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**VILLAGE OF SUGAR GROVE  
BOARD REPORT**

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**TO:** VILLAGE PRESIDENT & BOARD OF TRUSTEES  
**FROM:** BRENT EICHELBERGER, VILLAGE ADMINISTRATOR  
ALISON MURPHY, ASSISTANT TO THE VILLAGE ADMINISTRATOR/  
VILLAGE CLERK  
**SUBJECT:** ORDINANCE: AUTHORIZING THE SALE OF REAL ESTATE AND  
PUBLICATION OF NOTICE OF SALE  
**AGENDA:** AUGUST 16, 2022 REGULAR BOARD MEETING  
**DATE:** AUGUST 9, 2022

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**ISSUE**

Should the Village Board approve an ordinance authorizing the sale of real estate and publication of Notice of Sale.

**DISCUSSION**

The Village currently owns property including two retention ponds along Waubensee Drive in the Sugar Grove Research Park. At the August 2, 2022 Village Board meeting, the Board approved a Site License Agreement with a local developer for landscape maintenance on the property. It was noted during that discussion that the Village was looking into the process to sell the property and would be bringing back a proposal to the Board for consideration. The attached ordinance authorizes the sale of the property and directs staff to move forward with the publication of the Notice of Sale. The Notice will be published in the Kane County Chronicle for three consecutive weeks beginning August 18, 2022. Bids will be opened at the Village Board meeting on September 20, 2022.

**COST**

Village costs for attorney's fees of approximately \$1,000.00

**RECOMMENDATION**

That the Board approve an ordinance authorizing the sale of real estate and publication of the Notice of Sale.



**VILLAGE OF SUGAR GROVE  
KANE COUNTY, ILLINOIS**

**ORDINANCE NO. 20220816A**

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**An Ordinance Authorizing the Sale of Real Estate in the  
Village of Sugar Grove, Kane County, Illinois  
Pursuant to Article 11, Division 76-2 of the Illinois Municipal Code**

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Adopted by the  
Board of Trustees and President  
of the Village of Sugar Grove, Kane County, Illinois  
this 16<sup>th</sup> day of August, 2022.

Published in Pamphlet Form  
by authority of the Board of Trustees and President  
of the Village of Sugar Grove, Kane County, Illinois  
this 16<sup>th</sup> day of August, 2022.

**ORDINANCE NO. 20220816A**

**An Ordinance Authorizing the Sale of Real Estate in the  
Village of Sugar Grove, Kane County, Illinois  
Pursuant to Article 11, Division 76-2 of the Illinois Municipal Code**

**BE IT ORDAINED** by the President and Board of Trustees of the Village of Sugar Grove (“**Corporate Authorities**”), Kane County, Illinois, as follows;

**WHEREAS**, the Village of Sugar Grove (“**Village**”) is not a home rule municipality within Article VII, Section 6A of the Illinois Constitution, and accordingly, seeks to act pursuant to the powers granted to it under 65 ILCS 5/1-1 *et seq.*; and,

**WHEREAS**, the Village currently owns certain property within the corporate limits of the Village, generally located in the Sugar Grove Research Park, west of IL-47 and south of Waubensee Drive, and legally described as follows: Lot 12 and 13 of Sugar Grove Research Park being a subdivision located in the East Half of Section 8, Township 38 North, Range 7 East of the Third Principal Meridian, in Kane County, Illinois according to the plat thereof recorded as Document No. 90K14321 in the Kane County Recorder’s Office, (“**Property**”); and,

**WHEREAS**, pursuant to the provisions of Article 11, Division 76-2 of the Illinois Municipal Code (65 ILCS 5/11-76-2) the Corporate Authorities of the Village find that the Property is no longer necessary or required for Village use or in the best interests of being retained by the Village; and,

**WHEREAS**, the Village desires to authorize the sale of the Village Property in compliance with the provisions of Article 11, Division 76-2 of the Illinois Municipal Code and in accordance with such other conditions and restrictions as contained herein.

**NOW, THEREFORE**, be it ordained by the Corporate Authorities of the Village of Sugar Grove as follows:

**Section 1: Declaration of Sale.** The Village does hereby determine that the Property, as described above, is no longer necessary or required for Village use or in the best interests of being retained by the Village.

**Section 2: Authorization of Sale.** The Village does hereby authorize, pursuant to Article 11, Division 76-2 of the Illinois Municipal Code, that the Property be sold by public bid in accordance with the terms and conditions as contained in Section 5 of this Ordinance. The Corporate Authorities may accept the high bid, or any other bid determined to be in the best interest of the Village, by a vote of  $\frac{3}{4}$  of the Corporate Authorities holding office, or may reject any and all bids by a majority vote of those holding office.

**Section 3: Notice.** The Village shall publish a notice of the proposal to sell the Property

("Notice") once each week for three successive weeks in a daily paper published in the Village, the first such publication not being less than 30 days before the day provided in the Notice for the opening of bids for the Property, and as otherwise required by the Illinois Municipal Code.

**Section 4: Additional Information:** The Property is zoned M1 (Lot 12) and B3 (Lot 13) and contains two retention ponds in the Sugar Grove Research Park subdivision.

**Section 5: Terms of Sale:** The sale will be a transfer by Quit Claim deed, subject to any covenants, conditions and restrictions of record, private and public easements and roadways, in its "as is" "where is" condition with no representations or warranties. The sale shall be made contingent upon the successful bidder continuing to preserve the retention ponds on the Property and performing all related maintenance and landscaping activities, the conditions of which will be negotiated as part of the purchase agreement with the successful bidder. A failure to satisfy the terms of sale, unless otherwise negotiated by the parties, may result in a reverter.

**Section 6: Publication of Bid Terms.** The Village Clerk or the Village Attorneys are hereby directed to publish bid terms for the sale consistent with the terms of this Ordinance and pursuant to the applicable statutory provisions.

**Section 7: General Provisions:**

Repealer: All ordinances or portions thereof in conflict with this Ordinance are hereby repealed.

Severability: Should any provision of this Ordinance be declared invalid by a court of competent jurisdiction; the remaining provisions will remain in full force and effect the same as if the invalid provision had not been a part of this Ordinance.

Effective Date: This Ordinance shall be in full force and effect on and after its approval, passage and publication in pamphlet form as provided by law.

**PASSED AND APPROVED** by the President and Board of Trustees of the Village of Sugar Grove, Kane County, Illinois, this 16<sup>th</sup> day of August, 2022.

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Jennifer Konen  
President of the Board of Trustees  
of the Village of Sugar Grove, Kane  
County, Illinois

ATTEST:

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Alison Murphy  
Village Clerk, Village of Sugar Grove

	Aye	Nay	Absent	Abstain
Trustee Matt Bonnie	_____	_____	_____	_____
Trustee Sean Herron	_____	_____	_____	_____
Trustee Heidi Lendi	_____	_____	_____	_____
Trustee Michael Schomas	_____	_____	_____	_____
Trustee Ryan Walter	_____	_____	_____	_____
Trustee James F. White	_____	_____	_____	_____
Village President Jennifer Konen	_____	_____	_____	_____

**NOTICE OF SALE**  
**of Property Owned by the Village of Sugar Grove, Illinois**  
**and Invitation to Bid Thereon**

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**PLEASE TAKE NOTICE THAT** the Board of Trustees of the Village of Sugar Grove, Illinois will receive sealed bids for the purchase, under the successful bid, of the fee simple interest in the following real property:

Lot 12 and 13 of Sugar Grove Research Park being a subdivision located in the East Half of Section 8, Township 38 North, Range 7 East of the Third Principal Meridian, in Kane County, Illinois according to the plat thereof recorded as Document No. 90K14321 in the Kane County Recorder's Office.

which property is generally located west of IL-47 and south of Waubensee Drive in the Sugar Grove Research Park subdivision, and is currently the site of two retention ponds. The sale will be a transfer by Quit Claim deed, subject to any covenants, conditions and restrictions of record, private and public easements and roadways, in its "as is" "where is" condition with no representations or warranties.

Bids for the purchase of the aforesaid interest in the above-described property are hereby invited and will be received by the Village Clerk at the Village Hall, 10 S. Municipal Drive, Sugar Grove, Illinois between the hours of 9:00 a.m. and 4:00 p.m. until the date specified below for the opening of bids. The sale shall be made contingent upon the successful bidder continuing to preserve the retention ponds on the Property and performing all related maintenance and landscaping activities, the conditions of which will be negotiated as part of the purchase agreement with the successful bidder. A failure to satisfy the terms of sale, unless otherwise negotiated by the parties, may result in a reverter.

Said proposals shall be addressed to:

Board of Trustees  
Village of Sugar Grove  
c/o Village Clerk  
10 S. Municipal Drive  
Sugar Grove, Illinois 60554

and shall bear the legend "BID — SALE OF LOTS 12 AND 13 SUGAR GROVE RESEARCH CENTER" and the name and address of the bidder.

All bids received will be publicly opened and read aloud at the regular meeting of the Board of Trustees of the Village of Sugar Grove at 6:00 p.m. on September 20, 2022.

A contract may be awarded to the highest bidder whose bid is found to be in the best interests of the Village of Sugar Grove, IL. The Board of Trustees reserves the right to reject any and all bids and to waive any informalities or irregularities in the bidding. The Board of Trustees further

reserves the right to review and study any and all bids and to make a contract award within 30 days after the bids have been opened and publicly read.

Copies of the bidding documents may be obtained at the office of the Village Clerk.

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Alison Murphy, Village Clerk