

**CITY OF NOKOMIS, ILLINOIS**

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**ORDINANCE NO. 2120**

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**AN ORDINANCE AUTHORIZING THE SALE OF REAL PROPERTY OWNED  
BY THE CITY OF NOKOMIS, ILLINOIS**

**ADOPTED BY THE**

**CITY COUNCIL**

**OF THE**

**CITY OF NOKOMIS, ILLINOIS**

**THIS 22<sup>ND</sup> DAY OF APRIL, 2024**

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Published in pamphlet form by the authority of the City Council of the City of  
Nokomis, Montgomery County, Illinois, this 22 day of April, 2024.

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**CITY OF NOKOMIS, ILLINOIS**

**Ordinance No. 2120**

**AN ORDINANCE AUTHORIZING THE SALE OF REAL PROPERTY OWNED  
BY THE CITY OF NOKOMIS, ILLINOIS**

**WHEREAS**, the City of Nokomis, Illinois (the “City”) an Illinois non-home rule municipal corporation pursuant to Article VII, § 8 of the 1970 Illinois Constitution, organized and operating under the Illinois Municipal Code, 65 ILCS 5/1-1-1, *et seq.*; and

**WHEREAS**, the Illinois Municipal Code, 65 ILCS 5/11-76-1, provides that the corporate authorities of a municipality may, by ordinance passed by three-fourths of the corporate authorities then holding office, authorize the sale of public real estate when, in the opinion of the corporate authorities, the real estate is no longer necessary, appropriate, required for the use of, profitable to, or for the best interests of the city or village; and

**WHEREAS**, the City is the owner of a tract of real estate situated at 634 Sanford, in the City of Nokomis, Montgomery County, Illinois, which is legally described as follows:

Lots One (1), Two (2), Three (3), Four (4), Five (5), Six (6), Seven (7), Eight (8), Nine (9), Ten (10), Eleven (11), Twelve (12), Thirteen (13), and Fourteen (14) in Block One (1) in Miller’s Division of Blocks 5, 6, 7, 18, 19, 20, 21, 22, and Part of Blocks 9 and 7 in Randall and Miller’s Subdivision in the Town of Nokomis.

P.I.N.: 08-22-403-001

(hereinafter, “Parcel 1”); and

**WHEREAS**, the City is also the owner of a tract of real estate situated in the City of Nokomis, Montgomery County, Illinois, which is legally described as follows:

Block One (1) except Lot One (1), Two (2), Three (3), Four (4). Five (5), Six (6), Seven (7). Eight, (8), Nine, (9). Ten (10), Eleven (11), Twelve (12), Thirteen (13), and Fourteen (14); and all of Block Two (2); and all of Block Three (3) except lots eighteen (18), nineteen (19), twenty (20), twenty-one (21), twenty-two (22), twenty-three (23), twenty-four (24). twenty-five (25), twenty-six (26), twenty-seven (27), twenty-eight (28), twenty-nine (29), thirty (30), thirty-one (31), and thirty-two (32); and all of Block Four (4); all of said lots and blocks being situated in Miller’s Division of Blocks Five (5), Six (6), seven (7), eighteen (18). nineteen (19), twenty, (20). twenty-one (21), twenty-two (22), and part of Blocks

nine (9) and seventeen (17) in Randall and Miller's Sub-division, in the Town of Nokomis, Montgomery County, Illinois.

P.I.N.: 08-22-454-012

(hereinafter, "Parcel 2"); and

**WHEREAS**, Parcel 1 and Parcel 2 (hereinafter, the "Real Estate") are vacant and unimproved; and

**WHEREAS**, on February 15, 2024, the City adopted Ordinance No. 2114, which is AN ORDINANCE AUTHORIZING ADVERTISEMENT FOR THE SALE OF REAL ESTATE OWNED BY THE CITY OF NOKOMIS, ILLINOIS, and determined that said Real Estate is no longer necessary, appropriate, required for the use of, profitable to, or for the best interests of the City of Nokomis; and

**WHEREAS**, the City Council hereby reaffirms that said Real Estate is no longer necessary, appropriate, required for the use of, profitable to, or for the best interests of the City; and

**WHEREAS**, pursuant to Section 11-76-2 of the Illinois Municipal Code, 65 ILCS 5/11-76-2, notice has been given of the proposal to sell the Real Estate, and, pursuant to published notice, bids have been invited for the purchase of the Real Estate; and

**WHEREAS**, the following bids for the purchase of the Real Estate have been received:

<u>Bidder</u>	<u>Amount</u>
Osage Equities, Inc.	\$150,000.00

and

**WHEREAS**, at least three-fourths of the City Council finds and determines that the best interests of the City and its residents will be served by the acceptance of the bid submitted by Ashley Huddleston and the sale of the Real Estate to such bidder for the amount bid of One Hundred Fifty Thousand and No/100 Dollars (\$150,000.00); and

**WHEREAS**, said bid amount represents the highest bid received for the Real Estate; and

**WHEREAS**, Osage Equities, Inc. has provided a proposed contract for the sale of the Real Estate, which has been presented to the corporate authorities and reviewed at or prior to the meeting at which this Ordinance is being presented for approval.

***NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NOKOMIS, MONTGOMERY COUNTY, ILLINOIS, AS FOLLOWS:***

**SECTION 1:** The above recitals are incorporated herein and made a part hereof.

**SECTION 2:** The bid of Osage Equities, Inc. in the amount bid One Hundred Fifty Thousand and No/100 Dollars (\$150,000.00) is hereby accepted by the City Council of the City of Nokomis, Illinois for the sale of the Real Property.

**SECTION 3:** The Mayor is hereby authorized and directed to sign, and the City Clerk is hereby authorized and directed to attest to, a contract for the sale and purchase of the Real Estate, in substantially the form presented to the City Council at which this Ordinance is being approved. The Mayor is further authorized to negotiate the final form of the proposed contract in any manner determined to be in the City's best interests. Upon negotiation and execution of a final contract and satisfaction of the terms of the aforesaid contract and upon the payment of the aforesaid bid price in the manner provided in said contract, the Mayor is hereby authorized and directed to convey and transfer the Real Estate to Osage Equities, Inc. and to execute such other documents as may be necessary to the conveyance herein authorized, and the City Clerk is hereby authorized to acknowledge and attest such deed and such other documents to affix thereto the seal of the City as may be necessary to the conveyance herein authorized.

**SECTION 4:** The officers and employees of the City shall take all actions reasonably necessary or required to carry out and give effect to the intent of this Ordinance and shall otherwise consummate the sale of the Real Estate and shall take all actions necessary in conformity therewith, including, but not limited to, the

execution and delivery of all documents required to be delivered in connection with the transaction contemplated herein and approving the expenditure of all necessary funds to consummate the sale of the Real Estate.

**SECTION 5:** All past, present, and future acts and doings of the officials of the City that are in conformity with the purpose and intent of this Ordinance are hereby, in all respects, ratified, approved, authorized, and confirmed.

**SECTION 6:** If any section, paragraph, or provision of this Ordinance shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph, or provision shall not affect any of the remaining provisions of this Ordinance, which are hereby declared to be separable.

**SECTION 7:** All ordinances, resolutions, motions, or parts thereof in conflict with this Ordinance are hereby superseded.

**SECTION 8:** The Mayor is authorized and directed to sign and the City Clerk is authorized and directed to attest to this Ordinance.

**SECTION 9:** This Ordinance is effective upon its passage *by a vote of at least three-fourths of the corporate authorities now holding office*, approval, and publication as required by law.

**SECTION 10:** The City Clerk shall publish this Ordinance in pamphlet form and see to inclusion of this Ordinance in the next update of the City Code of Ordinances.

Adopted this 22<sup>nd</sup> day of April, 2024, by roll call votes as follows:

	<u>Aye</u>	<u>Nay</u>	<u>Absent</u>	<u>Present</u>
Commissioner Arkebauer	X			X
Commissioner Morris	X			X
Commissioner Glenn	X			X
Commissioner Stauder			X	
Mayor Goldsmith	X			X

APPROVED by the Mayor of the City of Nokomis, Illinois this 22 day of April, 2024.

ATTEST:

  
\_\_\_\_\_  
MAYOR

  
\_\_\_\_\_  
CITY CLERK

STATE OF ILLINOIS )  
COUNTY OF MONTGOMERY ) SS.  
CITY OF NOKOMIS )

**CERTIFICATE**

I certify that I am the duly appointed and acting City Clerk of the City of Nokomis, Montgomery County, Illinois, and, as such, am the keeper of records and seal thereof; that the foregoing is a true, complete, and correct copy of Ordinance No. 2120 of said City; that said Ordinance, which is

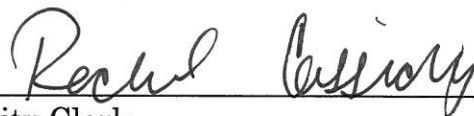
**AN ORDINANCE AUTHORIZING THE SALE OF REAL PROPERTY  
OWNED BY THE CITY OF NOKOMIS, ILLINOIS**

was passed by the City Council of the City of Nokomis, Montgomery County, Illinois, by yea and nay vote ***of at least three-fourths of the corporate authorities then holding office*** on the 22<sup>nd</sup> day of April, 2024; that said Ordinance was approved by the Mayor on the 22 day of April, 2024; and that said Ordinance was then deposited in the office of the City Clerk of said City and filed therein; and that the same was recorded in the Record of Ordinances of said City.

I further certify said Ordinance provided by its terms that it should be published in pamphlet form; that the pamphlet form of said Ordinance, including the Ordinance and a cover sheet thereof, was prepared; that a copy of such Ordinance was posted in the Nokomis City Hall, commencing on the 22 day of April, 2024, to continue for at least ten (10) days thereafter; and that copies of such Ordinance were also available for public inspection upon request in the office of the City Clerk.

DATED at Nokomis, Illinois, this 22 day of April, 2024.

(SEAL)

  
\_\_\_\_\_  
City Clerk