

RESOLUTION AT-011320-CL

A RESOLUTION RENOUNCING THE 2019 PURCHASE OF PROPERTY BY THE OFFICE OF THE SUPERVISOR

WHEREAS, pursuant to Section 35-25 of the Code, 60 ILCS 1/35-25, the Electors of the Township may take any action authorized by Article 30 that could have been taken at an annual township meeting; and

WHEREAS, pursuant to Section 30-25 of the Code, 60 ILCS 1/30-25, the Electors may take all necessary measures and give directions for the exercise of their corporate powers, and

WHEREAS, pursuant to Section 30-50 of the Code, 60 ILCS 1/30-50, only the Electors of the Township may make all orders for the purchase, sale, conveyance, regulation, or use of the Township's corporate property that may be deemed conducive to the interest of its inhabitants; and

WHEREAS, Supervisor Wilke authorized and executed the purchase of the real estate parcel as described below WITHOUT the approval of the Electors of the Township or the Town Board:

Permanent Parcel Identifier: 0628115019

Legal Description: ROUND LAKE BEACH RENEHAN BEACH ADDN LOT 5
BLOCK 133

Commonly referred to as 320 Bellevue Drive, Round Lake Park, Il 60073; and

WHEREAS, the property at 320 Bellevue Drive is comprised of one residential building; and

WHEREAS, the property at 320 Bellevue Drive totals approximately 1025 square feet, zoned RES – Residential; and

WHEREAS, the Electors of Avon Township DEMAND the improper purchase of the property commonly referred to as 320 Bellevue Drive, Round Lake Park, IL 60073 be condemned;

NOW, THEREFORE, BE IT RESOLVED by the Electors of Avon Township duly assembled at the January 13, 2020 Township Meeting of Avon Township, Lake County, Illinois, as follows:

DISAPPROVAL OF ACTION.

The Electors of Avon Township disapprove of and renounce the purchase of the property commonly referred to as 320 Bellevue Drive, Round Lake Park, IL 60073.

DECLARATION OF IMPROPER AND INVALID ACTION.

The Supervisor's action in executing the purchase of real estate is hereby declared improper and invalid by the Electors of Avon Township. At no time was the Supervisor or the Town Board granted the proper authority by the Electors of Avon Township to execute a purchase of real estate.

DECLARATION OF IMPROPER USE OF TOWNSHIP FUNDS

The Supervisor's action in expending Township funds to execute an improper and invalid contract is hereby declared improper.

CEASE AND DESIST.

The Supervisor and Town Board are hereby ORDERED to cease and desist all activities related to the improvement of the property commonly known as 320 Bellevue Drive, Round Lake Park, IL. Furthermore, the Supervisor and Town Board are ORDERED to cease and desist all activities related to the purchase, sale or improvement of any other real property without the express consent of the Electors of Avon Township.

INDEPENDENT COUNSEL

The Town Board is COMPELLED to seek independent counsel to address the invalid and improper purchase of property and urged to seek any and all remedies as a matter of course.

SEVERABILITY.

If any part of this resolution is declared unenforceable or invalid, the remainder will continue to be valid and enforceable.

REPEALER.

All Township Ordinances, Resolutions and parts thereof in conflict with or inconsistent with any of the provisions of this Resolution are hereby repealed to the extent they are inconsistent with the nature and intent of this Resolution.

EFFECTIVE DATE.

This Resolution shall be in full force and effect upon its passage and approval.

PASSED AND APPROVED by the Electors of Avon Township on the _____ day of _____, _____ by a vote of _____ in favor, _____ against and _____ abstaining.

AVON TOWNSHIP ELECTOR CHAIR

By: _____, Elector Chair

ATTEST: AVON TOWNSHIP

Jeanne Kearby, Township Clerk

(affix a copy of the swearing
in of the Chairman)