago Heights; on the South by Butterfield Creek and on the West by Idlewild Country Club, Flossmoor, IL; Consequently, as a result of being landlocked, the Subject Property has remained vacant and unproductive and of no benefit to the City and will forever so remain thereby becoming "surplus property" within the meaning of the City Code of Ordinances ; and,

WHEREAS, the City has received an offer to purchase the subject property from Henry and Billie Hauser, who reside next door to the Subject Property at 525 Hamilton Wood, who have been maintaining it and who propose to continue to maintain and care for the subject property and incorporate same into the yard of their residence keeping same as green space. The Hausers have offered to purchase the subject property for \$1.00 pursuant to the City's Lot Next Door Program; and,

WHEREAS, pursuant to the City of Chicago Heights Code of Ordinances and specifically, Chapter 2, Article XV, Section 2-401, (hereinafter referred to as "*the Code*"), the Corporate authorities by resolution may authorize the sale of surplus real estate:

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NOW, THEREFORE, BE IT RESOLVED by the Mayor and the City Council of the City of Chicago Heights as follows:

ARTICLE I IN GENERAL

Section 1.0 Findings.

The Corporate Authorities hereby find that all of the recitals hereinbefore stated as contained in the preambles to this Resolution are full, true and correct and do hereby, by reference, incorporate and make them part of this Resolution as legislative findings.

Section 2.0 Purpose.

The purpose of this Resolution is to declare the "Subject Property" as "surplus property" within the meaning of the "Code," and to authorize the sale and disposition of the "Subject Property" by in accordance with the terms of this Resolution and the CITY "Lot Next Door" Program and to authorize the Mayor and Corporation Counsel or other designee to take all steps necessary and to execute all documents necessary to carry out the terms of this Resolution and the closing and sale of the Subject Property.

ARTICLE II. AUTHORIZATION TO SELL REAL PROPERTY

Section 3.0 Authorization.

The City Council hereby declares the subject property "surplus property" within the meaning of the "Code" and, the sale of the subject property is hereby approved and the Mayor or Corporation Counsel is hereby authorized to execute any and all documents

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necessary to complete the sale of the subject property to Henry and Billie Hauser for the sum of \$1.00, in substantial accord with the Purchase and Sale Agreement attached hereto. That the "Code" provision requiring an appraisal to be obtained prior to sale is hereby waived given the obvious *de minimus* value of the subject property *vis a vis* the cost of the appraisal.

ARTICLE III HEADINGS, SAVINGS CLAUSES, PUBLICATION, EFFECTIVE DATE

Section 4.0 Headings.

The headings of the articles, sections, paragraphs and subparagraphs of this Resolution are inserted solely for the convenience of reference and form no substantive part of this Resolution nor should they be used in any interpretation or construction of any substantive provision of this Resolution.

Section 5.0 Severability.

The provisions of this Resolution are hereby declared to be severable and should any provision of this Resolution be determined to be in conflict with any law, statute or regulation by a court of competent jurisdiction, said provision shall be excluded and deemed inoperative, unenforceable and as though not provided for herein, and all other provisions shall remain unaffected, unimpaired, valid and in full force and effect.

Section 6.0 Superseder.

All code provisions, ordinances, resolutions, rules and orders, or parts thereof, in conflict herewith are, to the extent of such conflict, hereby superseded.

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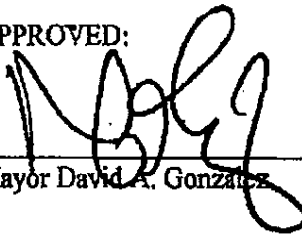
Section 7.0 Effective Date.

This Resolution shall be effective and in full force immediately upon passage and approval.

Signature Page Follows

ADOPTED and approved by the Mayor and City Council of the City of Chicago Heights on this 5th Day of October, 2022.

APPROVED:



 Mayor David A. Gonzalez

10/5/22

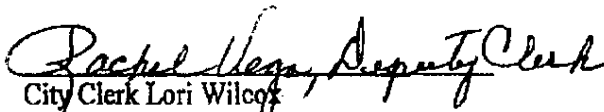
 Date

AYES: 6

NAYES: 0

ABSENT: 1

ATTEST:



 City Clerk Lori Wilcox

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CERTIFICATE OF MUNICIPAL CORPORATE INCUMBENCY AND AUTHORITY

IN RE: CITY OF CHICAGO HEIGHTS, an Illinois municipal corporation (the "Corporation")
Name of Corporation

Re: Transfer of ownership of 525 Hamilton Wood, Chicago Heights, IL

I, the undersigned officer of the Corporation hereby certify that I have reviewed the books and records of the Corporation, and that the individuals named below are the officers of the Corporation holding the title indicated:

David A. Gonzalez - Mayor

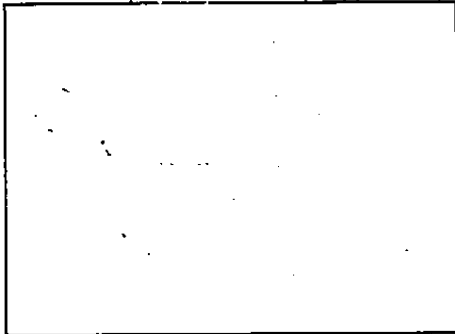
Thomas J. Somer - Corporation Counsel

_____ (other)

and that Mayor David A. Gonzalez, and/or Corporation Counsel Thomas J. Somer in his/her/their capacity as officer(s) of the Corporation (as set forth above), each individually have the authority to sign, seal, deliver, negotiate accept and enter into agreements, contracts and other instruments or documents by and on behalf of the City of Chicago Heights Municipal Corporation in accordance with the laws of the State of Illinois and City of Chicago Heights Ordinances.

WITNESS our hands and seals as of the _____ day of October, 2022

Affix corporate seal here (if applicable)



Mayor David A. Gonzalez

Corporation Counsel Thomas J. Somer

Other

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EXHIBIT A

Common Address for the Property: Lot adjacent to and West of 525 Hamilton Wood, Chicago Heights, IL 60411

PIN: Dedicated section of Ashland Avenue (No PIN).

Size of the Property: Approximately .25 acres.

Use of the Property: Residential

Zoning for the Property: R-1

Survey: none

Appraised value: waived

Property of Cook County Clerk's Office

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LEGAL DESCRIPTION

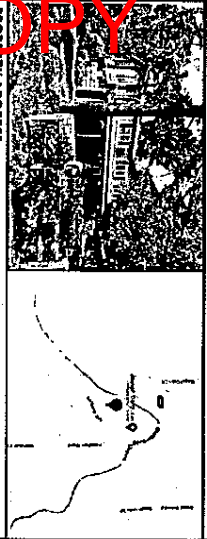
Parcel ID(s): 32-08-100-013-0000

THAT SECTION OF THE 50-FOOT-WIDE DEDICATED ROADWAY OF ASHLAND AVENUE LYING SOUTH OF THE WESTERLY EXTENSION OF THE NORTHERLY LINE BOUNDARY LINE OF LOT 13 IN HAMILTON WOOD SUBDIVISION, AND WHICH IS ALSO NORTHERLY OF THE CENTERLINE OF BUTTERFIELD CREEK AS SHOWN ON THE SURVEY PERFORMED BY EXACTA LAND SURVEYING LLC DATED AUGUST 31, 2022 OF WHICH SAID LOT 13 IS SHOWN ON THE PLAT OF HAMILTON WOOD RECORDED JULY 1962 AS DOCUMENT #2045591 IN THE REGISTRAR OF TITLES, COOK COUNTY, ILLINOIS.

Property of Cook County Clerk's Office



www.exacta-land.com | Office: 773.206.4071



PROPERTY ADDRESS:
MILTON WOOD ROAD, HOMEWOOD, ILLINOIS 60430

SURVY NUMBER: 2207.1255-01

DATE SIGNED: 08/21/22

FIELD WORK DATE: 7/30/2022

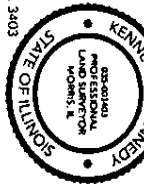
REVISION DATES:
(REV.1: 1/1/2022) (REV.2: 8/31/2022) (REV.1: 8/22/2022)

POINTS OF INTEREST
RESIDENCE OVER SET BACK LINE

STATE OF ILLINOIS }
COUNTY OF GRUNDY } SS

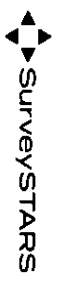
THIS IS TO CERTIFY THAT THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY, GIVEN UNDER MY HAND AND SEAL THIS DATE HEREON.

Kenneth A. Kennedy



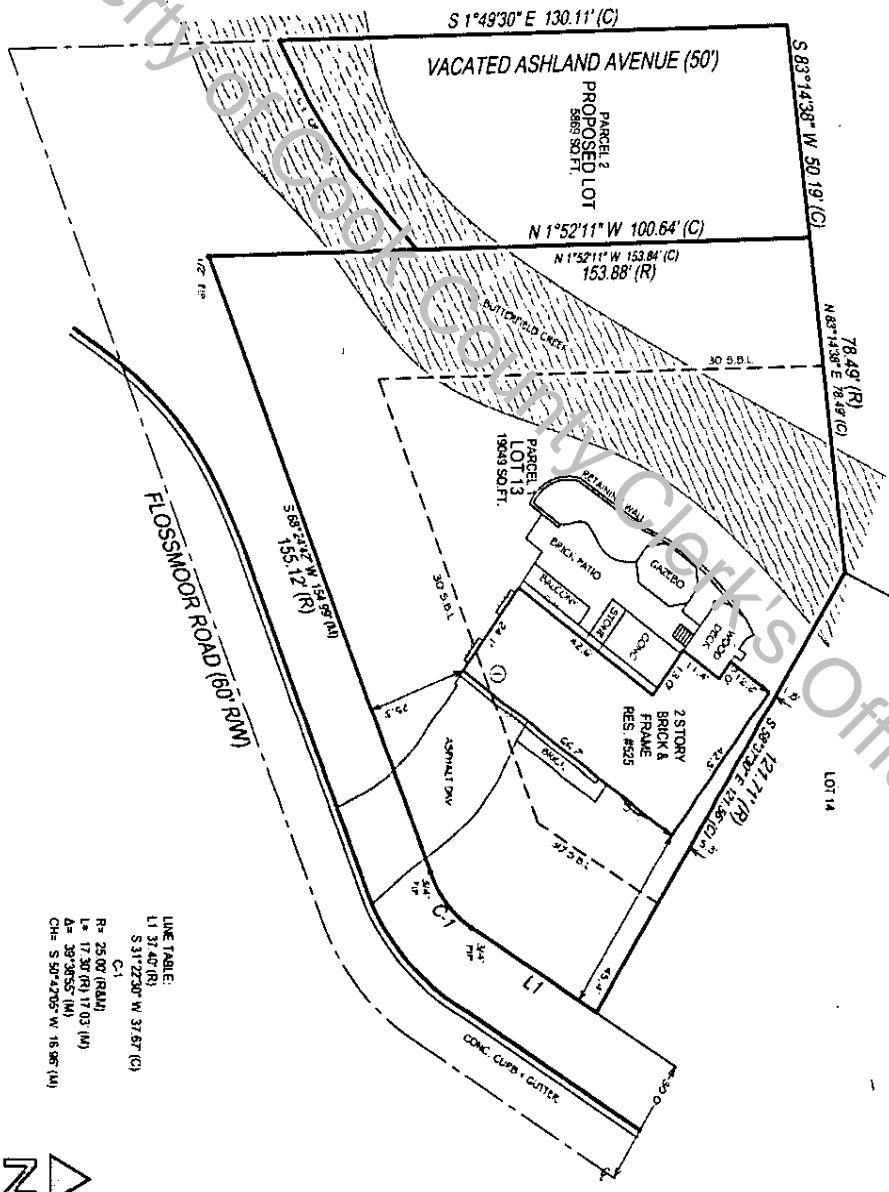
ILLINOIS PROFESSIONAL LAND SURVEYOR No. 3403
LICENSE EXPIRES 11/20/2022
EXACTA LAND SURVEYORS, LLC
PROFESSIONAL DESIGN FIRM 184008059-0008

EXACTA
Land Surveyors, LLC
316 East Jackson Street | Morris, IL 60450



22071255
BOUNDARY SURVEY
COOK COUNTY

SEE PAGE 2 OF 2 FOR LEGAL DESCRIPTION
PAGE 1 OF 2 - NOT VALID WITHOUT ALL PAGES



LINE TABLE:

L1	37.40' (R)
S	31°22'08\" W 37.87' (C)
C1	
R	25.00' (R&M)
L	17.30' (R) 17.03' (M)
A	39°38'55\" (M)
CH	S 50°22'05\" W 16.96' (M)



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