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**ORDINANCE NO. 2016-17-32**

*An Ordinance Authorizing the Sale of Surplus Public Real Estate*

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AN ORDINANCE PASSED BY THE  
PRESIDENT AND BOARD OF TRUSTEES  
OF THE VILLAGE OF JOHNSBURG  
AT A REGULAR MEETING ON JANUARY 3, 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 John Huemann Mary Lou Hutchinson Greg Klemstein Kevin McEvoy
Village Administrator	Claudett E. Peters

## **ORDINANCE NO. 2016-17-32**

### ***An Ordinance Authorizing the Sale of Surplus Public Real Estate***

Whereas, the corporate authorities of the Village of Johnsburg, an Illinois municipal corporation (the "Village"), hereby find that the public real estate legally described below is surplus public real estate in accordance with 65 ILCS 5/11-76-2:

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 (the "Subject Property").

The Subject Property is presently assigned property identification number 10-07-476-008, is approximately .17 acres which is located on Riverview Drive, is presently unimproved and is zoned R-2.

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

SECTION 1: The Village will accept written offers for a contract to purchase the Village's interest in the Subject Property until 4:30 p.m., Thursday, February 16, 2017 at Village Hall, 1515 Channel Beach Road, Johnsburg, Illinois. The Village will open the bids at its regularly scheduled meeting of February 21, 2017 at or after 7:00 p.m. The Village reserves the right to reject any or all offers for the Subject Property and to accept any contract proposal determined by the Village's corporate authorities to be in the best interest of the Village by a vote of three-fourths of the corporate authorities then holding office. The Village will require that in the event of accepting a bid to reserve a utility easement along the south property line of the Subject Property.

In connection with the sale of the Village's interest in the Subject Property, the Village makes no representation or warranty of any kind, including but not limited to the Village's interest in such property, the marketability of title of the Subject Property or the Subject Property's buildability and, if the Village accepts a bid, would quit claim its interest, if any, in the Subject Property to the prospective buyer.

SECTION 2: The Village Clerk is directed to publish notice of this ordinance and the Village's proposal to sell the Subject Property once each week for three successive weeks in a weekly or daily newspaper published in the McHenry County, there being no newspaper published in

the Village itself.

The first publication shall be not less than 30 days before the day provided in the notice for the opening bids.

SECTION 3: 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 4: All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 5: 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: Trustees McEvoy, Frost, Huemann, Curry and Hutchinson.

Voting Nay: None

Abstain: None


Absent: Trustee Klemstein

APPROVED:



Village President Edwin P. Hettermann

(SEAL)

ATTEST:   
Village Clerk Claudett E. Peters

Passed: January 3, 2107

Approved: January 3, 2017

Published: January 3, 2017

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## 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 3rd day of January, 2017 the foregoing Ordinance entitled *An Ordinance Authorizing the Sale of Surplus Public Real Estate*, was duly passed by the President and Board of Trustees of the Village of Johnsburg.

The pamphlet form of Ordinance No. 2016-17-32 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 3<sup>rd</sup> day of January, 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 3<sup>rd</sup> day of January, 2017.



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

(SEAL)