
ORDINANCE NO. 2017-2018-2

**An Ordinance Authorizing the Acceptance of
the Bid from Joel D. Taylor Relative to the "Beach" Lot**

AN ORDINANCE PASSED BY THE
PRESIDENT AND BOARD OF TRUSTEES
OF THE VILLAGE OF JOHNSBURG

AT A REGULAR MEETING ON MAY 16, 2017

PUBLISHED IN PAMPHLET FORM BY AUTHORITY OF THE
PRESIDENT AND BOARD OF TRUSTEES
OF THE VILLAGE OF JOHNSBURG

President

Edwin P. Hettermann

Board of Trustees

Tom Curry
Kyle Frost
Josh Hagen
Mary Lou Hutchinson
Greg Klemstein
Kevin McEvoy

Village Administrator

Claudett E. Peters

ORDINANCE NO. 2017-2018-2

**An Ordinance Authorizing the Acceptance of
the Bid from Joel D. Taylor Relative to the "Beach" Lot**

WHEREAS, the Village of Johnsburg caused notice to be published to solicit bids for the sale of certain real property in accordance with the Illinois Municipal Code;

WHEREAS, the highest bidder was Joel D. Taylor as set forth in a bid dated February 15, 2017, a copy of which is attached hereto as Exhibit A; and

WHEREAS, the Village has determined and reaffirms that it believes that accepting the bid is in the best interest of the Village.

BE IT ORDAINED by the President and Board of Trustees of the Village of Johnsburg, McHenry County, Illinois, as follows:

SECTION 1: That the Village President of the Village of Johnsburg is hereby authorized and directed to execute the Agreement attached hereto as Exhibit B and is authorized to take such further action to fulfill the Village's obligation set forth in such Agreement.

SECTION 2: If any section, paragraph, subdivision, clause, sentence or provision of this Ordinance shall be adjudged by any Court of competent jurisdiction to be invalid, such judgment shall not affect, impair, invalidate or nullify the remainder thereof, which remainder shall remain and continue in full force and effect.

SECTION 3: All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 4: This Ordinance shall be in full force and effect upon its passage, approval and publication in pamphlet form (which publication is hereby authorized) as provided by law.

Voting Aye: Trustee Klemstein, McEvoy, Curry, Hagen and Frost

Voting Nay: None

Abstain: None

Absent: Trustee Hutchinson

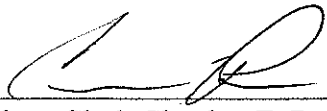
APPROVED:



Village President Edwin P. Hettermann

(SEAL)

ATTEST:


Village Clerk Claudett E. Peters

Passed: May 16, 2017

Approved: May 16, 2017

Published: May 16, 2017

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Exhibit A


FEB 15, 2017

I JOEL D TAYLOR A JOHNSBURGH
RESIDENT WOULD LIKE TO SUBMIT A WRITTEN BID ON
A PIECE OF PROPERTY ADJACENT TO MY HOME AT
4204 N RIVERVIEW DR JOHNSBURGH IL 60051, THE
PROPERTY PRESENTLY ASSIGNED IDENTIFICATION NUMBER
10-07-476-008
LOCATED ON RIVERVIEW DR.

I would at this time submit my bid of
TWENTY FIVE THOUSAND ONE HUNDRED AND ONE DOLLAR (\$25,101)
ON SAID PROPERTY FOR VILLAGE APPROVAL, AT VILLAGE OF
JOHNSBURGH'S TERMS STATED IN ORDINANCE NO. 2016-17-32

THANK-YOU FOR YOUR TIME
AND CONSIDERATION,

Sincerely


JOEL TAYLOR

1406 CHANNE BEACH AVE
JOHNSBURGH IL 60051
(863) 287-6694

Exhibit A

Exhibit B.

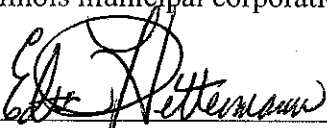
**AGREEMENT BETWEEN
VILLAGE OF JOHNSBURG and
JOEL D. TAYLOR**

This Agreement is entered into between the **Village of Johnsburg**, an Illinois municipal corporation (the "Village"), and **Joel D. Taylor** ("Taylor").

1. **Delivery of Quit Claim Deed and Other Documents by Village.** The parties agree that on June 30, 2017, the Village shall deliver to Taylor at the Village Hall an executed, notarized quit claim deed, in the form attached hereto as **Exhibit "A"**, for the subject property as legally described in **Exhibit "B"** (the "Subject Property"), in exchange for \$25,101 from Taylor, payable at the time of delivery of the deed to Taylor by the Village, along with a transfer tax statement and Plat Act Affidavit in the forms attached hereto as **Exhibits "C" and "D"**, respectively. The parties agree that time is of the essence. Taylor agrees to cause the deed to be promptly recorded with the McHenry County Recorder's Office after receipt of same. Taylor understands and agrees that such quit claim deed contains a reservation of a utility easement by the Village.

2. **No Representation or Warranties by Village.** The parties agree that the Village makes no representation or warranty of any kind including but not limited to the Village's interest in the Subject Property, the marketability of title in the Subject Property or the Subject Property's buildability and is only quit claiming its interest, if any, to Taylor. Taylor agrees that he has had the opportunity to investigate the Village's interest, if any, in the Subject Property and is relying on his own investigation in entering into this Agreement.

THE VILLAGE OF JOHNSBURG,
an Illinois municipal corporation

By: 
Ed Hettermann, Village President

JOEL D. TAYLOR


Joel D. Taylor

ATTEST:

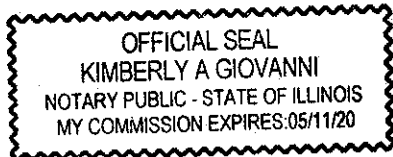

Claudett Peters, Clerk

STATE OF ILLINOIS)
) SS
COUNTY OF McHENRY)

I, the undersigned, a Notary Public in and for said County, in the State aforesaid, do hereby certify that Ed Hettermann, as President of the Village of Johnsburg, Illinois, and Claudett Peters, as Clerk of the Village of Johnsburg, Illinois, personally known to me to be the same persons whose names are subscribed to the foregoing instrument, appeared before me this day in person and severally acknowledged that they signed and delivered the said instrument, as their free and voluntary act of said municipal corporation, for the uses and purposes therein set forth and, as their free and voluntary act, for the uses and purposes therein set forth

Given under my hand and notarial seal, this 30th day of June, 2017.

(Stamp)



Kimberly A. Giovanni
Notary Public

STATE OF ILLINOIS)
) SS
COUNTY OF McHENRY)

I, the undersigned, a Notary Public in and for said County, in the State aforesaid, do hereby certify that Joel D. Taylor, personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that he signed and delivered the said instrument, as his free and voluntary act, for the uses and purposes therein set forth.

Given under my hand and notarial seal, this 30 day of June, 2017.

(Stamp)



Debra Swetz
Notary Public

- EXHIBIT A: Quit Claim Deed
 - EXHIBIT B: Legal description of the Subject Property
 - EXHIBIT C: Transfer Tax Statement
 - EXHIBIT D: Plat Act Affidavit
- Z:\JOHNSBURG\Agreement.JoelTaylor.docx

EXHIBIT A
Quit Claim Deed

QUIT CLAIM DEED

Statutory (Illinois)

PREPARED BY/MAIL TO:

Michael J. Smoron
Zukowski, Rogers, Flood & McArdle
50 Virginia Street
Crystal Lake, IL 60014

NAME AND ADDRESS OF TAXPAYER:

Joel D. Taylor
1406 Channel Beach Avenue
Johnsburg, IL 60051

THE GRANTOR, VILLAGE OF JOHNSBURG, an Illinois Municipal Corporation (the "Village"), 1515 Channel Beach Drive, Johnsbuurg, Illinois, for and in consideration of **TEN AND NO/100THS DOLLARS (\$10.00)** and other good and valuable considerations in hand paid;

QUIT CLAIMS to **JOEL D. TAYLOR**, a single person, 1406 Channel Beach Avenue, Johnsbuurg, Illinois, all interest in the following described Real Estate situated in the County of McHenry, State of **ILLINOIS**, to wit:

That certain lot labeled "Beach" situated between Lots 6 and 7 in Block 1 in Sunnyside Estates Unit No. 2, a Subdivision of part of the South Half of the Southeast Fractional Quarter of Section 7, and part of the Northwest Fraction of the Fractional Northeast Quarter of Section 18, all in Township 45 North, Range 9 East of the Third Principal Meridian, according to Plat thereof recorded December 4, 1939 as Document No. 143096, in Book 9 of Plats, page 40, in McHenry County, Illinois.

PIN: 10-07-476-008

Address of Real Estate: Vacant Lot located on Riverview Drive, Johnsbuurg, Illinois

SUBJECT TO: the Village's reservation of a permanent, exclusive, irrevocable utility easement along the southerly 10 feet of such Real Estate for the construction, installation, maintenance, repair, inspection, and re-construction and re-installation of mains, pipe or other conduit and related facilities for the provision of utility services by the Village and the Village's designees as set forth and depicted in Exhibit A hereto. Such easement runs with the land.

Hereby releasing and waiving all rights under and by virtue of the Homestead Exemption Laws of the State of Illinois.

Dated this 30 day of June, 2017.

VILLAGE OF JOHNSBURG,
an Illinois municipal corporation

By: 
Edwin P. Hettermann, its President

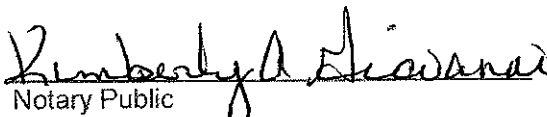
ATTEST:


Claudett Peters, Village Clerk

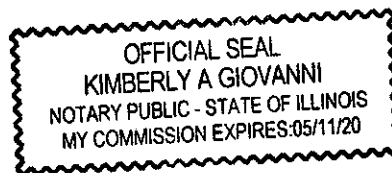
STATE OF ILLINOIS)
) ss.
COUNTY OF MCHENRY)

I, the undersigned, a Notary Public in and for said County, in the State aforesaid, DO HEREBY CERTIFY THAT Edwin P. Hettermann as its President and Claudett Peters, as its Village Clerk of the Village of Johnsburg, Illinois, personally known to me to be the same persons whose names are subscribed to the foregoing instrument, appeared before me this day in person, and acknowledged that they signed, sealed and delivered the said instrument as their free and voluntary act, for the uses and purposes therein set forth.

Given under my hand and notarial seal, this 30th day of June, 2017.


Notary Public

Exempt under provisions of Paragraph (b),
Section: 31-45, Property Tax Code.




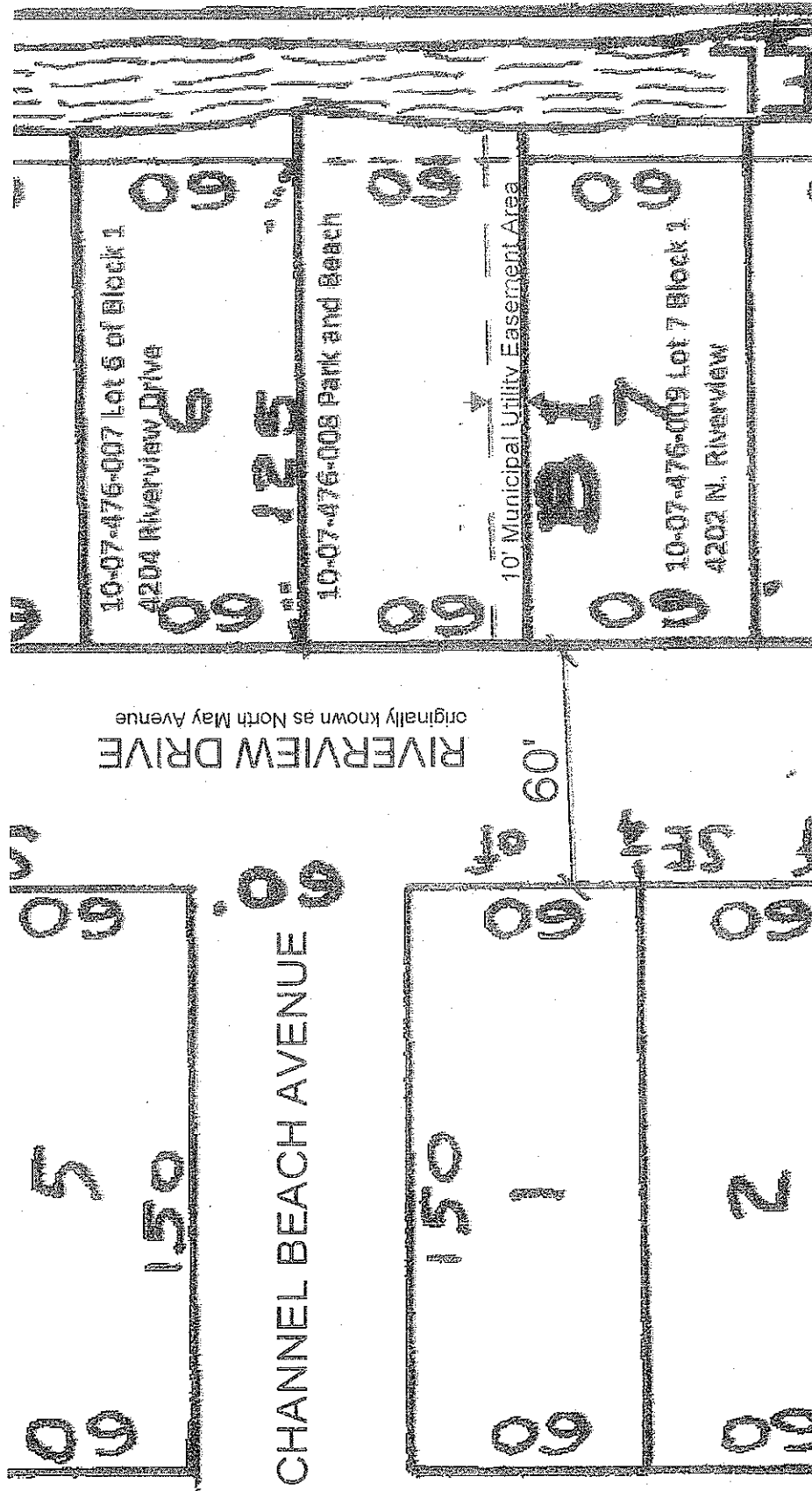

Buyer/Seller/Representative Date
Z:\V\JOHNSBURG\QC\DEED.beachlot.doc

EXHIBIT A - MUNICIPAL UTILITY EASEMENT



Municipal Utility Easement Legal Description:

The southerly 10' of the Park and Beach Lot in Block 1 of Sunnyside Estates Unit No. 2 as recorded in McHenry County, Illinois as Document 143096 on December 4, 1939.

EXHIBIT B
Legal Description of the Subject Property

That certain lot labeled "Beach" situated between Lots 6 and 7 in Block 1 in Sunnyside Estates Unit No. 2, a Subdivision of part of the South Half of the Southeast Fractional Quarter of Section 7, and part of the Northwest Fraction of the Fractional Northeast Quarter of Section 18, all in Township 45 North, Range 9 East of the Third Principal Meridian, according to Plat thereof recorded December 4, 1939 as Document No. 143096, in Book 9 of Plats, page 40, in McHenry County, Illinois.

PIN: 10-07-476-008

EXHIBIT C
Transfer Tax Statement



PTAX-203

Illinois Real Estate Transfer Declaration

Please read the instructions before completing this form.
This form can be completed electronically at tax.illinois.gov/retd.

Step 1: Identify the property and sale information.

1 VACANT LOT ON RIVERVIEW DRIVE
Street address of property (or 911 address, if available)

JOHNSBURG 60051
City or village ZIP

MCHENRY
Township

2 Write the total number of parcels to be transferred. 1

3 Write the parcel identifying numbers and lot sizes or acreage.

Property index number (PIN)	Lot size or acreage
a <u>10-07-476-008</u>	<u>3,397,680.00 SQ</u>
b _____	_____
c _____	_____
d _____	_____

Write additional property index numbers, lot sizes or acreage in Step 3.

4 Date of instrument: 06 30 / 2 0 1 7
Month Year

5 Type of instrument (Mark with an "X"):
 Warranty deed
 Quit claim deed Executor deed Trustee deed
 Beneficial interest Other (specify): _____

6 Yes No Will the property be the buyer's principal residence?

7 Yes No Was the property advertised for sale?
(i.e., media, sign, newspaper, realtor)

8 Identify the property's current and intended primary use.
Current Intended (Mark only one item per column with an "X.")

- | | | |
|---------------------------------------|-------------------------------------|---|
| a <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | Land/lot only |
| b _____ | _____ | Residence (single-family, condominium, townhome, or duplex) |
| c _____ | _____ | Mobile home residence |
| d _____ | _____ | Apartment building (6 units or less) No. of units: _____ |
| e _____ | _____ | Apartment building (over 6 units) No. of units: _____ |
| f _____ | _____ | Office |
| g _____ | _____ | Retail establishment |
| h _____ | _____ | Commercial building (specify): _____ |
| i _____ | _____ | Industrial building |
| j _____ | _____ | Farm |
| k _____ | _____ | Other (specify): _____ |

Step 2: Calculate the amount of transfer tax due.

Note: Round Lines 11 through 18 to the next highest whole dollar. If the amount on Line 11 is over \$1 million and the property's current use on Line 8 above is marked "e," "f," "g," "h," "i," or "k," complete Form PTAX-203-A, Illinois Real Estate Transfer Declaration Supplemental Form A. If you are recording a beneficial interest transfer, do not complete this step. Complete Form PTAX-203-B, Illinois Real Estate Transfer Declaration Supplemental Form B.

11	Full actual consideration	\$	<u>25,101.00</u>
12a	Amount of personal property included in the purchase	\$	<u>0.00</u>
12b	Was the value of a mobile home included on Line 12a?		<u>Yes</u> <input checked="" type="checkbox"/> <u>No</u> <input type="checkbox"/>
13	Subtract Line 12a from Line 11. This is the net consideration for real property.	\$	<u>25,101.00</u>
14	Amount for other real property transferred to the seller (in a simultaneous exchange) as part of the full actual consideration on Line 11	\$	<u>0.00</u>
15	Outstanding mortgage amount to which the transferred real property remains subject	\$	<u>0.00</u>
16	If this transfer is exempt, use an "X" to identify the provision.		<input checked="" type="checkbox"/> b <input type="checkbox"/> k <input type="checkbox"/> m
17	Subtract Lines 14 and 15 from Line 13. This is the net consideration subject to transfer tax.	\$	<u>0.00</u>
18	Divide Line 17 by 500. Round the result to the next highest whole number (e.g., 61.002 rounds to 62).	\$	<u>0.00</u>
19	Illinois tax stamps — multiply Line 18 by 0.50.	\$	<u>0.00</u>
20	County tax stamps — multiply Line 18 by 0.25.	\$	<u>0.00</u>
21	Add Lines 19 and 20. This is the total amount of transfer tax due.	\$	<u>0.00</u>

This form is authorized in accordance with 35 ILCS 200/31-1 et seq. Disclosure of this information is REQUIRED. This form has been approved by the Forms Management Center. IL-492-0227

Do not write in this area. County Recorder's Office use.

County:

Date:

Doc. No.:

Vol.:

Page:

Received by:

9 Identify any significant physical changes in the property since January 1 of the previous year and write the date of the change.

Date of significant change: _____ / _____ / _____
Month Year

(Mark with an "X.")

Demolition/damage Additions Major remodeling
 New construction Other (specify): _____

10 Identify only the items that apply to this sale. (Mark with an "X.")

- a Fulfillment of installment contract —
year contract initiated : _____
- b Sale between related individuals or corporate affiliates
- c Transfer of less than 100 percent interest
- d Court-ordered sale
- e Sale in lieu of foreclosure
- f Condemnation
- g Short sale
- h Bank REO (real estate owned)
- i Auction sale
- j Seller/buyer is a relocation company
- k Seller/buyer is a financial institution or government agency
- l Buyer is a real estate investment trust
- m Buyer is a pension fund
- n Buyer is an adjacent property owner
- o Buyer is exercising an option to purchase
- p Trade of property (simultaneous)
- q Sale-leaseback
- r Other (specify): _____
- s Homestead exemptions on most recent tax bill:
- | | | |
|-------------------------------------|----|-------------|
| 1 General/Alternative | \$ | <u>0.00</u> |
| 2 Senior Citizens | \$ | <u>0.00</u> |
| 3 Senior Citizens Assessment Freeze | \$ | <u>0.00</u> |

Step 3: Write the legal description from the deed. Write, type (minimum 10-point font required), or attach the legal description from the deed. If you prefer, submit an 8 1/2" x 11" copy of the extended legal description with this form. You may also use the space below to write additional property index numbers, lots sizes or acreage from Step 1, Line 3.

THAT CERTAIN LOT LABELED BEACH SITUATED BETWEEN LOTS 6 AND 7 IN BLOCK 1 IN SUNNYSIDE ESTATES UNIT NO. 2, A SUBDIVISION OF PART OF THE SOUTH HALF OF THE SOUTHEAST FRACTIONAL QUARTER OF SECTION 7, AND PART OF THE NORTHWEST FRACTION OF THE FRACTIONAL NORTHEAST QUARTER OF SECTION 18, ALL IN TOWNSHIP 45 NORTH, RANGE 9 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO PLAT THEREOF RECORDED DECEMBER 4, 1939 AS DOCUMENT NO. 143098, IN BOOK 9 OF PLATS, PAGE 40, IN MCHENRY COUNTY, ILLINOIS.

Step 4: Complete the requested information.

The buyer and seller (or their agents) hereby verify that to the best of their knowledge and belief, the full actual consideration and facts stated in this declaration are true and correct. If this transaction involves any real estate located in Cook County, the buyer and seller (or their agents) hereby verify that to the best of their knowledge, the name of the buyer shown on the deed or assignment of beneficial interest in a land trust is either a natural person, an Illinois corporation or foreign corporation authorized to do business or acquire and hold title to real estate in Illinois, a partnership authorized to do business or acquire and hold title to real estate in Illinois, or other entity recognized as a person and authorized to do business or acquire and hold title to real estate under the laws of the State of Illinois. Any person who willfully falsifies or omits any information required in this declaration shall be guilty of a Class B misdemeanor for the first offense and a Class A misdemeanor for subsequent offenses. Any person who knowingly submits a false statement concerning the identity of a grantee shall be guilty of a Class C misdemeanor for the first offense and of a Class A misdemeanor for subsequent offenses.

Seller Information (Please print.)

VILLAGE OF JOHNSBURG
 Seller's or trustee's name
 1515 CHANNEL BEACH DRIVE
 Street address (after sale)
 Michael Smoron
 Seller's or agent's signature
 Seller's trust number (if applicable - not an SSN or FEIN)
 JOHNSBURG IL 60051
 City State ZIP
 () Ext.
 Seller's daytime phone

Buyer Information (Please print.)

JOEL TAYLOR
 Buyer's or trustee's name
 1406 CHANNEL BEACH AVENUE
 Street address (after sale)
 Joel Taylor
 Buyer's or agent's signature
 Buyer's trust number (if applicable - not an SSN or FEIN)
 JOHNSBURG IL 60051
 City State ZIP
 (863) 287-6694 Ext.
 Buyer's daytime phone

Mail tax bill to:

JOEL TAYLOR 1406 CHANNEL BEACH AVENUE JOHNSBURG IL 60051
 Name or company Street address City State ZIP

Preparer Information (Please print.)

ZUKOWSKI, ROGERS, FLOOD & MCARDLE
 Preparer's and company's name
 50 VIRGINIA STREET
 Street address
 Michael Smoron
 Preparer's signature
 msmoron@zrfmlaw.com
 Preparer's e-mail address (if available)
 Preparer's file number (if applicable)
 CRYSTAL LAKE IL 60014
 City State ZIP
 (815) 459-2050 Ext.
 Preparer's daytime phone

Identify any required documents submitted with this form. (Mark with an "X.") Extended legal description Form PTAX-203-A
 Itemized list of personal property Form PTAX-203-B

To be completed by the Chief County Assessment Officer	
1 _____ County Township Class Cook-Minor Code 1 Code 2	3 Year prior to sale _____
2 Board of Review's final assessed value for the assessment year prior to the year of sale. Land _____ Buildings _____ Total _____	4 Does the sale involve a mobile home assessed as real estate? Yes No 5 Comments
Illinois Department of Revenue Use	Tab number

EXHIBIT D
Plat Act Affidavit

CERTIFICATION

I, CLAUDETT E. PETERS, do hereby certify that I am the duly appointed, acting and qualified Clerk of the Village of Johnsburg, McHenry County, Illinois, and that as such Clerk, I am the keeper of the records and minutes and proceedings of the President and Board of Trustees of said Village of Johnsburg.

I do further certify that at a regular meeting of the President and Board of Trustees of the Village of Johnsburg, held on the 16 day of May, 2017 the foregoing Ordinance entitled *An Ordinance Authorizing the Acceptance of the Bid from Joel Taylor Relative to the "Beach" Lot*, was duly passed by the President and Board of Trustees of the Village of Johnsburg.

The pamphlet form of Ordinance No. 2017-18-02 including the Ordinance and a cover sheet thereof, was prepared, and a copy of such Ordinance was available in the Village Hall, commencing on the 16th day of May 2017, and will continue for at least 10 days thereafter. Copies of such Ordinance are also available for public inspection upon request in the office of the Village Clerk.

I do further certify that the original, of which the attached is a true and correct copy, is entrusted to me as the Clerk of said Village for safekeeping, and that I am the lawful custodian and keeper of the same.

Given under my hand and seal of the Village of Johnsburg, this 16th day of May, 2017.



Claudett E. Peters, Village Clerk
Village of Johnsburg,
McHenry County, Illinois

(SEAL)