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**VILLAGE OF MELROSE PARK  
COOK COUNTY, ILLINOIS**

**ORDINANCE NO. 1335**

**AN ORDINANCE AUTHORIZING THE PURCHASE OF CERTAIN  
REAL PROPERTY COMMONLY KNOWN AS 1203 NORTH 18<sup>TH</sup>  
AVENUE, IN THE VILLAGE OF MELROSE PARK, COUNTY OF  
COOK, STATE OF ILLINOIS.**

**ADOPTED BY THE  
PRESIDENT AND BOARD OF TRUSTEES  
OF THE  
VILLAGE OF MELROSE PARK**

**THIS 9<sup>TH</sup> DAY OF NOVEMBER 2009**

**RONALD M. SERPICO, Village President  
MARY ANN PAOLANTONIO SALEMI, Village Clerk**

**Board Of Trustees**

**CATHLEEN COSSIDENT ITALIA  
ANTHONY J. PRIGNANO  
ARTURO J. MOTA  
MARY RAMIREZ TACONI  
JAIME ANGUIANO  
ANTHONY N. ABRUZZO**

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**Published by authority of the  
President and Board of Trustees  
Of the Village of Melrose Park,  
Cook County, Illinois on  
This 10<sup>TH</sup> day of NOVEMBER 2009**

**ORDINANCE NO. 1335**

**AN ORDINANCE AUTHORIZING THE PURCHASE OF CERTAIN REAL PROPERTY COMMONLY KNOWN AS 1203 NORTH 18<sup>TH</sup> AVENUE, IN THE VILLAGE OF MELROSE PARK, COUNTY OF COOK, STATE OF ILLINOIS.**

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**WHEREAS**, the Village of Melrose Park, County of Cook, State of Illinois (the “Village”) is a duly organized and existing municipality and unit of local government created under the provisions of the laws of the State of Illinois, and is operating under the provisions of the Illinois Municipal Code, and all laws amendatory thereof and supplementary thereto, with full powers to enact ordinances and adopt resolutions for the benefit of the residents of the Village; and

**WHEREAS**, the Village President (the “President”), the Honorable Ronald M. Serpico, the Village Clerk, the Honorable Mary Ann Paolantonio Salemi, and the Board of Trustees of the Village (the “Village Board”), the Honorable Cathleen Cossident Italia, Anthony J. Prignano, Arturo J. Mota, Mary Ramirez Taconi, Jaime Anguiano and Anthony N. Abruzzo, having taken office on April 30, 2009, constitute the duly elected, qualified and acting officials of the Village; and

**WHEREAS**, vacant and unsafe buildings often become crime magnets, fire hazards or dumping grounds and can increase blight and decrease investment within a community; and

**WHEREAS**, local governments spend a disproportionate amount of time and funds securing vacant buildings against criminal activity and cleaning and caring for vacant buildings to prevent a build up of trash, illegal dumping and rodent infestation; and

**WHEREAS**, the President and the Village Board (collectively, the “Corporate Authorities”) recognize the impact that vacant and unsafe properties have on neighboring properties and desire to help Village residents combat the negative consequences of the same; and

**WHEREAS**, pursuant to Section 11-31-1(a) of the Illinois Municipal Code (65 ILCS 5/11-31-1(a)), the corporate authorities of each municipality may demolish, repair, or enclose or cause the demolition, repair, or enclosure of dangerous and unsafe buildings or uncompleted and abandoned buildings within the territory of the municipality and may remove or cause the removal of garbage, debris, and other hazardous, noxious, or unhealthy substances or materials from those buildings; and

**WHEREAS**, pursuant to Section 11-61-3 of the Illinois Municipal Code (65 ILCS 5/11-61-3), the corporate authorities of municipalities that have populations of less than one million (1,000,000) inhabitants have the express power to acquire real estate for public purposes through contracts that provide for the consideration for such acquisition to be paid through installments during a period of time not to exceed twenty (20) years; and

**WHEREAS**, there exists certain real property located at the address commonly known as 1203 North 18<sup>th</sup> Avenue, Melrose Park, Illinois 60160 (the “Property”), which is legally described on Exhibit “A,” attached hereto and incorporated herein; and

**WHEREAS**, the Property has a property index number of 15-03-323-018-0000; and

**WHEREAS**, the Property is currently vacant and houses an unsafe structure; and

**WHEREAS**, the Corporate Authorities have determined that it is advisable and necessary for the health, safety and welfare of the residents of the Village to acquire the Property and demolish the structure located thereon; and

**WHEREAS**, the Corporate Authorities have engaged in various conversations and commenced efforts to acquire the Property via a standard form commercially reasonable agreement (the “Agreement”) to be entered into by the owner of the Property and the Village; and

**WHEREAS**, for the public purpose of ensuring the safety of individuals visiting, residing and working in the Village, the Corporate Authorities have determined that it is in the best interests of the Village and its residents to execute the Agreement, acquire the Property and demolish the unsafe structure located thereon; and

**WHEREAS**, the President is authorized to enter into and the Village Attorney (the “Attorney”) is authorized to revise agreements for the Village making such insertions, omissions and changes as shall be approved by the President and the Attorney; and

**NOW, THEREFORE, BE IT ORDAINED** by the President and the Board of Trustees of the Village of Melrose Park, County of Cook, State of Illinois, as follows:

**ARTICLE I.  
IN GENERAL**

**Section 01. Incorporation Clause.**

All of the recitals hereinbefore stated as contained in the preambles to this Ordinance are full, true and correct, and the Village Board does hereby, by reference, incorporate and make them part of this Ordinance as legislative findings.

**Section 02. Purpose.**

The purpose of this Ordinance is to authorize the President or his designee to enter into and approve the Agreement whereby the Village will acquire the Property and demolish the unsafe structure located thereon and to further authorize the President or his designee to take any and all steps necessary to effectuate the intent of this Ordinance.

**Section 03. Invocation of Authority.**

This Ordinance is adopted pursuant to the authority granted to the Village by the Constitution of the State of Illinois and the Illinois Compiled Statutes.

**Section 04. State Law Adopted.**

All applicable provisions of the Illinois Compiled Statutes, including the Illinois Municipal Code, as may be amended from time to time, relating to the purposes of this Ordinance are hereby incorporated herein by reference.

**Sections 05 -09. Reserved.**

**ARTICLE II.  
AUTHORIZATION TO ACQUIRE REAL PROPERTY**

**Section 10.00 Authorization.**

The Village Board hereby authorizes and directs the President or his designee to negotiate, draft, enter into and approve the Agreement in accordance with its terms, or any modification thereof. The Village Board authorizes and directs the President or his designee to acquire the Property and execute the Agreement, with such insertions, omissions and changes as shall be approved by the President and the Attorney, and the Village Board further authorizes the President or his designee to execute any and all additional documentation that may be necessary to carry out the intent of this Ordinance. The Village Board hereby authorizes and directs the Village to undertake all steps

necessary to carry out the intent of this Ordinance, including the expenditure of all necessary funds.

The Village Clerk is hereby authorized and directed to attest to and countersign any documentation that may be necessary to carry out and effectuate the purpose of this Ordinance. The Village Clerk is also authorized and directed to affix the Seal of the Village to such documentation as is deemed necessary. The Village Clerk or her designee shall take all other actions required by law in connection with the transaction contemplated hereunder.

The Village Board hereby authorizes the officers, employees and/or agents of the Village to take any and all action necessary or reasonably required to carry out, give effect to and consummate the intent of this Ordinance and to take all action necessary in conformity therewith. The Village Board hereby ratifies any and all previous action taken to effectuate the intent of this Ordinance.

**Sections 11.00 – 15.00 Reserved.**

**ARTICLE III.  
HEADINGS, SAVINGS CLAUSES,  
PUBLICATION, EFFECTIVE DATE**

**Section 16.00 Headings.**

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

**Section 17.00 Severability.**

The provisions of this Ordinance are hereby declared to be severable and should

any provision, clause, sentence, paragraph, subparagraph, section, or part of this Ordinance be determined to be in conflict with any law, statute or regulation by a court of competent jurisdiction, said provision, clause, sentence, paragraph, subparagraph, section, or part 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. It is hereby declared to be the legislative intent of the Corporate Authorities that this Ordinance would have been adopted had not such unconstitutional or invalid provision, clause, sentence, paragraph, subparagraph, section, or part thereof been included.

**Section 18.00 Superseder.**

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

**Section 19.00 Publication.**

A full, true and complete copy of this Ordinance shall be published in pamphlet form or in a newspaper published and of general circulation within the Village as provided by the Illinois Municipal Code, as amended.

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**Section 20.00 Effective Date.**

This Ordinance shall be in full force and effect upon its passage, approval and publication, as provided by law.

On The Individual Poll And Voice Vote Of The Board Of Trustees:

AYE VOTES: Trustee Prignano, Trustee Mota, Trustee Taconi,  
Trustee Anguiano, Trustee Abruzzo

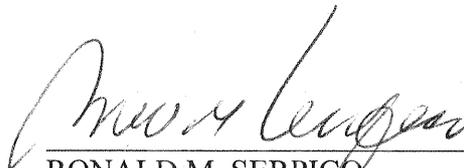
NAY VOTES:

ABSTAIN:

ABSENT: Trustee Italia

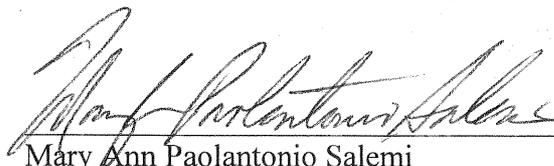
SO PASSED, ADOPTED, APPROVED AND ENACTED IN AND AT THE  
VILLAGE OF MELROSE PARK, COUNTY OF COOK, STATE OF ILLINOIS, THIS  
NINTH DAY OF NOVEMBER, 2009, A.D.

APPROVED:



RONALD M. SERPICO  
VILLAGE PRESIDENT

ATTEST:



Mary Ann Paolantonio Salemi  
Village Clerk

(SEAL)

Recorded in the Municipal Records: November 9, 2009  
Published in Pamphlet Form: November 10, 2009