



CITY OF WASHINGTON, ILLINOIS

City Council Agenda Communication

Meeting Date: September 6, 2022

Prepared By: Jon Oliphant, AICP, Planning & Development Director

Agenda Item: Resolution – W. Holland Street Surplus Property Sale Declaration

Explanation: The City undertook a Special Assessment project in 1996 to reconstruct S. Wood Street. As part of that project, the City approved a real estate swap agreement with American Allied Railway Equipment Company (now Alliance Wheel Services—AWS) where the City received land on S. Wood and W. Holland in order to allow for right-of-way to be dedicated and for the construction to occur. In exchange, American Allied received the western 25' of width of a 50'x107' property the City owned at the intersection of S. Wood and W. Holland Street. The City retained ownership of the eastern 25' of width of that parcel. ROW was dedicated on the American Allied piece but it does not appear to have been dedicated on the City's parcel, though GIS does show ROW on it. Two maps showing this area are attached. Also attached are the two plats included in the 1996 agreement.

Staff received a complaint in 2020 about the need to mow the property at the corner of S. Wood and W. Holland. It appears that the prior owner/tenant of the neighboring property at 209 W. Holland had been maintaining the property for many years and as a result, our staff was not aware of the ownership situation. There are no utilities within the property and there does not appear to be a public need to retain ownership. Neither of the 25' wide lots are buildable. There was some question as to the ownership of the eastern 25' in width. However, a title search completed recently does show that the City has continued to retain ownership.

The property likely holds little value to other citizens besides those adjacent owners. The 209 W. Holland owner has indicated interest in purchasing it in order to expand a single-car garage. A required appraisal is in progress, but bids would not need to be solicited. The Council must approve a resolution that declares the property as surplus and authorizes its sale. Per state statute, the property would need to sell for at least 80% of its appraised value. The Council would also be required to approve a purchase agreement. While AWS understands that its lot is not buildable, it has indicated an interest in retaining ownership.

Fiscal Impact: To be determined based on the appraisal and the requirement to sell the property for at least 80% of its appraised value.

Action Requested: Approval of the attached surplus property resolution. The Public Works Committee previously favored selling it in September 2020 prior to the prolonged investigation on its ownership and the Finance and Personnel Committee did the same in August 2022.

RESOLUTION NO. _____

(Synopsis: The following resolution will declare a parcel near the intersection of S. Wood Street and W. Holland Street as surplus property and allow for its sale by the City of Washington.)

A RESOLUTION DECLARING CERTAIN PUBLIC REAL ESTATE TO BE “SURPLUS PROPERTY”

WHEREAS, the City of Washington, Tazewell County, Illinois, presently owns certain real estate which was acquired by the City for public purposes; and

WHEREAS, said real estate has been determined to no longer be necessary for use by the City for public purposes; and

WHEREAS, the City Council has determined that the following real estate is no longer necessary or useful to the City of Washington for public purposes and that it is in the best interest of the City to declare such property to be surplus property:

1. **Parcel No.:** Part of 02-02-23-212-031

2. **Legal Description:**

A part of the Northeast Quarter of Section 23, Township 26 North, Range 3 West of the Third Principal Meridian, Tazewell County, Illinois, being a part of the former Illinois Central Gulf Railroad's right of way, being a part of Tract III as described in Document Number 880787, Book 4015, page 89, more particularly being the Easterly 25 feet of even width of the Tract described as follows:

Beginning at a point on the South line of Lot 45, said point being 100 feet normally distant easterly from the centerline of the Illinois central Gulf Railroad Company's Dwight district Main Track, said point also being the Northwesterly corner of Block 7 of Holland's 2nd Addition; thence South along a line parallel with and 100 feet normally distant from said centerline of main track, said line also being the Westerly line of said Block 7, a distance of 107 feet more or less, to the Southerly line of said Block 7; thence Westerly along the Westerly extension of the South line of said Block 7, also being the North right of way line of Holland Street, a distance of 50 feet more or less to the Southerly Extension of the Westerly line of Denhart's Addition; thence Northerly along a line parallel with the Westerly line of said Block 7, a distance of 107 feet, more or less, to the South line of Lot 45; thence Easterly 50 feet, more or less, to the point of beginning.

3. **Size:** 25 feet by 107 feet

4. **Zoning and Use:** The Tract is currently zoned R-1 and may be used for purposes pursuant thereto.

WHEREAS, the City Council, having determined that the Property is surplus property and is no longer necessary or useful to the City of Washington, wishes to sell the Property as authorized by 65 ILCS 5/11-76-4.1 and pursuant to its home rule power.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WASHINGTON, TAZEWELL COUNTY, ILLINOIS, that: the parcel of real estate described above owned by the City of Washington be, and the same hereby is, declared to be surplus property and no longer necessary or useful to the City of Washington for public purposes.

BE IT RESOLVED FURTHER that, after publication of this Resolution as required by 65 ILCS 5/11-76-4.1, sale of the real estate shall be conducted by City staff at a price no less than 80% of the appraised value of the real estate, as determined by a written MAI certified appraisal or by a written certified appraisal of a State certified or licensed real estate appraiser.

PASSED AND APPROVED by no less than two-thirds of the Corporate Authorities this _____ day of _____, 2022.

AYES: _____

NAYS: _____

Mayor

ATTEST:

City Clerk



**CITY OF
WASHINGTON**
TAZEWELL COUNTY, ILLINOIS

LOCATION MAP

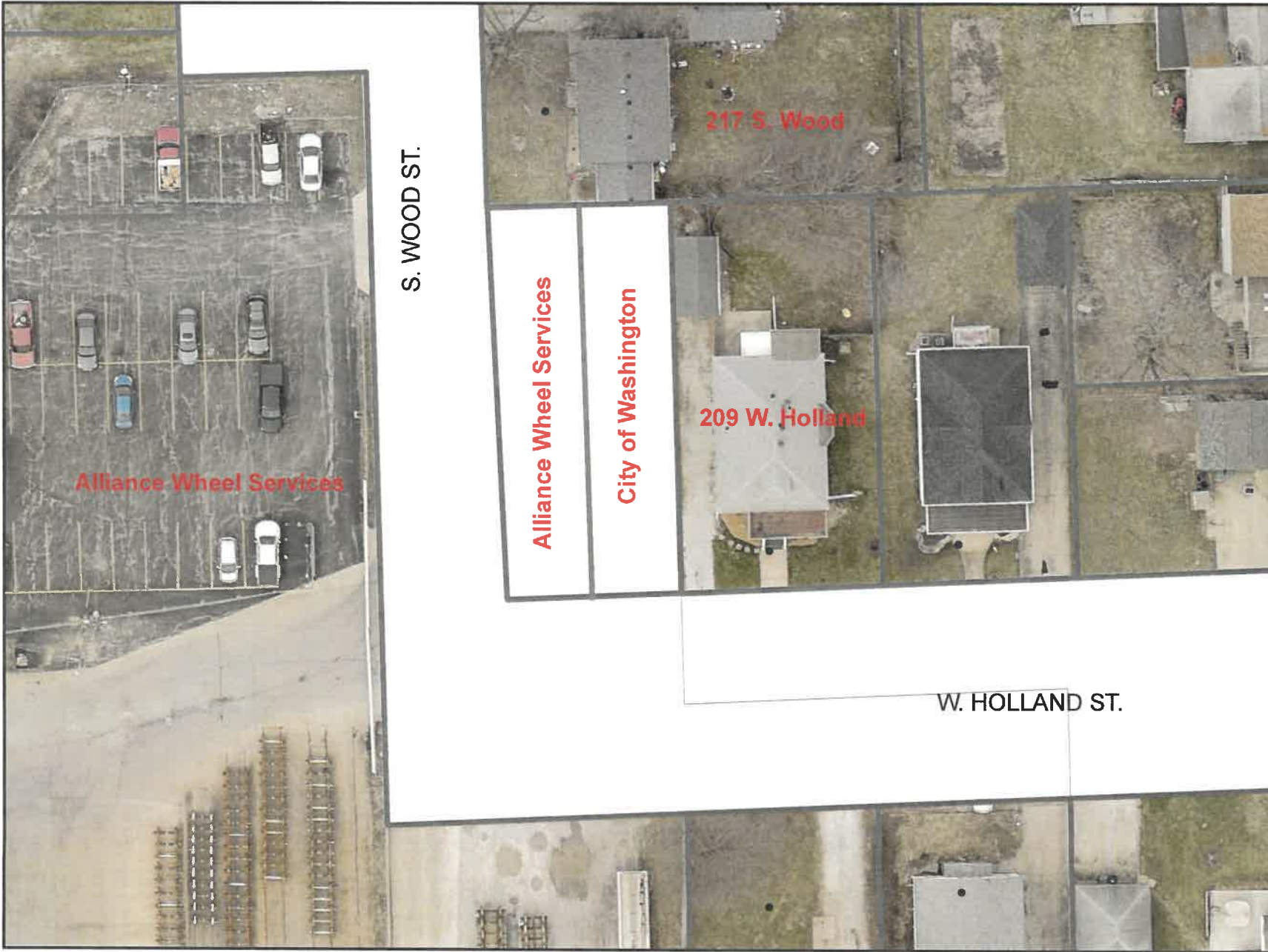


Legend
[Black Outline] Parcels



*Prepared by the City of Washington
Department of Planning and Development*

Printed: September 4, 2020



**CITY OF
WASHINGTON**
TAZEWELL COUNTY, ILLINOIS

LOCATION MAP



Legend

- Parcels
- Road Right-of-Way



*Prepared by the City of Washington
Department of Planning and Development
Printed: September 4, 2020*

CITY CLERK'S CERTIFICATE
STATE OF ILLINOIS }
COUNTY OF TAZEWELL }
CITY OF WASHINGTON }

I, WASHINGTON, TAZEWELL COUNTY, ILLINOIS, DO HEREBY CERTIFY THAT THIS PLAT WAS DULY APPROVED AND ACCEPTED BY THE MAYOR AND THE CITY COUNCIL AT A MEETING HELD ON THE _____ DAY OF _____, 1996.

CITY CLERK
CITY OF WASHINGTON

STATE OF ILLINOIS }
COUNTY OF TAZEWELL }

PLAT OFFICER OF THE CITY OF WASHINGTON, DO HEREBY CERTIFY THAT THIS TRACT SURVEY PLAT AND ADDENDUM MEETS THE REQUIREMENTS OF THE CITY'S SUBDIVISION CODE (AND COMPROMISE PLAN) AND HAS PRESENTED ON AN EXISTING ROAD.

PLAT OFFICER

LEGEND

○ FOUND IRON MONUMENT
(SOUTH - 300°) SURVEY DATA OF RECORD



OWNER'S CERTIFICATE AND AFFIDAVIT

STATE OF ILLINOIS }
COUNTY OF TAZEWELL }

I, THE UNDERSIGNED OWNER(S) AND PROPRIETOR(S) OF THE PROPERTY SHOWN ON THE ATTACHED PLAT, DO HEREBY CERTIFY THAT (A) WE OWNED THE SURVEY TO BE MADE AS SHOWN ON THE ATTACHED PLAT, AND ACKNOWLEDGE SAID SURVEY TO BE CORRECT, FURTHER, BEING FULLY AWARE THAT THIS PLAT OF SURVEY AND THE ATTACHED DEED FROM _____ IS NOT IN VIOLATION OF THE CITY'S SUBDIVISION CODE (AND COMPROMISE PLAN) FOR THE FOLLOWING REASONS:
THE SALE OR EXCHANGE OF PARCELS OF LAND BETWEEN OWNERS OF ADJACENT AND CONTIGUOUS LAND.
AFFIDAVIT FURTHER STATES THAT (B) WE HAVE THIS AFFIDAVIT FOR THE PURPOSE OF RECORDING THE RECORDS OF RECORDS OF TAZEWELL COUNTY, ILLINOIS, TO ACCEPT THIS SURVEY PLAT AND ATTACHED DEED FOR RECORDING.

SUBSCRIBED AND SWORN TO
BEFORE ME THIS _____ DAY OF _____, 1996.

HOLLAND PLUMB

LITIAL DESCRIPTION

A PART OF THE NORTHEAST QUARTER OF SECTION 23, TOWNSHIP 26 NORTH, RANGE 3 WEST OF THE THIRD PRINCIPAL MERIDIAN, TAZEWELL COUNTY, ILLINOIS, BEING A PART OF THE FORMER ILLINOIS CENTRAL GULF RAILROAD COMPANY'S RIGHT-OF-WAY, BEING A PART OF TRACT 11 AS DESCRIBED IN DOCUMENT NUMBER 880787, BOOK 4013, PAGE 69, MORE PARTICULARLY BEING THE WESTERLY 25 FEET OF EVEN WIDTH OF THE TRACT DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE SOUTH LINE OF LOT 45, SAID POINT BEING 100 FEET NORMALLY DISTANT EASTERLY FROM THE CENTERLINE OF THE ILLINOIS CENTRAL GULF RAILROAD COMPANY'S DISTRICT MAIN TRACK, SAID POINT ALSO BEING THE NORTHWESTERLY CORNER OF BLOCK 7 OF HOLLAND'S 2ND ADDITION; THENCE SOUTH ALONG A LINE PARALLEL WITH AND 100 FEET NORMALLY DISTANT FROM SAID CENTERLINE OF MAIN TRACK, SAID LINE ALSO BEING THE WESTERLY LINE OF SAID BLOCK 7, A DISTANCE OF 107 FEET MORE OR LESS, TO THE SOUTHERLY LINE OF SAID BLOCK 7; THENCE WESTERLY ALONG THE WESTERLY EXTENSION OF THE SOUTH LINE OF SAID BLOCK 7, ALSO BEING THE NORTH RIGHT-OF-WAY LINE OF HOLLAND STREET, A DISTANCE OF 50 FEET MORE OR LESS TO THE SOUTHERLY EXTENSION OF THE WESTERLY LINE OF DENHART'S ADDITION; THENCE NORTHERLY ALONG A LINE PARALLEL WITH THE WESTERLY LINE OF SAID BLOCK 7, A DISTANCE OF 107 FEET MORE OR LESS, TO THE SOUTH LINE OF LOT 45; THENCE EASTERLY 50 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

SAID TRACT CONTAINING 2,873 SQUARE FEET, OR 0.0624 ACRES, MORE OR LESS, BEING SUBJECT TO ANY EASEMENTS AND RIGHTS-OF-WAY.

SURVEYOR'S CERTIFICATE

STATE OF ILLINOIS }
COUNTY OF PEORIA }

I, DOUGLAS E. MULLIN, A PROFESSIONAL LAND SURVEYOR IN AND FOR THE STATE OF ILLINOIS, DO HEREBY CERTIFY THAT THE ATTACHED PLAT IS A TRUE AND CORRECT REPRESENTATION OF A SURVEY MADE UNDER MY SUPERVISION OF A PART OF THE NORTHEAST QUARTER OF SECTION 23 IN TOWNSHIP 26 NORTH, RANGE 3 WEST OF THE THIRD PRINCIPAL MERIDIAN, TAZEWELL COUNTY, ILLINOIS, AS SHOWN TO A SCALE OF ONE INCH EQUALS 50 FEET. I FURTHER CERTIFY THAT THE TRACT OF LAND IS BOUNDED WITHIN ONE AND ONE HALF (1 1/2) TIMES OF THE COMPROMISE LIMITS OF A CITY WHICH HAS ADOPTED A CITY PLAN AND IS EXERCISING THE SPECIAL POWERS AUTHORIZED BY PARAGRAPH 12 OF ARTICLE 11 OF THE ILLINOIS MUNICIPAL CODE. I FURTHER CERTIFY THAT NONE OF THE LAND IS BOUNDED WITHIN A SPECIAL FLOOD HAZARD AREA AS IDENTIFIED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY.

DATE

DOUGLAS E. MULLIN
ILLINOIS PROFESSIONAL
LAND SURVEYOR NO. 2008
PEORIA, ILLINOIS

SURVEY OF PT. N.E. 1/4 SEC. 23, T. 26 N.,
R. 3 W., 3rd P.M., TAZEWELL CO., ILLINOIS

FOR: CITY OF WASHINGTON



DAILY & ASSOCIATES, ENGINEERS, INC.
CHAMPAIGN & PEORIA, ILLINOIS

DRAWN BY:	DATE:	JOB NO.	BOOK OR RECORD NO.	DWG. NO.
DEM	7/08/96	5404.62		1

CITY CLERK'S CERTIFICATE

STATE OF ILLINOIS }
COUNTY OF TAZEWELL }

I, TAZEWELL COUNTY CLERK, DO HEREBY CERTIFY THAT I HAVE THIS DAY EXAMINED THE RECORDS OF THE PROPERTY SHOWN ON THE ATTACHED PLAT AND TWO (2) DEEDS: GENERAL TAXES, UPON CURRENT GENERAL TAXES, DELINQUENT SPECIAL ASSESSMENTS, OR CURRENT SPECIAL ASSESSMENTS AGAINST THE TRACT OF LAND AS SHOWN HEREON, GIVEN UNDER MY HAND AND _____ DAY OF _____, 1996.

DEPUTY

CITY CLERK

CENTERLINE ILLINOIS CENTRAL GULF RAILROAD
COMPANY'S DISTRICT MAIN TRACK

SOUTH WOOD STREET

DENHART'S ADD.

P.O.B.

SOUTH LINE LOT 45
TRACT AREA =
0.0624 ACRES

PROPOSED R.O.W.

WEST HOLLAND STREET

BLOCK 6
HOLLAND'S 2ND ADDITION

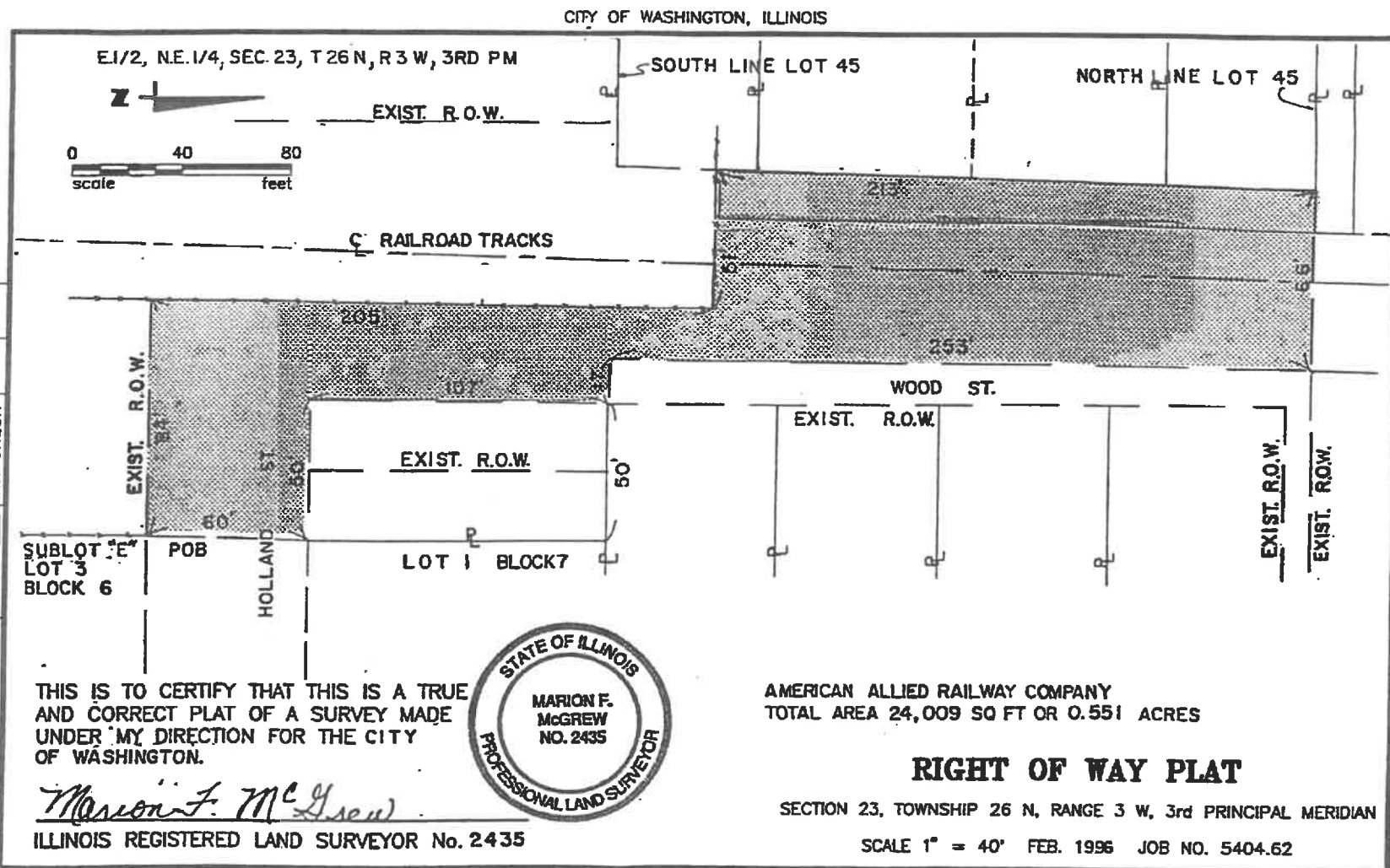
BLOCK 7
HOLLAND'S 2ND ADDITION

EXHIBIT "A-1"

CAO DRAWING NO. 5404.6201.DWG

EXHIBIT A-1

R. O. W. PLAT NOTE BOOK NO.	COMPUTED CHECKED INKED INK CHECK	BY	DATE



Signed

Recorded

BOOK PAGE
DOCUMENT NO.