

PUBLIC NOTICE
OSWEGO TOWNSHIP
SPECIAL TOWN MEETING

NOTICE IS HEREBY TO THE LEGAL VOTERS, RESIDENTS OF THE TOWNSHIP OF OSWEGO, IN THE COUNTY OF KENDALL, STATE OF ILLINOIS, THAT THE SPECIAL TOWN MEETING OF THE SAID TOWNSHIP WILL TAKE PLACE ON TUESDAY, November 10, 2020 BEING THE SECOND TUESDAY OF SAID MONTH AT THE HOUR OF 7:15 O'CLOCK P.M. AT THE OSWEGO TOWNSHIP BUILDING, 99 BOULDER HILL PASS, MONTGOMERY, ILLINOIS FOR THE TRANSACTIONS OF THE MISCELLANEOUS BUSINESS OF THE SAID TOWN; AND AFTER A MODERATOR HAVING BEEN ELECTED, WILL PROCEED TO HEAR AND DECIDE ON SUCH MEASURES AS MAY, IN PURSUANCE OF LAW, COME BEFORE THE MEETING, ESPECIALLY TO CONSIDER AND DECIDE THE FOLLOWING: THE POSTED AGENDA, WHICH INCLUDES; OLD BUSINESS INFORMATION; NEW BUSINESS, INCLUDING ADVISORY QUESTIONS OF CONSIDERATION; TOWNSHIP BOARD OF TRUSTEES HAS APPROVED THE AGENDA WHICH INCLUDES THE ABOVE ITEMS OF BUSINESS ALONG WITH A MOTION TO PROCEED UNDER ROBERTS RULES OF ORDER.



OSWEGO TOWNSHIP SPECIAL TOWN MEETING AGENDA
NOVEMBER 10, 2020 – 7:15 pm OR immediately following the
Regular Township Monthly Meeting

- I. CALL TO ORDER - PLEDGE OF ALLEGIANCE – SIGN ATTENDANCE REGISTRATION**
- II. PUBLIC COMMENTS**
- III. MOTION TO PROCEED UNDER ROBERTS RULES OF ORDER**
- IV. NOMINATION OF MODERATOR**
- V. SET SALARY OF MODERATOR**
- VI. CLERK TO ADMINISTER OATH OF MODERATOR**
- VII. APPROVAL OF MINUTES OF JULY 21, 2020 ANNUAL MEETING**
- VIII. OLD BUSINESS**
 - a. Discussion and vote on Resolution 2020-RE-01 presented by electors for transfer of funds to Permanent Road Fund. (To be addressed in Resolution 2020-10)
- IX. NEW BUSINESS**
 - a. Discussion and vote on Resolution 2020-09 approving the sale of 84 Templeton Drive, Oswego, IL
 - b. Discussion and vote on Resolution 2020-10 approving transfer of funds.
- X. REMINDER- DATE HAS BEEN SET FOR 2021 ANNUAL TOWN MEETING FOR APRIL 13, 2021 @ 7:15 OR IMMEDIATELY FOLLOWING THE REGULAR MONTHLY MEETING.**
- XI. ADJOURNMENT**

OSWEGO TOWNSHIP

RESOLUTION NO. 2020 - 09

**RESOLUTION TO AUTHORIZE THE SALE OF
SURPLUS TOWNSHIP REAL PROPERTY
(84 TEMPLETON DRIVE, OSWEGO, IL)**

**ADOPTED BY
THE ELECTORS
OF THE
OSWEGO TOWNSHIP**

This 10th day of November, 2020

RESOLUTION NO. 2020 - 09

**RESOLUTION TO AUTHORIZE THE SALE OF
SURPLUS TOWNSHIP REAL PROPERTY
(84 TEMPLETON DRIVE, OSWEGO, IL)**

WHEREAS, Oswego Township ("Township"), Kendall County, Illinois, is an Illinois township duly organized under the laws of the State of Illinois; and

WHEREAS, Section 30-50 of the Illinois Township Code (60 ILCS 1/30-50) authorizes the electors of a Township to make all orders for the sale or lease of the Township's corporate property that may be deemed conducive to the Township's inhabitants and to establish the terms and conditions necessary and desirable for the sale or lease; and

WHEREAS, the Township currently owns real property located at 84 Templeton Drive, Oswego, Kendall County, Illinois, which is identified by Property Index Number (P.I.N.) 03-20-227-009-0000, and further described in Section Two below (hereinafter also referred to as the "Subject Property"); and

WHEREAS, the Subject Property is comprised of approximately 61,188.94 sq. ft. or 1.4 acres and contains a building with six suites; and

WHEREAS, the Subject Property is currently zoned B-2 Community Shopping District; and

WHEREAS, the building on the Subject Property contains six office suites (Suites 101 through 106) and has a total square footage of approximately 13,123 sq. ft.; and

WHEREAS, the square footage of each Suite within with the Township Building is as follows: (1) Suite 101 – 2,094 square feet; (2) Suite 102 – 2,035 square feet; (3) Suite 103 – 2,035 square feet; (4) Suite 104 – 1,981 square feet; (5) Suite 105 – 2,195 square feet; and (6) Suite 106 – 2,783 square feet; and

WHEREAS, the Township currently leases Suites 102 through 106 of the building to tenants; and

WHEREAS, Suite 101 is currently vacant and not being used by the Township; and

WHEREAS, the Township Board has moved its business operations to a new location and no longer has need of Subject Property and the Township Board further finds that the sales proceeds of the Subject Property could be directed to other needs; and

WHEREAS, the Township Board is of the opinion that the sale of the Subject Property would result in a financial and economic benefit to the Township and be conducive to the interests of the residents of the Township; and

WHEREAS, the Township Board recommends to the Electors at this Special Annual Meeting that the Township Board be authorized by the Electors to sell the Subject Property as it is no longer needed for Township purposes; and

WHEREAS, the Township intends to sell the entire Subject Property in accordance with Section 30-50 of the Illinois Township Code (60 ILCS 1/30-50); and

WHEREAS, in order to effectuate the sale of the Subject Property, the Electors desire to authorize the Township Board to list the Subject Property with a licensed local real estate agency in lieu of the use of sealed bids or a public auction.

THEREFORE, BE IT RESOLVED by the Electors present at the Special Annual Township Meeting of the Electors of Oswego Township, held on November 10, 2020, as follows:

SECTION ONE: That the recitals set forth above are incorporated by reference into this Section One as if fully set forth herein.

SECTION TWO: That the Electors authorize the sale of the Subject Property, which property is identified by P.I.N. 03-20-227-009-0000, and legally described as follows:

LOT 15 IN STONE HILL BUSINESS PARK
UNIT 3 VILLAGE OF OSWEGO
(Common address: 84 Templeton Drive, Oswego, Kendall County, Illinois)

SECTION THREE: That the Electors further authorize, empower and direct the Township Board of Oswego Township to conduct the sale of the Subject Property by listing the property directly with a local licensed real estate agency with the compensation of the agency not to be higher than six percent (6%) of the gross sales price of the Subject Property.

SECTION FOUR: That the Electors expressly authorize the Township Board to sell the Subject Property through a negotiated real estate sale in accordance with Section 30-50 of the Township Code in lieu of other alternative sales methods provided for in Section 30-50, including sealed bids or a public auction.

SECTION FIVE: That the Electors further ratify the decision of the Township Board to enter into a real estate listing agreement with Dolan & Murphy, an Illinois licensed real estate agency, for the sale of the Subject Property.

SECTION SIX: The Electors hereby ratify and affirm all actions taken by the Township Board to publicly market and negotiate the sale of the Subject Property, including any and all contracts negotiated by the Township Board pending approval by the Electors of the sale of the Subject Property.

SECTION SEVEN: The Electors find that the Township Board has already obtained an appraisal of the Subject Property by an Illinois licensed appraiser and the Township Board has made such appraisal available for inspection.

SECTION EIGHT: The Electors hereby set and establish the minimum sales price of the Subject Property at \$1,224,000.00, an amount that is not less than 80% of the most recently appraised value of the Subject Property.

SECTION NINE: That the Electors grant the Township Board with the right and authority to reject any and all offers to purchase the Subject Property in its sole and absolute discretion.

SECTION TEN: That the Township Board is fully authorized to negotiate the final terms and conditions of the sale, within the parameters set forth in this Resolution and may approve any sale of the Subject Property that the Township Board determines is in the best interest of the Township.

SECTION ELEVEN: That the Township Supervisor and the Township Clerk of Oswego Township are hereby authorized to execute all documents in connection with the sale of the Subject Property.

APPROVED, ADOPTED, AND RECORDED at the Annual Township Meeting of the Electors of Oswego Township held on this 10th day of November, 2020.

PASSED:

APPROVED: _____(MODERATOR)

ATTEST:

Kenneth Holmstrom, Township Clerk
Oswego Township

STATE OF ILLINOIS)
) SS
COUNTY OF KENDALL)

CLERK'S CERTIFICATE

I, KENNETH HOLMSTROM, the duly qualified Township Clerk of Oswego Township, Kendall County, Illinois, do hereby certify that attached hereto is a true and correct copy of a resolution entitled:

RESOLUTION NO. 2020 - 09

**RESOLUTION TO AUTHORIZE THE SALE OF
SURPLUS TOWNSHIP REAL PROPERTY
(84 TEMPLETON DRIVE, OSWEGO, IL)**

which resolution was duly adopted by the Electors at the Annual Township Meeting of the Electors of Oswego Township held on the 10th day of November, 2020.

I do further certify that at least 15 Electors were in attendance at the meeting.

IN WITNESS WHEREOF, I have hereunto set my hand this 10th day of November, 2020.

(SEAL)

Kenneth Holmstrom, Township Clerk
Oswego Township

RESOLUTION NO. 2020 - 10

A RESOLUTION APPROVING AND AUTHORIZING THE TRANSFER OF FUNDS TO THE OSWEGO TOWNSHIP CEMETERY FUND AND ROAD DISTRICT FUND

RECITALS

WHEREAS, the Township of Oswego, Kendall County, Illinois (the “Township”) is a township duly organized under the laws of the State of Illinois, including the Illinois Township Code, and a unit of local government as defined in Section 1 of Article VII of the Illinois Constitution;

WHEREAS, the Township expects to sell Township property at 84 Templeton Drive (“Templeton Property”) in Oswego, Illinois on or around February 1, 2021, and the Township Board declared on November 10, 2020 that it anticipates the sale will result in a surplus of Township funds of approximately \$740,000; and

WHEREAS, in 2018, the Township sold its property at 4100 Route 71, Oswego, Illinois (the “Route 71 Property”) and deposited the proceeds of the sale—approximately \$480,000 (the “Proceeds”)—into the Township General Fund because the Township had originally purchased the Route 71 Property in 1961; and

WHEREAS, during the approximately 57 years that the Township owned the Route 71 Property, both the Township and the Oswego Township Road District (the “Road District”) paid for maintenance, repairs, and other expenses related to the Route 71 Property; and

WHEREAS, in light of those prior expenditures, the Road District has requested that the Township transfer half of the Proceeds to the Road District; and

WHEREAS, in April 2020, the Township Electors filed a petition for a resolution to be considered and potentially approved at the annual town meeting declaring a surplus of Township funds and transferring \$240,000 from the Township General Fund to the Road District Fund; and

WHEREAS, the Township Electors desire to fund the Pfund Court Scatter Garden Project at 106 Pfund Court, Oswego, IL, which will benefit the residents of the Township;

WHEREAS, the Section 245-5 of the Illinois Township Code, 60 ILCS 1/245-5(a) authorizes the legal voters of a township to transfer funds from one of the township funds to any

other township fund or funds, or to the general road and bridge fund when the township fund has surplus of any funds over and above an amount necessary to meet township charges and expenses until the time of receiving revenue levied at the next annual township meeting;

WHEREAS, on November 10, 2020 the Township Board found that the estimated amount of the proper and necessary charges and expenses of the Township against the Township General Fund until the time of receipt of revenue after the next annual township meeting was \$1,585,700.00.

WHEREAS, on November 10, 2020 the Township Board declared that, contingent upon the Township's sale of the Templeton Property for at least \$1,224,000.00 (less any buyer credits for inspection issues, which such not exceed \$10,000.00), the Township General Fund will have a surplus of \$740,000.

THEREFORE, BE IT RESOLVED by the **ELECTORS OF OSWEGO, TOWNSHIP, KENDALL COUNTY, ILLINOIS**, as follows:

Section 1: The Electors find and determine the foregoing Recitals to be true and correct, and said Recitals are incorporated herein as if written out here in full.

Section 2: The Electors hereby find that, upon the Township's sale of the Templeton Property for at least \$1,224,000.00 (less any buyer credits for inspection issues, such credits not exceeding \$10,000.00), the Township General Fund will have a surplus of \$740,000.

Section 3: The Electors hereby direct the Township to transfer \$240,000 in otherwise uncommitted funds in the Township General Fund to the Road District Fund by April 30, 2021, in recognition of the Road District's contributions to the upkeep of the Route 71 Property. Such funds shall be used to finance the Township's ADA Sidewalk Project.

Section 4: This \$240,000 transfer of funds by the Township, which represents half of the Proceeds from the sale of the Subject Property, is intended to satisfy any claims by the Road District against the Township that in any way relate to the Route 71 Property.

Section 5: The Electors further hereby direct that the Township transfer \$500,000 in otherwise uncommitted funds in the Township General Fund to the Township Cemetery Fund by April 30, 2021. Such funds shall be used to finance the Township's Scatter Garden Project at 106 Pfund Court, Oswego, IL.

Section 6: The Electors hereby direct the officers, employees and/or agents of the Township to take all actions necessary or reasonably required to carry out and give effect to the

intent of this Resolution and otherwise to consummate the transactions contemplated herein, and to take all actions necessary in conformity therewith including, without limitation, the execution and delivery of all documents required to be delivered in connection with the transaction contemplated herein.

Section 7: The Electors' authorization and approval of the transfer of these funds is contingent upon the Township's sale of the Templeton Property for at least \$1,224,000.00 (less any buyer credits for inspection issues, which shall not exceed \$10,000.00),

Section 8: If any section, paragraph, or provision of this Resolution shall be held invalid or unenforceable for any reason, such invalidity or unenforceability shall not affect any of the remaining provisions of this Resolution.

Section 9: This Resolution shall be in full force and effect upon its passage and approval as required by law.

PASSED by the Electors this 10th day of November, 2020.

AYES _____

NAYS: _____

Approved this 10th day of November, 2020.

Signature

Town Meeting Moderator

ATTEST:

Signature

Township Clerk, Oswego Township

[SEAL] _____
Signature

Signature