

**PUBLIC NOTICE OF SALE OF SURPLUS REAL PROPERTY OWNED BY THE
VILLAGE OF FRANKLIN PARK AT 9800 FRANKLIN AVENUE**

PLEASE TAKE NOTICE that the Village of Franklin Park (the “Village”) adopted Resolution No.: 2122-R-10 declaring a parcel of real property located at 9800 Franklin Avenue, Franklin Park, Illinois (the “Property”) as surplus property. The Village is listing the Property for sale with Darwin Realty & Development Corporation, 970 North Oaklawn Avenue, Suite 100, Elmhurst, Illinois 60126 (the “Darwin”). A copy of Resolution No.: 2122-R-10 is printed below. Copies of the Appraisal of the Property and the Exclusive Right to Sell Agreement between the Village and Darwin is available in the office of the Village Clerk, Village Hall, Village of Franklin Park, 9500 West Belmont Avenue, Franklin Park, Illinois 60131 or at www.villageoffranklinpark.com. In the event of questions, please contact Nicholas Walny, Senior Planner, 9500 West Belmont Avenue, Franklin Park, Illinois, or at (847) 671-4800.

RESOLUTION NUMBER 2122-R-10

**A RESOLUTION OF THE VILLAGE OF FRANKLIN PARK, COOK COUNTY,
ILLINOIS DECLARING AS SURPLUS PROPERTY THE VILLAGE OWNED PARCEL
OF REAL PROPERTY AT 9800 FRANKLIN AVENUE AND FURTHER AUTHORIZING
AN EXCLUSIVE RIGHT TO SELL AGREEMENT WITH DARWIN REALTY AND
DEVELOPMENT CORPORATION TO MARKET AND SELL THE PROPERTY AND
DIRECT THE VILLAGE CLERK TO MAKE A COPY OF THE APPRAISAL ON
THE PROPERTY AVAILABLE TO ANY PARTY**

WHEREAS, the Village of Franklin Park, Cook County, Illinois (the “*Village*”) is a duly organized and existing municipal corporation created under the provisions of the laws of the State of Illinois and under the provisions of the Illinois Municipal Code, as from time to time supplemented and amended; and

WHEREAS, the Village is the owner of a parcel of property commonly known as 9800 Franklin Avenue, Franklin Park, Illinois, identified by PINS 12-21-418-029-0000 and 12-21-418-047-0000, which is an 8,386 square foot corner lot (0.19 acres) that is improved with a brick one-story, single tenant light industrial building approximately 4,925 square feet in size constructed around 1970 (the “*Property*”), and legally described on Exhibit A, a copy of which is attached hereto and made a part hereof; and

WHEREAS, the Property is in the C-M Commercial Manufacturing District, as identified and described in the Village of Franklin Park Zoning Ordinance; and

WHEREAS, the Village President and Board of Trustees of the Village of Franklin Park (the “*Corporate Authorities*”) find that the Property is no longer necessary, appropriate, required for the use of, profitable to or serve any viable use to the Village and that the sale of the Property will eliminate burdensome maintenance cost, provide needed funds, and generate tax revenue for use in the general fund of the Village; and

WHEREAS, the Corporate Authorities further find that the Property serves no public use to the residents of the Village and is in the best interest of the health, safety, and welfare of Village residents to sell the Property; and

WHEREAS, 65 ILCS 5/11-76-4.1 of the Illinois Municipal Code sets forth a procedure for the sale of municipal-owned surplus real property by listing such property for sale through a local licensed real estate agency provided the agent's compensation shall be included in the resolution after ascertaining the value of the surplus real estate by written appraisal and making said appraisal available for public inspection; and

WHEREAS, the Village ascertained a written appraisal report for the Property, dated July 23, 2021, which was prepared by Mary Wagner, MAI, of Praedium Valuation Group, 3847 North Lincoln Avenue, 2nd Floor, Chicago, Illinois, (the "*Appraisal*"), a copy of which is attached hereto and made a part hereof, as Exhibit B; and

WHEREAS, the Appraisal found that the appraised value of the Property in its "as is" condition is \$148,000.00 based on certain extraordinary assumptions; and

WHEREAS, the Appraisal is on file and available for inspection or copying in the office of the Village Clerk of the Village of Franklin Park as well as on the Village's website to any interested party; and

WHEREAS, the Village has advertised and marketed the Property for sale but because no final agreement for the sale and redevelopment of the Property has occurred, the Corporate Authorities have determined it best to obtain a professional real estate agency to market the Property; and

WHEREAS, Darwin Realty & Development Corporation, 970 North Oaklawn Avenue, Suite 100, Elmhurst, Illinois 60126 (the "*Darwin*"), is a professional real estate agency that is familiar with the Franklin Park industrial and commercial real estate market and able to market the Property to ensure compliance with various Village conditions that require the buyer to: 1) comply with all parking requirements and provide for paved parking and fencing, including all required screening and/or buffering on the Property; 2) undertake all necessary repairs and improvements to ensure that the building and Property is in full compliance with building, property maintenance, electrical, plumbing and fire code requirements, including the installation of a sprinkler system or approved fire wall, if applicable, and a new tear of replacement roof; 3) execute an affidavit that no party taking title or lease to the Property is a descendant of the former owner of the Property, the Estate of Lawrence H. Maas; and 4) comply with all zoning, use and licensing requirements of the Village; and

WHEREAS, the Exclusive Right to Sell Agreement between the Village and Darwin provides that Darwin shall have the exclusive right to sell the Property until September 1, 2022, and that Darwin shall be paid a commission of 6% of the selling price of the Property; and

WHEREAS, the Corporate Authorities have determined it is in the best interests of the Village to list and sell the Property with a licensed real estate agency pursuant to 65 ILCS 5/11-76-4.1 of the Illinois Municipal Code.

NOW, THEREFORE, BE IT RESOLVED by the President and Board of Trustees of the Village of Franklin Park, Cook County, Illinois, as follows:

Section 1. That the above recitals and legislative findings are found to be true and correct and are hereby incorporated herein and made a part hereof, as if fully set forth in their entirety.

Section 2. The Property, as herein described, is hereby determined and declared by the Corporate Authorities to be surplus real estate of the Village.

Section 3. The Exclusive Right to Sell Agreement by and between the Village of Franklin Park, Cook County, Illinois and Darwin Realty and Development Corporation (the

“*Darwin Agreement*”), a copy of which is attached hereto and made a part hereof as Exhibit C, is hereby approved and the Director of Community Development is hereby authorized to work with Darwin to review proposals for the sale of the Property and further recommend and present a final agreement to the Corporate Authorities for the sale and redevelopment of the Property in accordance with this Resolution and pursuant to 65 ILCS 5/11-76-4.1 of the Illinois Municipal Code.

Section 4. The officials, officers, employees, and attorneys of the Village are hereby authorized to undertake the necessary steps to present a proposal and final agreement for the sale of the Property to the Corporate Authorities, as contemplated herein.

Section 5. The Village Clerk is hereby authorized and directed to publish a copy of this Resolution at the first opportunity following its passage in a newspaper published within the Village and to make available a copy of the Appraisal for public inspection by any interested party.

Section 6. If any section, paragraph, clause, or provision of this Resolution shall be held invalid, the invalidity thereof shall not affect any other provision of this Resolution.

Section 7. All ordinances, resolutions, motions, or orders in conflict with this Resolution are hereby repealed to the extent of such conflict.

Section 8. This Resolution shall be in full force and effect immediately after its passage and publication as required by law.

PASSED by the President and Board of Trustees of the Village of Franklin Park, Cook County, Illinois this 7th day of September 2021, pursuant to a roll call vote, as follows:

AYES: Avitia, Hagerstrom, Johnson, Ruhl, Special, Ybarra

NAYS:

ABSENT:

APPROVED by the President of the Village of Franklin Park, Cook County, Illinois on this 7th day of September 2021.

APPROVED:

/s/ Barrett F. Pedersen

Barrett F. Pedersen, Village President

ATTEST:

/s/ April Arellano

April Arellano, Village Clerk

Exhibit A
Legal Description

LOTS 1 AND 2 IN BLOCK 15 IN THE THIRD ADDITION TO FRANKLIN PARK, IN SECTIONS 21 AND 28, TOWNSHIP 40 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

Permanent Index Numbers (PINS): 12-21-418-029-0000 and 12-21-418-047-0000