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**THE CITY OF ROCHELLE**  
**Ogle County, Illinois**

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**ORDINANCE**  
**NO. \_\_\_\_\_**

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**AN ORDINANCE APPROVING A PURCHASE AND SALE AGREEMENT REED**  
**HARRIS AND CORLISS BAER**

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**JOHN BEARROWS, Mayor**  
**SUE MESSER, City Clerk**

**TOM McDERMOTT**  
**BIL HAYES**  
**KATE SHAW-DICKEY**  
**DAN McDERMOTT**  
**JOHN GRUBEN**  
**DON BURKE**

**City Council**

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Published in pamphlet form by authority of the Mayor and City Council of the City of Rochelle  
Law Offices of Peterson, Johnson, & Murray—Chicago, City Attorneys  
200 W. Adams, Ste. 2125, Chicago, IL 60606

CITY OF ROCHELLE  
Ogle County, Illinois

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE APPROVING A PURCHASE AND SALE AGREEMENT REED  
HARRIS AND CORLISS BAER**

**WHEREAS**, Section 7 of Article VII of the 1970 Constitution of the State of Illinois provides that a municipality that is not a home rule unit shall only have the powers granted to them by law and as such the City of Rochelle (“City”), Ogle County, Illinois being a non-home rule unit pursuant to the provisions of said Section 7 of Article VII, and may exercise only the powers expressly granted by law; and

**WHEREAS**, the Illinois General Assembly granted non-home rule municipalities broad authority to “pass all ordinances and make all rules and regulations proper or necessary, to carry into effect the powers granted to municipalities.” 65 ILCS 5/1-2-1; and

**WHEREAS**, the City of Rochelle, County of Ogle, State of Illinois, a non-home rule unit of government, has the power to purchase land; and

**WHEREAS**, the City has previously approved an Annexation and Development Agreement with Pilot Travel Centers, LLC; and

**WHEREAS**, as part of the improvements, required for that development the City needs to obtain land in order to provide water and sewer utility services services to the Pilot Travel Centers, LLC property; and

**WHEREAS**, the City requires approximately 3.634 acres of land to extend the water and sewer utility services to the property; and

**WHEREAS**, Reed Harris and Corliss Baer are the owners of the 3.634-acre parcel necessary for the project, which will be used for the water and sewer utility services infrastructure; and to accommodate a future City street along with pedestrian path and storm sewer drainage systems and

**WHEREAS**, the City Council finds it to be in the best interests of its citizens and residents to enter into this Purchase and Sale Agreement as part of the Pilot Travel Centers, LLC development.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCHELLE, OGLE COUNTY, ILLINOIS:**

**SECTION ONE:** That City hereby incorporates all of the recitals above into this Resolution as if fully set forth herein.

SECTION TWO: The City hereby authorizes the City Manager to execute the Purchase and Sale Agreement with Reed Harris and Corliss Baer, in substantially the same form as attached hereto as Exhibit 1, subject to final review by the City Attorney, and authorizes payment to Reed Harris and Corliss Baer in the amount of SIXTY-NINE THOUSAND FOUR HUNDRED TWENTY-SEVEN DOLLARS AND 57/100 (\$69,427.57).

SECTION THREE: If any provision of this Ordinance or application thereof to any person or circumstance is ruled unconstitutional or otherwise invalid, such invalidity shall not affect other provisions or applications of this ordinance that can be given effect without the invalid application or provision, and each invalid provision or invalid application of this Ordinance is severable.

SECTION FOUR: Where the conditions imposed by any provisions of this Ordinance are more restrictive than comparable provisions imposed elsewhere in any other local law, ordinance, resolution, rule or regulation, the regulations of this Ordinance will govern.

SECTION FIVE: The City Clerk shall publish this Ordinance in pamphlet form.

SECTION SIX: This Ordinance shall be in full force and effect from and after its passage, approval and publication in pamphlet form as provided by law.

PASSED THIS 26<sup>th</sup> day of August, 2019.

AYES:

NAYS:

ABSENT:

APPROVED THIS 26<sup>th</sup> day of August, 2019.

MAYOR \_\_\_\_\_

ATTEST:

\_\_\_\_\_  
CITY CLERK

STATE OF ILLINOIS        )  
                                      )  
COUNTY OF OGLE         )        SS.

CERTIFICATE

I, \_\_\_\_\_, City Clerk of the City of Rochelle, County of Ogle and State of Illinois, DO HEREBY CERTIFY that the foregoing is a true and correct copy of Ordinance No. \_\_\_\_\_, “AN ORDINANCE APPROVING A PURCHASE AND SALE AGREEMENT REED HARRIS AND CORLISS BAER” which was adopted by the Mayor and City Council of the City of Rochelle on August 26, 2018.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the City of Rochelle this 26<sup>th</sup> day of August, 2019.

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CITY CLERK