

ORDINANCE NO. _____

**AN ORDINANCE AUTHORIZING THE
CITY TO ENTER INTO AN
INTERGOVERNMENTAL
AGREEMENT WITH THE O'FALLON
COMMUNITY SCHOOL DISTRICT
NO. 90 RELATING TO THE
EXCHANGE OF REAL PROPERTY
BETWEEN THE CITY OF O'FALLON,
ILLINOIS AND O'FALLON
COMMUNITY SCHOOL
DISTRICT NO. 90**

WHEREAS, at least 3/4ths of the corporate authorities of the City of O'Fallon, Illinois, (the "City") believe it is in the best interest of the citizens of the City to exchange certain real estate owned by the O'Fallon Community School District No. 90 as legally described on Exhibit A, attached hereto and incorporated herein, (the "School District Property") for certain property owned by the City of O'Fallon, as legally described on Exhibit B, attached hereto and incorporated herein, (the "City Property");

WHEREAS, on the 1st day of May, 2006, a public hearing was held pursuant to notice and the provisions of 65 ILCS 5/11-76.2-1 et seq. to consider the exchange of the City Property for the School District Property;

WHEREAS, pursuant to 65 ILCS 5/11-76.2-3 the following findings are hereby made by the corporate authorities of the City of O'Fallon, Illinois:

- (1) that the premises to be conveyed by the City under such exchange, in the opinion of the city council is no longer needed by the City for the public interest;
- (2) that the premises to be received by the City under such exchange will prove useful to the City and will be for the public interest;
- (3) that the total value of the property to be conveyed to the City is approximately equal to or exceeds the value of the property the City is conveying, taking into consideration the long term best interest of the public.

WHEREAS, the City believes that it is in the best interest of the health, safety and general welfare of the citizens of the City to enter into an agreement with the School District for the exchange of properties and the City's payment of Sixty Two Thousand Dollars (\$62,000) to the School District to equalize the value of the properties being exchanged.

WHEREAS, the City and the School District have taken all action necessary or will take all action necessary to effectuate the intent of this Intergovernmental Agreement and believe it is in the best interest of their respective bodies to enter into this Intergovernmental Agreement.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF O'FALLON, ST. CLAIR COUNTY, ILLINOIS, as follows:

Section 1: The recitals set forth above are true and correct and are hereby incorporated herein.

Section 2: The Mayor is hereby authorized to execute on behalf of the City of O'Fallon, Illinois, an "Intergovernmental Agreement to Exchange Property" with O'Fallon Community School District No. 90, a copy of which is attached hereto, and all documents incidental thereto or necessary to effectuate the conveyance of the properties being exchanged, and the Clerk is directed to attest same in order to effectuate the exchange of the City Property for the School District Property as legally described on Exhibit A and B attached hereto and incorporated herein.

Section 3: Pursuant to the terms of the Agreement, the Mayor is hereby authorized to exchange the City Property for the School District Property and the City is authorized to pay to the School District Sixty Two Thousand Dollars (\$62,000.00) to equalize the value of the properties being exchanged.

Section 4: This Ordinance shall be effective upon its passage, execution by the Mayor and City Clerk and publication in pamphlet form as required by law.

PASSED by the City Council of the City of O'Fallon, St. Clair County, Illinois, approved by the Mayor, and deposited in the office of the City Clerk this ____ day of _____, 2006.

APPROVED:

By: _____

Gary Graham, Mayor
City of O'Fallon, Illinois

ATTEST:

BY: _____

Philip A. Goodwin, City Clerk
City of O'Fallon, Illinois

(SEAL)

ROLL CALL:	Grogan	Schmidt	True	Henry	Reckamp	Medford	Bequette	SUB TOTALS
Aye								
Nay								
Absent								

ROLL CALL:	Mouser	Renner	Bennett	Boone	Drolet	Albrecht	West	SUB TOTALS	SUM OF TOTALS
Aye									
Nay									
Absent									