

CITY OF LeROY
COUNTY OF McLEAN
STATE OF ILLINOIS

ORDINANCE NO. 278

AN ORDINANCE AUTHORIZING A PUBLIC HEARING TO BE HELD ON AN EXCHANGE OF REAL ESTATE PROPOSED TO BE MADE WITH COMMUNITY UNIT SCHOOL DISTRICT NO. 2 OF McLEAN AND DeWITT COUNTIES, ILLINOIS.

ADOPTED BY THE CITY COUNCIL OF THE CITY OF LeROY THIS ____ DAY OF June, 19 86.

PRESENTED: June 16, 19 86

PASSED: June 16, 19 86

APPROVED: June 16, 19 86

RECORDED: June 16, 19 86

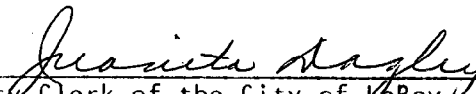
PUBLISHED: June 17, 19 86

In Pamphlet Form/In Newspaper

Voting "Aye" 4

Voting "Nay" 0

The undersigned being the duly qualified and acting City Clerk of the City of LeRoy does hereby certify that this document constitutes the publication in pamphlet form, in connection with and pursuant to Section 1-2-4 of the Illinois Municipal Code, of the above-captioned ordinance and that such ordinance was presented, passed, approved, recorded and published as above stated.


City Clerk of the City of LeRoy
McLean County, Illinois

(SEAL)

Dated: June 16, 19 86

AN ORDINANCE AUTHORIZING A PUBLIC HEARING TO BE HELD ON AN EXCHANGE OF REAL ESTATE PROPOSED TO BE MADE WITH COMMUNITY UNIT SCHOOL DISTRICT NO. 2 OF McLEAN AND DeWITT COUNTIES, ILLINOIS.

Whereas, the City of LeRoy, McLean County, Illinois, an Illinois municipal corporation, has been and currently is the owner of the following described real estate:

The East One-Half of Lot 10, all of Lot 11 and Lot 12 except the East 10 feet thereof, all in Block 130 of Wood and Conkling's Addition to the City of LeRoy, McLean County, Illinois, (TRACT I), and

Whereas, Community Unit School District No. 2 of McLean and DeWitt Counties, Illinois, has been and currently is the owner of the following described real estate:

The East 10 feet of Lot 1, the West One-Half of Lot 3, all of Lot 4 and Lot 5 except the West 5 feet thereof, all in Block 130 of Wood and Conkling's Addition to the City of LeRoy, McLean County, Illinois, (TRACT II), and

Whereas, Community Unit School District No. 2 of McLean and DeWitt Counties, Illinois, and the City of LeRoy, Illinois, have jointly and mutually proposed to each other the exchange of the aforesaid real estate in order that the use of the aforesaid real estate may be better utilized by the respective governmental entities, and

Whereas, both Community Unit School District No. 2 of McLean and DeWitt Counties, Illinois, and the City of LeRoy, Illinois, desire to provide for the future use of all the previously described real estate as well as that real estate respectively described and that will continue to be owned by the governmental entity as set forth hereafter:

TRACT III -(property presently owned by the City of LeRoy, Illinois, and that will continue to be owned after the proposed exchange of real estate) -

The West One-Half of Lot 10, all of Lots 8 and 9, and the East 10 feet of Lot 1 and the East 10 feet of Lot 12, all in Block 130 of Wood and Conkling's Addition to the City of LeRoy, McLean County, Illinois.

TRACT IV --(property presently owned by the Community Unit School District No. 2 of McLean and DeWitt Counties, Illinois, and that will continue to be owned after the proposed exchange of real estate) -

The East One-Half of Lot 3, all of Lot 2, and all of Lot 1 except the East 10 feet thereof, all in Block 130 of Wood and Conkling's Addition to the City of LeRoy, McLean County, Illinois;

all of the previously described real estate being adjacent to that real estate previously described and involved in the proposed exchange between the aforesaid two governmental entities, and all of said real estate, both that proposed to be exchanged as well as that which will continue to be owned by the respective governmental entity, being proposed to be held by the respective governmental entity for the continued use and enjoyment of the public, as it has previously been used, and, therefore, it being the intention of the each of the respective governmental entities involved in the proposed exchange to provide not only for an exchange of real estate but to provide for easements protecting view, air and light across the respective real estate now owned and to be owned in the future by each of the respective governmental entities, and

Whereas, Chapter 24, Paragraphs 11-76.2-1, et seq., Illinois Revised Statutes 1985 (as amended), provide the method in which an Illinois municipal corporation may accomplish an exchange of real estate, and it is the intention of the Mayor

and City Council of the City of LeRoy to carry out the proposed exchange of real estate in accordance with the applicable provisions of the laws of the State of Illinois regarding exchanges of real estate by a municipal corporation,

NOW, THEREFORE, BE IT ORDAINED by the Mayor and City Council of the City of LeRoy, Illinois, in lawful meeting assembled, as follows:

Section 1. By adoption of this Ordinance by a 3/4ths vote of the members of the corporate authority of the City of LeRoy, Illinois, now holding office, the Mayor and City Council of the City of LeRoy do hereby provide that public hearing on the aforesaid proposal to exchange real estate with Community Unit School District No. 2 of McLean and DeWitt Counties, Illinois, be held prior to the time that an agreement is formally entered into between the City of LeRoy, Illinois, and Community Unit School District No. 2 of McLean and DeWitt Counties, Illinois, and that such hearing be held at the City Hall in LeRoy, Illinois, on July 7, 1986, at 7:30 P.M. for the purpose of reviewing the terms and conditions of the proposed exchange and receiving comments and objections from the public in regard to the proposed exchange of real estate.

Section 2. The City Clerk is hereby directed to publish in The LeRoy Journal a notice of the time and place of the aforesaid public hearing and its purpose, said notice to be published not less than 15 days nor more than 30 days prior to the date of the hearing, and said notice to set forth the legal description of the property to be exchanged by the City to the School District and to be received by the City from the School District, as well as the proposed terms and conditions of the exchange.

Section 3. At the conclusion of the aforesaid public hearing, the corporate authorities of the City of LeRoy, McLean County, Illinois, may, by a 3/4 vote of the corporate authorities then holding office, authorize the exchange as proposed, or as modified if modifications are found desirable to be made prior to the execution of the agreement for the exchange.

Section 4. That authorization to accomplish the exchange shall be by ordinance with appropriate findings made therein as required by Paragraph 11-76.2-3, Chapter 24, Illinois Revised Statutes 1985 (as amended), and the conveyance of the real estate to be given by the municipality carried out in accordance with Paragraph 11-76.2-4, Chapter 24, Illinois Revised Statutes 1985 (as amended).

Section 5. All ordinances, resolutions, and orders or parts thereof in conflict herewith be, and the same are, hereby repealed.

Section 6. That this ordinance shall be in full force and effect upon its passage, approval and publication in pamphlet form as provided by law.

PASSED BY the Mayor and City Council of the City of LeRoy, Illinois, on the 16th day of June, 1986.

Aldermen elected 6

Aldermen present 4

AYES David King, Jon Winston, Gary Buita, Patrick Derby

NAYS None

Juanita Hagley
City Clerk of the City of LeRoy,
McLean County, Illinois

APPROVED by the Mayor of the City of LeRoy, Illinois, this 16th day of June, 1986.

Jack Adams
Mayor of the City of LeRoy,
McLean County, Illinois

ATTEST:

(Seal)

Juanita Hagley
City Clerk of the City of LeRoy, Illinois.

CERTIFICATE

I, Juanita Dagley, certify that I am the duly elected and acting municipal clerk of the City of LeRoy, McLean County, Illinois.

I further certify that on June 16, 19 86, the Corporate Authorities of such municipality passed and approved Ordinance No. 278, entitled:

AN ORDINANCE AUTHORIZING A PUBLIC HEARING TO BE HELD ON AN EXCHANGE OF REAL ESTATE PROPOSED TO BE MADE WITH COMMUNITY SCHOOL DISTRICT NO. 2 OF McLEAN AND DEWITT COUNTIES, ILLINOIS.

which provided by its terms that it should be published in pamphlet form.

The pamphlet form of Ordinance No. 278, including the Ordinance and a cover sheet thereof was prepared, and a copy of such Ordinance was posted in the municipal building, commencing on June 17, 19 86, and continuing for at least ten days thereafter. Copies of such Ordinance were also available for public inspection upon request in the office of the municipal clerk.

Dated at Le Roy, Illinois, this 17th day of June, 19 86.

(seal)

Juanita Dagley
Municipal Clerk

