

STATE OF ILLINOIS)
) SS
COUNTY OF DU PAGE)

I, Lynn Curiale, City Clerk of Wood Dale, Illinois DO HEREBY CERTIFY that as such City Clerk and keeper of the records, that the foregoing is a true and correct copy of Ordinance **#O-21-012 AN ORDINANCE OF THE CITY OF WOOD DALE, DUPAGE COUNTY, ILLINOIS AUTHORIZING THE ACQUISITION THROUGH CONDEMNATION OF A PARCEL COMMONLY KNOWN AS 310 E. IRVING PARK ROAD** Passed by The City Of Wood Dale, Du Page County, Illinois, IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed the seal of the City of Wood Dale, this 17th day of June, 2021



Lynn Curiale, City Clerk

SEAL



Ordinance #O-21-012

**AN ORDINANCE OF THE CITY OF WOOD DALE, DUPAGE COUNTY, ILLINOIS
AUTHORIZING THE ACQUISITION THROUGH CONDEMNATION OF A PARCEL
COMMONLY KNOWN AS 310 E. IRVING PARK ROAD**

Passed: June 17, 2021
Published in Pamphlet Form: June 18, 2021

I, Lynn Curiale, as the City Clerk for the City of Wood Dale, hereby certify that the attached Ordinance is a true and correct copy of #O-21-012

**AN ORDINANCE OF THE CITY OF WOOD DALE, DUPAGE COUNTY, ILLINOIS
AUTHORIZING THE ACQUISITION THROUGH CONDEMNATION OF A PARCEL
COMMONLY KNOWN AS 310 E. IRVING PARK ROAD**

Passed and approved by the City Council of the City of Wood Dale on June 17, 2021 and hereby published in pamphlet on June 18, 2021



Lynn Curiale, City Clerk

SEAL



ORDINANCE NO. O-21-012

**AN ORDINANCE OF THE CITY OF WOOD DALE, DUPAGE COUNTY, ILLINOIS
AUTHORIZING THE ACQUISITION THROUGH CONDEMNATION
OF A PARCEL COMMONLY KNOWN AS 310 E. IRVING PARK ROAD**

WHEREAS, the City of Wood Dale (hereinafter referred to as the "City") is a body politic and corporate, organized and existing pursuant to the Illinois Municipal Code, 65 ILCS 5/1-1-1, *et seq.*; and

WHEREAS, the City Council of the City (hereinafter referred to as the "City Council") is the corporate authority for the City and is authorized by law to exercise all powers and to control the affairs of the City; and

WHEREAS, the City Council possesses the full power and authority to approve, adopt and pass all necessary ordinances, resolutions, rules and regulations necessary for carrying into effect the objects for which the City was formed, pertaining to the health, safety and welfare of the City in accordance with the Illinois Municipal Code, 65 ILCS 5/1-1-1 *et seq.*; and

WHEREAS, pursuant to the authority granted by the Illinois Municipal Code, 65 ILCS 5/11-61-1, the City is empowered to exercise the right of eminent domain by condemnation proceedings to acquire private property for public use, where such property is deemed useful, advantageous or desirable for municipal purposes or public welfare; and

WHEREAS, there exists a vacant parcel of land, with the common address of 310 E. Irving Park Road, Wood Dale, Illinois consisting of 25,398 square feet along Irving Park Road which bears the PIN 03-15-110-029, and is legally described in Exhibit A, attached hereto and incorporated herein by reference (hereinafter referred to as the "Property"); and

WHEREAS, the City ascertained the Owner of the Property to be 310 Irving Park Property, LLC, located at 6N565 Pine Street, Bensenville, Illinois; and

WHEREAS, the Property is currently zoned pursuant to the City's Unified Development Ordinance as TCB, Town Center Business District; and

WHEREAS, the City Council determines herein that the Property is useful, advantageous or desirable for public purposes, to be used for purposes of public safety, as a portion of the Property will be used for installation of a traffic control device, and for future economic development in the TCB District; and

WHEREAS, the City, by and through its Attorneys and Staff, has attempted in good faith to negotiate the purchase of the Property by offering a price which is based upon information obtained from the City's Appraiser regarding the fair cash market value of the Property; and

WHEREAS, the Owner has rejected the City's offer to acquire the Property, and, for this reason, the City has been unable to agree with the Owner concerning just compensation and good faith negotiations have been exhausted and have reached an impasse, as provided for by Illinois law.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Wood Dale, DuPage County, Illinois, in regular session assembled as follows:

SECTION ONE. The recitals set forth above are incorporated herein and made a part of this Ordinance.

SECTION TWO. The City Council has been informed of the history of negotiations to acquire the Property and does hereby ratify all actions undertaken by the City Attorneys and Staff concerning the good faith negotiations for the acquisition of the Property, and hereby finds that negotiations with the Owner have been exhausted and have reached an impasse, as defined by law.

SECTION THREE. It is reasonable, necessary and in the public interest and welfare that the City acquire, by condemnation, fee simple title to the Property, legally described in Exhibit "A", for the purposes set forth herein.

SECTION FOUR. That the City, its Staff and its Attorneys, Bond Dickson & Conway, are hereby authorized to take the necessary steps by condemnation to acquire fee simple title to the Property legally described in Exhibit "A."

SECTION FIVE. That this Ordinance shall be in full force and effect from and after its passage, approval and publication in pamphlet form as provided by law.

PASSED this 17th day of June, 2021

AYES: 8

NAYS: 0

ABSENT: 0

APPROVED this 17th day of June, 2021

SIGNED: Annunziato Pulice
Annunziato Pulice, Mayor

ATTEST: Lynn Curiale
Lynn Curiale, City Clerk

Published in pamphlet form, June 17, 2021

EXHIBIT A

LEGAL DESCRIPTION
310 E. Irving Park Road
PIN: 03-15-110-029

LOT 1 IN FORREST'S THIRD SUBDIVISION, BEING A SUBDIVISION OF PART OF THE NORTHWEST QUARTER OF SECTION 15, TOWNSHIP 40 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED SEPTEMBER 17, 1993 AS DOCUMENT R93-209923, AND CERTIFICATE OF CORRECTION RECORDED NOVEMBER 8, 1995 AS DOCUMENT R95-157856, IN DUPAGE COUNTY, ILLINOIS.