



DEPARTMENT OF COMMUNITY DEVELOPMENT SERVICES

Grants Management Division

m e m o r a n d u m

TO: Bruce K. Walden, Chief Administrative Officer

FROM: Elizabeth H. Tyler, AICP, City Planner/Director

DATE: April 24, 2003

SUBJECT: Property Re-Acquisition within the Eads Subdivision – 914 West Eads Street

Description

Included on the agenda for the April 28 meeting of the Urbana City Council Committee of the Whole, is the re-acquisition of property located at 914 West Eads Street, which is within the Eads at Lincoln Subdivision, from the Urbana School District No. 116 (USD).

Issues

The issue before the Council is whether to approve the re-acquisition of the property located at 914 West Eads Street. City Council authorization is necessary for the city to acquire property. The issue requires the affirmative vote of a majority of seated councilpersons.

Background

In July 2002, the City of Urbana entered into an agreement to donate at no cost, the subject property to USD to construct a single-family home within the Eads Subdivision through USD's Construction Trades Program. In March 2003, USD notified the City of Urbana that they were unable to construct the home due to the retirement of the instructor. USD will not be offering this program in the future.

USD will complete the home located at 906 West Eads Street, which is currently under construction. At this time, staff is discussing with Homestead Corporation, the addition of this property into the current Eads at Lincoln Program. If the property is not included into the current program, the property will be donated to another non-profit housing developer's new-construction, homeownership program. The property donation will be brought before Council at a later date.

Options

1. Approve and recommend to City Council the re-acquisition of the parcel from USD per the sales contract.
2. Approve and recommend to City Council the re-acquisition of the parcel from USD per an amended sales contract.
3. Do not approve nor recommend to City Council the re-acquisition of the parcel from USD.

Fiscal Impacts

The transfer would be completed at no cost to USD. The city would make no payment for the parcels. Re-acquisition of the parcel would create approximately \$300 in annual property maintenance costs currently incurred by the Community Development Block Grant Program.

Recommendations

At its April 21 meeting, the Urbana Community Development Commission recommended that City Council approve the acquisition of the subject property per the attached sales contract. Community Development Services staff also recommend City Council approval of the attached ordinance authorizing this purchase.

Memorandum Prepared By:

**Michael Loschen
Grants Coordinator II**

Attachments:

- (1) Photographs of Subject Property taken on April 1, 2003
- (2) Eads at Lincoln Subdivision Map
- (3) An Ordinance Authorizing the Acquisition of Certain Real Estate (914 West Eads Street)
- (4) Contract for Sale of Real Estate

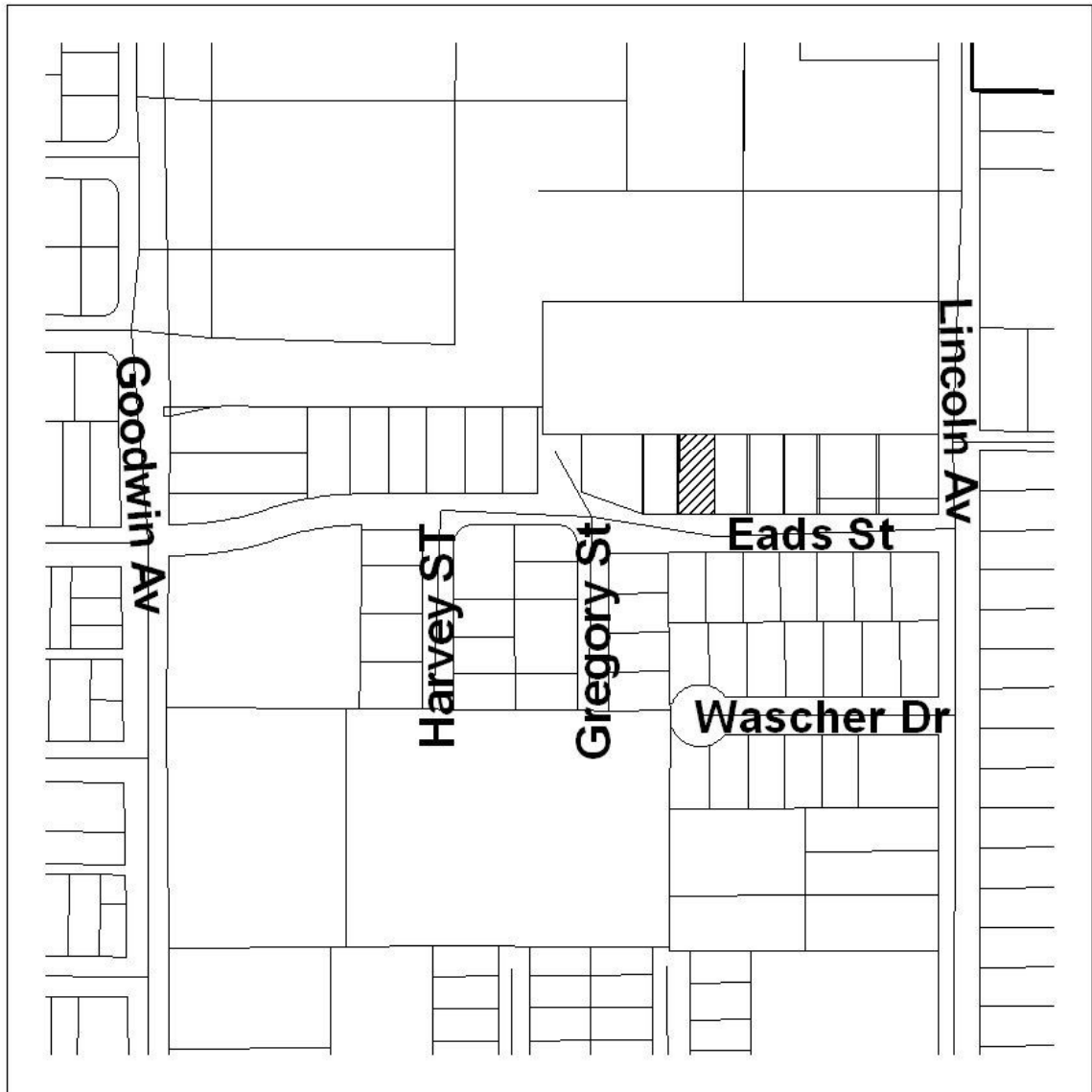


914 W. Eads St.



916 W. Eads St.

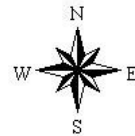
Eads Subdivision 914 West Eads Street



Grants
Management
Division



School District Property
914 West Eads Street



100 0 100 200 Feet



ORDINANCE NO. 2003-04-043

AN ORDINANCE AUTHORIZING THE PURCHASE OF CERTAIN REAL ESTATE

(914 West Eads Street)

WHEREAS, the City Council of the City of Urbana, Illinois, has found and determined that acquisition of the real estate specified in the attached agreement is desirable and necessary to carry out one of the corporate purposes of the City of Urbana, to wit: implementation of the *King Park Neighborhood Plan*, the *Urbana HOME Consortium and the City of Urbana Consolidated Plan for Program Years 1995-1999*, and the *Urbana HOME Consortium and the City of Urbana Consolidated Plan for Program Years 2000-2004*.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF URBANA, ILLINOIS, as follows:

1. That the City of Urbana hereby approves the agreement attached hereto and authorizes the Mayor of the City of Urbana to execute the same on behalf of the City of Urbana. The attached agreement relates to the following described premises, located in Urbana, Illinois.

Lot 2 of Eads Third Subdivision, as shown on a plat dated September 20, 1995 and recorded October 27, 1995 in Plat Book "CC" at Page 128, as Document Number 95R23332, in the Office of the Recorder of Deeds, Champaign County, Illinois

PIN: 91-21-07-278-011

2. This Ordinance is hereby passed by the affirmative vote, the "ayes" and "nays" being called, or a majority of the members of the Council of the City of Urbana, Illinois, at a regular meeting of

said Council on the _____ day of _____,
2003.

PASSED by the City Council this _____ day of _____,
2003.

AYES:

NAYS:

ABSTAINS:

Phyllis D. Clark, City Clerk

APPROVED by the Mayor this _____ day of _____, 2003.

Tod Satterthwaite, Mayor

AGREEMENT FOR CONVEYANCE OF REAL ESTATE

This Contract is made and entered into as of this 16th day of March, 2003, by and between CITY OF URBANA, ILLINOIS, a Municipal Corporation of the State of Illinois, hereinafter referred to as "City"; and URBANA SCHOOL DISTRICT NO. 116, in Champaign County, Illinois, hereinafter referred to as "School."

RECITALS

The parties hereto acknowledge and agree that:

- A) On July 10, 2002, City, for nominal consideration and in the spirit of intergovernmental cooperation, conveyed the following real estate to School for use in the student training program for the construction trades:

Lot 2 of Eads Third Subdivision, as shown on a plat dated September 20, 1995 and recorded October 27, 1995 in Plat Book "CC" at Page 128, as Document Number 95 R 23332, in the Office of the Recorder of Deeds, Champaign County, Illinois.

More commonly known as: 914 West Eads Street, Urbana, Illinois
P.I.N. : 91-21-07-278-011

- B) Due to the retirement of the teacher, School is terminating said program, and the subject lot will no longer be required by School.
- C) It is now in the best interest of the public for School to re-convey to City, title to the above described property.

NOW, THEREFORE, It is Mutually Agreed By The Parties Hereto, as follows:

1. CONVEYANCE: In Consideration of One Dollar and other good and valuable consideration in hand received, School hereby agrees to convey by Warranty Deed to City, and City agrees to accept title to lot hereinabove described.
2. EVIDENCE OF TITLE: The parties acknowledge that City, when conveying said real estate to School, did not provide a policy to insure title to said property. Thus, School covenants that it has taken no action which would adversely affect the issuance of a title policy to City following the recording of the deed herein.
3. POSSESSION AND CLOSING: School shall deliver possession of the premises to City concurrently with the closing of this transaction which shall be held on or before May 30, 2003 at the offices of the Grants Management Division of City or at such other place as the parties may agree.
4. TAXES AND ASSESSMENTS: Real Estate taxes apportioned up to the date of possession shall be School's expense. The proration thereof shall be calculated upon the basis of the most current tax information, including confirmed multipliers. Transfer tax and all special assessments which are a lien upon the real estate as of the date of this Contract shall be School's expense. All such taxes and special assessments shall constitute a credit to City against the

purchase price, and shall release Sellers from any further liability to City in Connection therewith.

5. CONDITION OF PREMISES: City has inspected said premises and accepts the same in its present condition.

6. LEASES: School confirms that there are not now, nor will there be at the settlement hereof, any outstanding leases or contracts of sale for said premises.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the date and year first above written.

SCHOOL:

Urbana School District NO. 116,

205 North Race Street

Urbana, IL 61801

CITY:

City of Urbana

400 South Vine Street

Urbana, IL 61801

BY : _____

BY : _____

ATTEST: _____

ATTEST: _____