

CITY OF BELVIDERE, ILLINOIS

ORDINANCE #505H

AN ORDINANCE AUTHORIZING THE ACQUISITION OF PROPERTY FOR THE  
LOGAN AVENUE RIGHT OF WAY EXPANSION

PASSED AND ADOPTED

BY THE CITY COUNCIL

OF THE CITY OF

BELVIDERE, ILLINOIS

ON THE 5<sup>th</sup> DAY OF OCTOBER 2020.

APPROVED BY THE

MAYOR OF THE CITY OF

BELVIDERE, ILLINOIS

ON THE 6<sup>th</sup> DAY OF OCTOBER 2020.

Published in Pamphlet Form this 6<sup>th</sup> day of October 2020.

ORDINANCE #505H

AN ORDINANCE AUTHORIZING  
THE ACQUISITION OF PROPERTY  
FOR THE LOGAN AVENUE RIGHT OF  
WAY EXPANSION

WHEREAS, the City of Belvidere (the City) maintains roads and streets within the City of Belvidere, including but not limited to Logan Avenue; and

WHEREAS, the City Council finds that reconstruction of Logan Avenue is necessary for the public good and welfare; and

WHEREAS, it is necessary to obtain additional right of way from landowners adjacent to Logan Avenue to widen sidewalks and relocate utility poles so as to comply with the Americans with Disabilities Act (the ADA); and

WHEREAS, one such property is property commonly known as 953 Logan Avenue, PIN 05-36-206-010 (the Property); and

WHEREAS, the City Council finds that it is necessary to acquire approximately 113 square feet of the Property adjacent to Logan Avenue (the Acquisition Parcel) to facilitate the reconstruction of Logan Avenue and the installation of ADA compliant sidewalks; and

WHEREAS, the City has obtained an appraisal (the Appraisal), prepared by Rebecca Davidson establishing the fair market value of the Acquisition Parcel; and

WHEREAS, City staff has attempted to contact the owner of the Property to discuss acquisition of the Acquisition Parcel, with no success; and

WHEREAS, the Appraisal sets forth a nominal value for the Acquisition Parcel which would be exceeded by the costs litigation if the matter were to proceed to litigation.

NOW THEREFORE, BE IT ORDAINED by the Mayor and City Council of the City of Belvidere, Boone County, Illinois, as follows:

- 1) The foregoing recitals are incorporated herein as if fully set forth.
- 2) The City Council finds that it is necessary and desirable for the City to acquire the Acquisition Parcel for the purpose of the Logan Avenue reconstruction.
- 3) The Corporate Authorities find that (1) the Acquisition Parcel is not improved with any structure (or any such structure will be relocated at the City's expense) and not currently used by the owners; (2) portions of the remainder of the property will not be effected by the acquisition of the Acquisition Parcel; (3) it is necessary for the protection of the general health and welfare

of the City to acquire the Acquisition Parcel to facilitate the reconstruction of Logan Avenue; and (4) that the value of the Acquisition Parcel in the appraisal prepared by Rebecca Davidson represents the fair market value of the easement.

- 4) The Mayor, his staff and the City Attorney are authorized to negotiate and purchase the Acquisition Parcel at the amount identified as the fair market value set forth in the Appraisal.

Voting Aye: McGee, Porter, Ratcliffe, Snow, Stevens, Arevalo, Brereton, Fleury, Frank and Freeman.

Voting Nay: None.

Abstain: None.

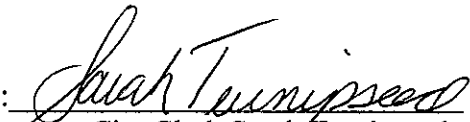
Absent: None.

APPROVED:



\_\_\_\_\_  
Mayor Michael W. Chamberlain

ATTEST:



\_\_\_\_\_  
City Clerk Sarah Turnipseed

(SEAL)

Passed: October 5, 2020

Approved: October 6, 2020

**AFFIDVAIT**

STATE OF ILLINOIS        )  
  )  
COUNTY OF BOONE        )

Sarah Turnipseed, first being duly sworn on oath deposes and says as follows:

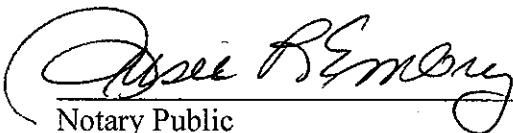
By authority of the City Council of the City of Belvidere, Illinois, I published Ordinance #505H of the City of Belvidere, Illinois, in pamphlet form on October 6, 2020, and as a convenience for the public; I posted the pamphlet form of Ordinance #505H on the bulletin board in the lobby at 401 Whitney Blvd., Belvidere, Illinois; said location being readily accessible to the public during business hours of the City Clerk's Office.



Sarah Turnipseed  
City Clerk



SUBSCRIBED AND SWORN TO BEFORE ME  
this 6<sup>th</sup> day of October, 2020.

  
\_\_\_\_\_  
Notary Public