

**AN ORDINANCE OF THE VILLAGE OF BARRINGTON HILLS
AUTHORIZING THE ACQUISITION OF A PORTION
OF PROPERTY DESIGNATED AS PARCEL 003 – CERDA/SELLARI
AS PART OF THE CUBA ROAD PROJECT**

WHEREAS, the Village of Barrington Hills (the “Village”) is a home-rule municipality pursuant to Article VII, Section 6, of the Constitution of the State of Illinois, and as such is authorized to take all reasonable action pertaining to its affairs in accordance therewith; and

WHEREAS, the Village has previously determined that the Cuba Road Bridge is in need of repair and/or replacement (the “Cuba Road Bridge Project”) and for such purpose applied for funds from the United States Department of Transportation to defray the costs of the Cuba Road Bridge Project which funding is administered by the State of Illinois; and

WHEREAS, the Village has entered into an agreement with the Illinois Department of Transportation (“IDOT”) for the Cuba Road Bridge Project under a local agency agreement, for cost sharing of both engineering and land acquisition for said work; and

WHEREAS, the Village is empowered pursuant to 65 ILCS 5/2-3-8 to acquire by purchase real property within the Village for a public purposes; and

WHEREAS, the Village Board has determined that it is reasonable, necessary and in the public interest and welfare that a .078 acre portion (as legally described in Exhibit “A” attached hereto and incorporated herein by reference) of the .999 acre real property owned by Leigh A. Sellari and Victor Cerda (collectively “Owner”), located in the Village of Barrington Hills, identified by Permanent Index No. 13-28-400-022, should be acquired for purposes of the Cuba Road Bridge Project; and

WHEREAS, the Village, through its authorized agent has negotiated an agreement to purchase said real property with the Owner, in the total amount of \$12,500.00; and

WHEREAS, funds for the acquisition of the real property described herein are available through the Local Agency Agreement; and

WHEREAS, acquisition of the property is specifically conditioned upon the final approval of the Local Agency Agreement for Federal Participation for Right of Way Acquisition by the Illinois Department of Transportation.

NOW THEREFORE BE IT ORDAINED by the President and Board of Trustees of the Village of Barrington Hills, located in the Counties of Cook, Kane, Lake and McHenry, Illinois, as follows:

SECTION ONE: The recitals set forth above are incorporated herein and made a part hereof.

SECTION TWO: That it is necessary and desirable that the real property described herein in Exhibit “A” be acquired by the Village of Barrington Hills for the purposes set forth herein.

SECTION THREE: That the President be, and the same is hereby authorized to execute the Purchase and Sale Agreement between the Village of Barrington Hills and the Owner of said real property, in substantially the form attached hereto and incorporated herein by reference as Exhibit “B,” and to execute all other documents necessary to effectuate the purpose of the Purchase and Sale Agreement.

SECTION FOUR: That the Village Deputy Clerk be, and the same is hereby authorized to attest to the execution of the Purchase and Sale Agreement between the Village of Barrington Hills and the Owner of said real property, as well as to all other documents necessary to effectuate the purposes of the Purchase and Sale Agreement.

SECTION FIVE: That the Attorney and Staff of the Village of Barrington Hills are hereby authorized to take the necessary steps to acquire title to the real property described herein, after determining that the title to the real property is in proper order, and to pay any and all costs related thereto.

SECTION SIX: That the Attorney and Staff of the Village of Barrington Hills are hereby authorized to execute, on behalf of the Village of Barrington Hills, all documents necessary to effect the acquisition of the real property including all documents for purposes of the closing on this property, and, after acquisition of the real property, to take the necessary steps to properly remove said property from the general real estate tax rolls at the appropriate time.

SECTION SEVEN: That upon direction from the Attorney for the Village of Barrington Hills, the

Village Administrator is authorized to issue a check, draft or wire transfer in the amount of Twelve Thousand, Five Hundred and 00/100 Dollars (\$12,500.00), and as adjusted by proper prorations determined by the Village's Attorney and made payable to the owner of the real property, or as otherwise directed by the Village's Attorney.

SECTION EIGHT. That all ordinances and resolutions, or parts thereof in conflict with the provisions of this Ordinance are, to the extent of such conflict, hereby repealed.

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

Ayes: 7 Nays: 0 Absent: 0

PASSED AND APPROVED by the President and Board of Trustees of the Village of Barrington Hills, Illinois, this 27th day of May, 2015.

APPROVED:


Village President

ATTEST:


Deputy Village Clerk