

ORDINANCE NUMBER 18-3

AN ORDINANCE APPROVING AGREEMENTS WITH THE CITY OF COLLINSVILLE WITH RESPECT TO THE TRANSFER SUBJECT TO AGREEMENT OF WILLOUGHBY FARM AND SPLASH CITY.

WHEREAS the Collinsville Area Recreation District, Madison and St. Clair Counties Illinois, Illinois (“CARD” or the “Transferor Municipality”), is a duly organized and existing park district created under the provisions of the laws of the State of Illinois, and is now operating under the provisions of the Park District Code of the State of Illinois; and

WHEREAS, The Local Government Property Transfer Act (the “Act”), 50 ILCS 605/0.01 *et seq.*, defines a “municipality” as follows:

The term "municipality" whether used by itself or in conjunction with other words, as in (a) or (b) above, shall mean and include any municipal corporation or political subdivision organized and existing under the laws of the State of Illinois and including, but without limitation, any city, village, or incorporated town, whether organized under a special charter or under the General Act, or whether operating under the commission or managerial form of government, county, school districts, trustees of schools, boards of education, 2 or more school districts operating a cooperative or joint educational program pursuant to Section 10-22.31 of the School Code, sanitary district or sanitary district trustees, forest preserve district or forest preserve district commissioner, park district or park commissioners, airport authority and township.

The Act, 50 ILCS 605/1(C), *emphasis added*; and

WHEREAS the City of Collinsville, Illinois (hereinafter, the “City” or “Transferee Municipality”) is also a municipality under the express terms and provisions of the Act; and

WHEREAS, CARD currently owns a real property located in Madison County, Illinois, comprising parcel numbers:

- 13-2-21-28-17-301-018
- 13-2-21-28-17-301-019
- 13-1-21-28-17-301-001
- 13-1-21-28-13-302-001
- 13-1-21-29-16-401-027
- 13-1-21-29-20-401-021
- 13-2-21-28-17-301-017

- 13-2-21-28-17-301-016
- 13-2-21-28-17-301-015
- 13-2-21-28-17-301-014
- 13-2-21-28-17-301-010
- 13-2-21-28-17-301-011
- 13-2-21-28-17-301-012
- 13-2-21-28-17-301-013
- 13-2-21-28-17-301-009
- 13-1-21-28-17-301-021
- 13-1-21-28-13-302-012

(together, “Willoughby Heritage Farm and Conservation Reserve,” or “Willoughby Farm”);

WHEREAS, CARD currently owns a real property located in Madison County, Illinois, comprising parcel numbers:

- 13-1-21-29-00-000-009
- 13-1-21-29-00-000-009.001

(together “Splash City”); and

WHEREAS, Willoughby Farm and Splash City are located in Madison County, and are territories currently owned by the Transferor Municipality, subject to no restrictions as set out in the Act, at 50 ILCS 605/1(C); and

WHEREAS, Splash City and Willoughby Farm are wholly within, coextensive with, or partly within and partly without the corporate limits of the Transferee Municipality; and

WHEREAS, The Transferee Municipality has, or in the future will, declare that it is necessary or convenient for it to use, occupy or improve Splash City and Willoughby Farm for good and useful public purposes; and

WHEREAS CARD, through its Board of Commissioners, has determined that it is in the best interests of its taxpayers to enter into an agreement with the City of Collinsville, which is attached to this Ordinance as Exhibit A (the Agreement), and has entered in to such Agreement, for the transfer of Splash City and Willoughby Farm to the City of Collinsville, subject to various conditions; and

WHEREAS both CARD and the City of Collinsville have now executed that Agreement;

WHEREAS a majority of the Board has considered and passed this Ordinance, exercising the Board's power to transfer a territory under the Act;

NOW THEREFORE Be it Ordained by the President and Board of Park Commissioners of the Collinsville Area Recreation District, Madison and St. Clair Counties, Illinois, as follows:

Section 1. Incorporation of Preambles. The Board hereby finds that all of the recitals contained in the preambles to this Ordinance are full, true and correct, and does incorporate them into this Ordinance by this reference.

Section 2. Authority. It is hereby found and determined that the Board has the authority, under the Local Government Property Transfer Act, 50 ILCS 605/0.01 et seq., to transfer territories under its ownership to other municipalities.

Section 3. CARD, the Transferor Municipality, pursuant to an appropriate vote hereby taken, has authorized the future transfer all of the right, title and interest held by it in Willoughby Farm and Splash City immediately prior to such transfer, and to any real estate located on Willoughby Farm and Splash City, to the City of Collinsville as the Transferee Municipality, subject to the terms and conditions within the Agreement.


Section 4. The CARD president is hereby authorized to execute and deliver instruments of conveyance, signed by the CARD president and attested by its secretary, and sealed with its corporate seal, to the Transferee Municipality, conveying Willoughby Farm and Splash City, such that the Transferee Municipality shall thereafter have the right to use, occupy or improve those properties so transferred for any municipal or public purpose and shall hold said real estate by the same right, title and interest by which the Transferor Municipality held said real estate immediately prior to said transfer – subject first to all the terms and conditions in the Agreement.

Section 5. Severability. If any section, paragraph, clause or provision of this Ordinance shall be held invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any remaining provisions of this Ordinance.

NOW THEREFORE Be it Ordained by the President and Board of Park Commissioners of the Collinsville Area Recreation District, Madison and St. Clair Counties, Illinois, as follows:

PASSED, and ADOPTED this 27th of MARCH, 2018.

BOARD OF PARK COMMISSIONERS
COLLINSVILLE AREA RECREATION DISTRICT



Ron Jedda, Board President

ATTEST:

 3.27-18
Board Secretary Date