
THE CITY OF ROCHELLE
Ogle County, Illinois

ORDINANCE
NO. _____

AN ORDINANCE APPROVING A PURCHASE AND SALE AGREEMENT WITH
BRIAN T. ALBERS

JOHN BEARROWS, Mayor
SUE MESSER, City Clerk

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

City Council

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 WITH
BRIAN T. ALBERS**

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 determined the need to revitalize its downtown area and provide for additional public parking; and

WHEREAS, Brian T. Albers is the owner of a parcel of land that can be utilized for public parking to serve the City of Rochelle’s downtown area; 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 revitalization of the City of Rochelle’s downtown area and to provide additional public parking; and

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 Brian T. Albers, in substantially the same form as attached hereto as Exhibit 1, subject to final review by the City Attorney, and authorizes payment to Brian T. Albers in the amount of TWENTY THOUSAND DOLLARS AND 0/100 (\$20,000.00).

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 26th day of May, 2020.

AYES:

NAYS:

ABSENT:

APPROVED THIS 26th day of May, 2020.

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 WITH BRIAN T. ALBERS” which was adopted by the Mayor and City Council of the City of Rochelle on May 26, 2020.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the City of Rochelle this 26th day of May, 2020.

CITY CLERK