

LEGAL NOTICE

Requests for Bids to Acquire Real Estate Owned by the City of Canton

The City of Canton, Fulton County, Illinois (hereinafter the “City”) owns real estate described as: Lots 12-20 of Old Beach Addition, a subdivision of a part of the northeast quarter of Section 30, Township 7 North, Range 5 East of the Fourth Principal Meridian, Fulton County Illinois, as set forth in the plat recorded in the Recorder’s Office of Fulton County, Illinois, as Document No. 1778527 (the “Subject Property”).

The Illinois Municipal Code authorizes the City to convey the real estate when, in the opinion of the corporate authorities, the real estate is no longer necessary, appropriate, required for the use of, profitable to, or for the best interests of the City. The City has determined that the Subject Property is no longer necessary, appropriate, required for the use of, profitable to, or for the best interests of the City.

The Illinois Municipal Code further provides that said conveyance may be made after approval of an ordinance by the corporate authorities and after a notice of the proposal to sell said real estate.

Therefore, it is authorized by the Mayor and City Council of the City of Canton, as follows:

1. Any party who is interested in acquiring any or all of the Subject Property shall submit a sealed bid for said acquisition **on or before 5:00 P.M. on June, 11 2021** via personal delivery or via U.S. Mail to the City of Canton, ATTN: City Attorney, 2 North Main Street, Canton, Illinois 61520. The sealed bid must be personally delivered to or received by the City Attorney’s Office by 5:00 p.m. on **June 11, 2021** to be considered. Bids shall not be submitted by e-mail and any submitted via e-mail will not be accepted. Any questions regarding this matter shall be directed to the City Attorney, Christopher Jump of Davis & Campbell L.L.C., at (309) 673-1681.
2. All bids will be opened at the regular meeting of the Canton City Council on **June 15, 2021 at 6:30 p.m.** The bids will be opened during said meeting.
3. All bids to purchase all or part of the Subject Property shall include the following and be subject to the following conditions:
 - a. All bids shall contain the offered price and proposed terms of acquisition.
 - b. All bids shall include a description of the planned use, which shall be for a residential use only (unless later otherwise approved by a majority of the corporate authorities of the City of Canton) and consistent with City zoning and land use ordinances for areas zoned Residential (R-1).
 - c. Any conveyance of the Subject Property will be subject to annexation into the City of Canton. In the event said annexation is not complete to the City’s satisfaction prior to closing, the Bidder shall enter into any and all annexation/pre-annexation agreements required by the City prior to closing and must further agree to cooperate

and assist with any annexation of the Subject Property post-closing, if not complete to the City's satisfaction at the time of closing.

- d. The Subject Property is currently zoned Residential (R-1), as described in the Fulton County Zoning Ordinances. In the event the annexation is completed prior to closing and the City remains owner of the Subject Property, then the Subject Property will become zoned Conservation (CO-1), pursuant to the City of Canton's Municipal Code, until further rezoning is properly approved. In the event the annexation is not completed prior to closing and the Bidder owns the property at the time of annexation, then the Subject Property will become zoned AG-1 (Agriculture), pursuant to the City of Canton's Municipal Code, until further rezoning is properly approved. The Bidder must agree to assist with and cooperate in the rezoning of the property to Residential (R-1) under Title 10 of the City of Canton's Municipal Code as soon as reasonably practicable upon completion of the annexation to the City of Canton's satisfaction. Efforts should be made to complete said re-zoning prior to closing.
- e. All bids shall include site plan(s), including those for the purchase of the Subject Property and any other potential development of any adjacent or nearby properties owned by the City (*e.g.*, potential leased areas). All other potential development shall be separate from the bid, negotiable (to the extent permitted by law), and at the discretion of the City of Canton, if the City wishes to further pursue that development in addition to the purchase of the Subject Property.
- f. All bids should include projected financials, including any incentives being requested from the City, if any.
- g. All bids must contain drafted covenants pertaining to the residential use and development of the Subject Property, which the Bidder agrees that the City may record against the Subject Property and revise prior to closing.
- h. All bids must include a projected timeline for the development and sale of the parcels.
- i. All bids must contain covenants, deed restrictions, and/or other controls to reasonably advance a timely development Subject Property within five (5) years. After five (5) years, any undeveloped lots within the Subject Property shall be subject to a purchase option by the City of Canton, which shall run with the land and be available to the City of Canton for no less than five (5) years thereafter. The purchase price under said purchase option may be negotiated at the time of exercising by the City of Canton (if applicable), but said purchase price shall not exceed the sale price (pro-rated per acre) from the City to the Bidder for the undeveloped lots then being purchased by the City of Canton.
- j. All bids must contain a description of the project team.

- k. All bids remain subject to a final purchase agreement and approval by ordinance, which must be approved by a vote of $\frac{3}{4}$ of the corporate authorities then holding office.
 - l. All bids must contain a written acknowledgment from the Bidder that the Bidder acknowledges, voluntarily consents to and understands that: (1) the corporate authorities may accept the high bid or any other bid determined to be in the best interest of the City of Canton by a vote of $\frac{3}{4}$ of the corporate authorities then holding office, but by a majority vote of those holding office, they may reject any and all bids; and (2) The City of Canton reserves the right to request alternative bids/proposals or to negotiate terms of the final purchase agreement after the deadline for the submission of bids has passed, to the extent permitted by Illinois law.
4. The corporate authorities may accept the high bid or any other bid determined to be in the best interest of the City of Canton by a vote of $\frac{3}{4}$ of the corporate authorities then holding office, but by a majority vote of those holding office, they may reject any and all bids. The City shall further reserve the right to request alternative bids/proposals or to negotiate terms of the final purchase agreement after the deadline for the submission of bids has passed, to the extent permitted by Illinois law.

Legal Description

(see legal description attached hereto as Exhibit "A")

NOTE: SUBJECT TO CHANGE

EXHIBIT A
LEGAL DESCRIPTION

Lots 12-20 of Old Beach Addition, a subdivision of a part of the northeast quarter of Section 30, Township 7 North, Range 5 East of the Fourth Principal Meridian, Fulton County Illinois, as set forth in the plat recorded in the Recorder's Office of Fulton County, Illinois, as Document No. 1778527.

PIN: 10-09-30-206-012
10-09-30-206-013
10-09-30-206-014
10-09-30-206-015
10-09-30-206-016
10-09-30-206-017
10-09-30-206-018
10-09-30-206-019
10-09-30-206-020

NOTE: THE FINAL LEGAL DESCRIPTION FOR THE PARCEL SOLD IS SUBJECT TO CHANGE AND SUBJECT TO APPROVAL BY THE CITY OF CANTON PRIOR TO ANY CLOSING UPON THE SALE OF REAL ESTATE.

By order of the City of Canton, Illinois
Ms. Diana Pavley-Rock, City Clerk
May 6, 2021