VILLAGE OF
ORLAND PARK

14700 Ravinia Avenue
Orland Park, IL 60462
www.orland-park.il.us

Ordinance No: 4755 **File Number: 2012-0507**

ORDINANCE AUTHORIZING PUBLIC SALE OF VILLAGE PROPERTY (14610 AND 14620 WESTWOOD AVENUE)

VILLAGE OF ORLAND PARK

STATE OF ILLINOIS, COUNTIES OF COOK AND WILL

Published in pamphlet form this 5th day of September, 2012 by authority of the President and Board of Trustees of the Village of Orland Park, Cook and Will Counties, Illinois.

VILLAGE OF
ORLAND PARK

Ordinance No: 4755

ORDINANCE AUTHORIZING PUBLIC SALE OF VILLAGE PROPERTY (14610 AND 14620 WESTWOOD AVENUE)

WHEREAS, the Village of Orland Park acquired two (2) residential properties which were subject to severe and repeated flooding, such properties being 14610 Westwood Avenue and 14620 Westwood Avenue; and

WHEREAS, the Village has completed its flood control projects in the area of these two properties, and these properties are now unimproved lots following demolition of the residences previously located thereon.

WHEREAS, the Village President and Board of Trustees believe the chances of any future flooding of these two properties has been minimized, and the said properties should now be sold at public sale;

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Orland Park, Cook and Will Counties, Illinois, as follows:

SECTION 1

The Village Manager and Assistant Village Manager are hereby authorized and directed to conduct public sales of the properties commonly known as 14610 and 14620 Westwood Avenue substantially in accordance with the terms of the Notice of Sale and Terms and Conditions attached hereto and made a part hereof.

SECTION 2

This Ordinance shall be in full force and effect from and after its adoption and approval as provided by law.

PASSED this 4th day of September, 2012

/s/ David P. Maher

David P. Maher, Village Clerk

Aye:	6	Trustee Fenton, Trustee Dodge, Trustee Schussler, Trustee Gira, Trustee Griffin Ruzich, and President McLaughlin
Nay:	0	
Absent:	1	Trustee O'Halloran

VILLAGE OF
ORLAND PARK

Ordinance No: 4755

DEPOSITED in my office this 4th day of September, 2012

/s/ David P. Maher

David P. Maher, Village Clerk

APPROVED this 4th day of September, 2012

/s/ Daniel J. McLaughlin

Daniel J. McLaughlin, Village President

PUBLISHED this 5th day of September, 2012

/s/ David P. Maher

David P. Maher, Village Clerk

Notice of Sale

Notice is hereby given that the Village of Orland Park, Cook and Will Counties, Illinois, will sell at public sale the following described properties:

14610 Westwood Avenue (PIN: 27-09-123-031)

Legal Description:

Lot 22 IN TUCK-A-WAY IN ORLAND, A RESUBDIVISION OF LOTS 3 THROUGH 5, 13 THROUGH 20, 33 THROUGH 43 IN WILDWOOD HILLS, A SUBDIVISION OF PART OF THE EAST ½ OF THE WEST ½ OF THE NORTHWEST ¼ OF SECTION 9, TOWNSHIP 36 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN AND RECORDED AS DOCUMENT NUMBER 1665811 ON APRIL 25, 1956 AND THAT PORTION OF 147TH STREET VACATED BY THE VILLAGE OF ORLAND PARK AND RECORDED AS DOCUMENT NUMBER 21009966 IN NOVEMBER 1969 ALL IN COOK COUNTY, ILLINOIS.

And

14620 Westwood Avenue (PIN: 27-09-123-032)

Legal Description:

LOT 21 IN TUCK-A-WAY IN ORLAND, A RESUBDIVISION OF LOTS 3 THROUGH 5, 13 THROUGH 20, 33 THROUGH 43 IN WILDWOOD HILLS, A SUBDIVISION OF PART OF THE EAST ½ OF THE WEST ½ OF THE NORTHWEST ¼ OF SECTION 9, TOWNSHIP 36 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN AND RECORDED AS DOCUMENT NUMBER 1665811 ON APRIL 25, 1956 AND THAT PORTION OF 147TH STREET VACATED BY THE VILLAGE OF ORLAND PARK AND RECORDED AS DOCUMENT NUMBER 21009966 IN NOVEMBER 1969 ALL IN COOK COUNTY, ILLINOIS.

The Village will accept sealed proposals to purchase either or both properties until 5:00 p.m. Friday, October 26, 2012 at the Village Hall, Village Clerk's Office, 14700 Ravinia Avenue, Orland Park, IL 60462, addressed to "Attention: E. Kenneth Friker, Village Attorney", at which time the proposals will be publicly opened and read aloud.

Each sale shall be made on the following terms to wit:

Site Information

1. Both properties are identical in dimensions. They are approximately 97 feet x 134.63 feet and approximately 13,059 square feet in area.

2. The properties are zoned R-3 Residential District.

3. A utility easement encumbers the first 10 feet off the rear property line across both lots.

4. The properties are vacant parcels with no improvements.

5. The Village acquired these single family home properties in 2005 to mitigate their storm water drainage issues. Since acquiring them, the Village demolished the single family homes and re-engineered the properties to facilitate new development that will not flood or produce flooding for the adjacent properties.

6. A memorandum from the Village's engineering consultant firm, Christopher B. Burke Engineering Ltd. (CBBEL), can be viewed at the Village's Development Services Department for more information related to the lot corrections.

7. The Village Board of Trustees has established a minimum bid price of $105,000 for each lot, based on an April 2012 appraisal of the lots. A copy of the appraisal can be viewed at the Village's Development Services Department.

Terms and Conditions of Sale

8. Each prospective purchaser shall submit a statement, along with the proposal, certified by a principal or authorized officer of the prospective purchaser, setting forth the following information:

   a) The legal name, address and contact person for the prospective purchaser.

   b) If a corporation, the state and date of incorporation, the names and addresses of the principal officers thereof – if a partnership, the date of organization, type of partnership and names and addresses of the general partners thereof – if a sole proprietor, the date of the organization of the business and the name or names and address or addresses of the owners.

   c) Information demonstrating the prospective purchaser's financial capability of funding the payment of the purchase price required either by guarantees of a financial institution or other proof of assurance acceptable to the Village.

   d) Information demonstrating the prospective purchaser's intent to construct new single family residence on each lot purchased. The proposal must indicate a date certain to apply for building permits and a date indicating anticipated commencement of construction.

9. Closing shall take place within sixty (60) days of acceptance of the proposal. A finalized Purchase Agreement (or Contract for Sale) shall be completed between the parties no later than thirty (30) days after acceptance of the proposal. A copy of the Purchase Agreement (or Contract for Sale) to be entered into by the Village and the prospective purchaser shall be available for inspection at the Village Clerk's Office and on the Village website at www.orland-park.il.us.

10. All information about the properties included in this Notice of Sale is believed to be reliable, but is not guaranteed and no express or implied representations or warranties are made with regard to the properties or matters relating thereto, or terms contained herein.

    The properties will be sold and conveyed to the successful prospective purchaser on an "AS IS" basis without any representations or warranties of any kind, express or implied, either oral or written, made by the Village with respect to the physical or environmental condition of the properties or with respect to the existence or absence of poor soil conditions, toxic or hazardous materials, substances or wastes in, on, under or affecting the properties, and subject to existing zoning, flood plain and any other restrictions on the use or development of the property. **All warranties with respect to the property are hereby expressly disclaimed. Except as provided below regarding the scope of prospective purchaser's indemnity commitment, any risk and all responsibility relating to any condition of the property, including, but not limited to any of the above-described conditions, are assumed by the prospective purchaser and disclaimed by the Village.**

    All prospective purchasers are urged to examine the property and conduct their own inspection and investigation of the properties (including, without limitation, environmental inspections and investigations such as soil tests). The prospective purchasers shall take all necessary action and bear all expenses and liability associated with making the property suitable for the prospective purchaser's intended use and complying with all applicable laws.

11. A proposal may be withdrawn at any time prior to the time stated for receipt of proposals. No proposal shall be withdrawn, cancelled or modified after notification of acceptance by the Village.

12. Bidders may bid on either or both properties, and the Village will accept the bid or bids deemed to be in the best interests of the Village giving consideration to not only the highest total purchase price offered but also the earliest date(s) for obtaining necessary building permits, the construction start date(s) and any other factors making the bid(s) most suitable to the Village.

13. Each bid must be accompanied by a cashier's or certified check payable to the order of the Village of Orland Park, for an amount of not less than five percent (5%) of the amount of the bid, as a guaranty that the bidder, if his/her bid is accepted and the bidder is awarded the purchase contract, will execute the contract and proceed with the closing of the purchase. Such amount of bid deposit must be increased by the bidder to a total of ten percent (10%) of the amount of the bid at the time the purchase contract is signed by the bidder. Such deposit shall be considered earnest money credited to the purchase price at the time the sale is closed. In the event the bidder fails to execute the purchase contract, the bidder shall forfeit the amount deposited as liquidated damages and no claim of mistakes or errors on the part of the bidder shall excuse the bidder or entitle the bidder to a refund of the aforementioned amount.

14. The Village reserves the right to waive any technicalities or irregularities, to continue the sale from time to time, to reject any and all proposals, whether or not they meet the minimum bid prices, and to adjourn the sale.

15. Prospective purchasers may secure information pertaining to the Subject Properties at the Village Website www.orland-park.il.us or by contacting the Village's Development Services Department at 708-403-5300.

Dated this _____ day of _____, 2012.

David P. Maher, Village Clerk
Village of Orland Park
Cook and Will Counties, Illinois