THE VILLAGE OF HOMER GLEN
WILL COUNTY, ILLINOIS

ORDINANCE
NUMBER 12-037

AN ORDINANCE AUTHORIZING THE ACCEPTANCE OF THE DONATION OF REAL ESTATE BY THE VILLAGE OF HOMER GLEN, WILL COUNTY, ILLINOIS

JAMES P. DALEY, Village President
GALE SKROBUTON, Village Clerk

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Trustees

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ODELSON & STERK, LTD. – Village Attorneys – 3318 West 95th Street – Evergreen Park, Illinois 60805

ORDINANCE NO. 12-037 Dated: July 24, 2012

AN ORDINANCE AUTHORIZING THE ACCEPTANCE OF THE DONATION OF REAL ESTATE BY THE VILLAGE OF HOMER GLEN, WILL COUNTY, ILLINOIS

WHEREAS, the Village of Homer Glen, Will County, Illinois (the "*Village*") is a home rule municipality pursuant to Section 6(a), Article VII of the 1970 Constitution of the State of Illinois, and as such may exercise any power and perform any function pertaining to its government and affairs (the "*Home Rule Powers*"); and,

WHEREAS, Gallagher & Henry ("Developer") is the developer of the Goodings Grove Planned Unit Development, Phase 5, being a subdivision in the Village of Homer Glen and wishes to donate certain real estate and any improvements located thereon ("Real Estate") to the Village in order to provide a park in the Goodings Grove subdivision; and

WHEREAS, the Village Manager and Village Attorney have reviewed the proposed donation, and have recommended the acceptance of the donation by the Developer; and

WHEREAS, the Village President and Village Board of Trustees have determined that the acceptance of the donation by the Developer will serve a corporate purpose and be in the best interests of the Village.

NOW, THEREFORE, BE IT ORDAINED by the Village President and Village Board of Trustees of the Village of Homer Glen, Will County, Illinois, by and through its Home Rule Powers, as follows:

SECTION 1: The foregoing recitals are restated and incorporated herein by reference as though fully set forth herein.

SECTION 2: The Village accepts the donation of the following described Real Estate from the Developer:

> Lot 219 in Goodings Grove Planned Unit Development, Phase 5, being a Subdivision of the part of the West Half of Section 1, Township 36 North, Range 11 East of the Third Principal Meridian, according to the Plat thereof recorded on June 22, 2009 as Document R2009074569, in Will County, Illinois.
>
> Common Address: Vacant land on the West side of Graystone Drive, South of Essex Drive, in the Village of Homer Glen, Will County, Illinois.
> PIN: 16-05-01-103-021
>
> A true and correct copy of the deed is attached hereto as Exhibit "A."

SECTION 3: The Village's acceptance of the Real Estate is contingent upon issuance of an acceptable title insurance policy by Chicago Title Insurance Company in the policy amount of $100,000.00, naming the Village as the insured and showing title to the Real Estate to be free of any liens or encumbrances except for any easements, covenants or condition of record, which in the Village's sole determination, will not interfere with the Village's intended use of the Real Estate. In the event the policy of title insurance does not show the title of the Real Estate to be free and clear of any liens of encumbrances except for easements, covenants or conditions of record, which in the Village's sole

determination, will not interfere with the Village's intended use of the Real Estate, the Village may rescind its acceptance of the Real Estate and reconvey title to the Developer.

SECTION 4: If any section, paragraph, clause or provision of this Ordinance shall be held invalid, the invalidity thereof shall not affect any other provisions of this Ordinance.

SECTION 5: All ordinances, resolutions, motions or orders in conflict with this Ordinance are hereby repealed to the extent of such conflict.

SECTION 6: This Ordinance shall be in full force and effect upon its passage, approval and publication as required by law.

[*Intentionally left blank*]

Adopted this 24th day of July, 2012 pursuant to a roll call vote as follows:

	YES	NO	ABSENT	PRESENT
Costa	X			
DeVivo	X			
Kagianas			X	
Niemiec			X	
Sabo	X			
Yukich	X			
Daley (Village President)	-			
TOTAL	4	0	2	-

APPROVED by the Village President on July 24, 2012.

James P. Daley
Village President

ATTEST:

Gale Skrobuton
Village Clerk