

ORDINANCE NUMBER 17-6

**AN ORDINANCE APPROVING TRANSFER OF CERTAIN TERRITORIES
FROM THE COLLINSVILLE AREA RECREATION DISTRICT, TO THE
COUNTY OF MADISON, UNDER THE LOCAL GOVERNMENT PROPERTY
TRANSFER ACT.**

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 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 the provisions of the Park District Code of the State of Illinois, is a municipality under the express terms of the Act; and

WHEREAS the County of Madison, Illinois (hereinafter, "Transferee Municipality") is also a municipality under the express terms and provisions of the Act; and

WHEREAS, Parcel No. 17-1-20-24-00-000-003.001, located in Madison County, and more commonly known as "Arlington Wetlands Park," (hereinafter "Arlington Wetlands") is a territory currently owned by the Transferor Municipality, subject to no restrictions as set out in the Act, at 50 ILCS 605/1(C); and

WHEREAS, the Arlington Wetlands is 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 Arlington Wetlands for good and useful public purposes; and

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, transfers all of the right, title and interest held by it in Arlington Wetlands immediately prior to such transfer, and to any real estate located on Arlington Wetlands, to the County of Madison as the Transferee Municipality.*


Section 4. *The CARD president is hereby authorized to execute and deliver an instrument of conveyance, signed by the CARD president and attested by its secretary, and sealed with its corporate seal, to the Transferee Municipality, conveying the Arlington Wetlands to the Transferee Municipality, such that the Transferee Municipality shall thereafter have the right to use, occupy or improve Arlington Wetlands 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.

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.

PASSED, and ADOPTED this 19th of September 2017.

BOARD OF PARK COMMISSIONERS
COLLINSVILLE AREA RECREATION DISTRICT



Ron Jedda, Board President

ATTEST:

Dany E. Hunt 9-19-17
Board Secretary Date