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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 WITH**  
**KATHLEEN M. HOLLONBECK**

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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 WITH  
KATHLEEN M. HOLLONBECK**

**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 determined there is a need to provide for additional stormwater drainage and detention in various locations throughout the City of Rochelle; and

**WHEREAS**, Kathleen M. Hollonbeck is the owner of a parcel of land that can be utilized for necessary water detention and stormwater drainage by the City of Rochelle; 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 City of Rochelle’s stormwater drainage and mitigation plan; 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 Kathleen M. Hollonbeck, in substantially the same form as attached hereto as Exhibit 1, subject to final review by the City Attorney, and authorizes payment to Kathleen M. Hollonbeck in the amount of TWELVE THOUSAND FIVE HUNDRED DOLLARS AND 0/100 (\$12,500.00) and the payment of all additional costs necessary for the real estate transaction.

**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 13<sup>th</sup> day of July, 2020.

AYES:

NAYS:

ABSENT:

APPROVED THIS 13<sup>th</sup> day of July, 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 KATHLEEN M. HOLLONBECK” which was adopted by the Mayor and City Council of the City of Rochelle on July 13, 2020.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the City of Rochelle this 13<sup>th</sup> day of July, 2020.

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CITY CLERK