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VILLAGE OF MELROSE PARK
COOK COUNTY, ILLINOIS

ORDINANCE NO. 1103

AN ORDINANCE AUTHORIZING AND DIRECTING THE SALE
OF CERTAIN MUNICIPALLY OWNED REAL ESTATE FOR 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 9TH DAY OF OCTOBER 2007

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

Board Of Trustees

JOHN S. CONTEDEUCA
CATHLEEN COSSIDENT ITALIA
THOMAS KLEIN
ARTURO J. MOTA
ANTHONY J. PRIGNANO
MARY RAMIREZ TACONI

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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 10TH day of OCTOBER 2007

ORDINANCE NO. 1103

AN ORDINANCE AUTHORIZING AND DIRECTING THE SALE OF CERTAIN MUNICIPALLY OWNED REAL ESTATE FOR 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 village 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, having taken office on May 2, 2005, and the Board of Trustees of the Village (the “Village Board”), the Honorable John S. Conteduca, Cathleen Cossident Italia, Tom "T.K." Klein, Arturo J. Mota, Anthony J. Prignano and Mary Ramirez Taconi having taken office on May 14, 2007, constitute the duly elected, qualified and acting officials of the Village; and

WHEREAS, the Village owns certain real estate commonly known as 1001-11 North 25th Avenue, Melrose Park, Illinois 60160, which is legally described on Exhibit A, attached hereto and incorporated herein (the “Subject Property”); and

WHEREAS, currently, the Subject Property is used as a factory; and

WHEREAS, the President and the Village Board (collectively, the “Corporate Authorities”) have determined that continued ownership of the Subject Property (excluding certain easements necessary for the betterment of municipal operations or for

the public good) is no longer necessary, appropriate, required for the use of, profitable to, or for the best interests of the Village; and

WHEREAS, Sections 11-76-1 and 11-76-2 of the Illinois Municipal Code, (65 ILCS 5/11-76-1, 65 ILCS 5/11-76-2) (the “Act”) provide that whenever a municipality owns any real property which is no longer necessary, appropriate, required for the use of, profitable to, or for the best interests of the municipality, its corporate authorities may, by ordinance, authorize the sale of the real property; and

WHEREAS, the Corporate Authorities have determined that it is in the best interests of the Village to sell the Subject Property in accordance with the procedures set forth in the Act; 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 1.00 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 2.00 Purpose.

The purpose of this Ordinance is to authorize and direct the sale and disposition of the Subject Property and to authorize and direct the President or his designee to draft and execute all necessary documents and perform all necessary tasks to effectuate the intent of this Ordinance.

Section 3.00 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 4.00 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.

**ARTICLE II.
AUTHORIZATION FOR THE SALE OF VILLAGE-OWNED REAL ESTATE**

Section 5.00 Authorization.

That the Corporate Authorities have determined that the Subject Property is no longer necessary, appropriate, required for the use of, profitable to, or for the best interests of the Village, that the Village would be best served by the sale of the Subject Property, and therefore direct the sale of the Subject Property to occur. That the President or his designee is hereby authorized to publish notice of the Village's proposal to sell and to advertise for bids for the purchase of the Subject Property, in accordance with the requirements set forth in the Act. The President or his designee, and the Village Attorney as may be required, are hereby authorized and directed to draft, execute and complete any and all documents deemed necessary, to effectuate the intent of this Ordinance, whether or not such other documents are attached hereto. The Village Clerk is hereby authorized and directed to attest to, countersign and affix the seal of the Village to all such documents as are deemed necessary.

Section 6.00 Other Actions Authorized.

The officers and employees of the Village shall take all actions reasonably required or necessary to carry out and give effect to the intent of this Ordinance and otherwise to consummate the sale of the Subject Property, and shall take all actions necessary in conformity therewith including, without limitation, the execution and delivery of all documents required to be delivered in connection with the transaction contemplated herein and approving the expenditure of all necessary funds to consummate the sale of the Subject Property.

Section 7.00 Acts of Village Officials.

That all past, present, and future acts and doings of the officials of the Village that are in conformity with the purpose and intent of this Ordinance are hereby, in all respects, ratified, approved, authorized and confirmed.

Sections 8.00 – 15.00 Reserved.

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

Section 16.00 Headings.

The headings for the articles, sections, paragraphs and sub-paragraphs 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 provisions 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, sub-paragraph, 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, sub-paragraph, 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 Village Board that this Ordinance would have been adopted had not such unconstitutional or invalid provision, clause, sentence, paragraph, sub-paragraph, 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 Conteduca, Trustee Italia, Trustee Mota,
Trustee Prignano, Trustee Taconi


NAY VOTES:

ABSTAIN:

ABSENT: Trustee Klein

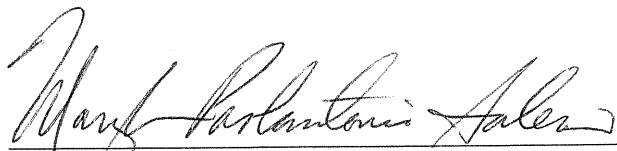
SO PASSED, ADOPTED, APPROVED AND ENACTED IN AND AT THE
VILLAGE OF MELROSE PARK, COUNTY OF COOK, STATE OF ILLINOIS, THIS
NINTH DAY OF OCTOBER, 2007, A.D.

APPROVED:



RONALD M. SERPICO
VILLAGE PRESIDENT

ATTEST:



Mary Ann Paolantonio Salemi
Village Clerk

(SEAL)

Recorded in the Municipal Records: October 9, 2007
Published in Pamphlet Form: October 10, 2007