

**CITY OF FREEPORT  
STEPHENSON COUNTY, ILLINOIS**

**ORDINANCE NO. 2018-32**

**AN ORDINANCE OF THE CITY OF FREEPORT, ILLINOIS APPROVING AND  
AUTHORIZING THE CITY TO ENTER INTO A LEASE AGREEMENT  
REGARDING THE PROPERTY COMMONLY KNOWN AS 1819 SOUTH WEST  
AVENUE, FREEPORT, ILLINOIS**

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**ADOPTED BY THE  
CITY COUNCIL  
OF THE  
CITY OF FREEPORT, ILLINOIS**

**THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2018**

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**Published in pamphlet form by authority of the  
City Council of the City of Freeport,  
Stephenson County, Illinois, this  
\_\_\_\_\_ day of \_\_\_\_\_, 2018.**

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**WHEREAS**, the City of Freeport is a Municipal Corporation and a Home Rule Unit of Local Government of the State of Illinois, pursuant to Section 6 of Article VII of the Illinois Constitution of 1970, as amended (hereinafter referred to as the “City”); and

**WHEREAS**, pursuant to 65 ILCS 5/11-76.1-1 et seq., the City is authorized to lease real property; and

**WHEREAS**, the City desires to lease a portion of the property commonly known as 1819 South West Avenue (“Property”); and

**WHEREAS**, the City and the owner of the Property have reached an accord as to the terms and conditions upon which a portion of the Property will be leased to the City; and

**WHEREAS**, the City and owner of the Property have memorialized such terms and conditions in a Lease Agreement, a copy of which are attached hereto as Exhibit A and incorporated herein; and

**WHEREAS**, the City has determined it is in the best interest of the City and its citizens to enter into said Lease Agreement; and

**WHEREAS**, the City now desires to approve said Lease Agreement and authorize the City Manager to execute and the City Clerk to attest the same.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FREEPORT, ILLINOIS AS FOLLOWS:**

**Section 1.** The foregoing recitals shall be and are hereby incorporated in this Section 1 as if said recitals were fully set forth.

**Section 2.** The City Council hereby approves the Lease Agreement attached hereto as Exhibit A, and hereby authorizes the City Manager and the City Clerk, to execute on behalf of the City the same and any other documents necessary or helpful to implement the intent of this Ordinance.

**Section 3.** Pursuant to 65 ILCS 5/11-76.1-3, upon passage of this Ordinance, the City Clerk is hereby instructed to publish this Ordinance at least twice within 30 days after its passage in a newspaper published in the City, or, if no newspaper is published therein, then in a newspaper with a general circulation within the City. The ordinance

shall not become effective until 30 days after its second publication.

**Section 4.** This Ordinance shall be effective upon its passage by the City Council, its approval by the Mayor, and its publication as provided by law as specified in Section 3 above.

**Section 5.** This ordinance is expressly adopted pursuant to the Home Rule Powers of the City of Freeport under Section 6 of Article VII of the Illinois Constitution of 1970.

**Section 6.** All ordinances or parts of ordinances in conflict with this Ordinance are repealed insofar as they conflict.

**Section 7.** If any section, clause or provision of this Ordinance be declared by a Court of competent jurisdiction to be invalid, such decision shall not affect the validity of the Ordinance as a whole or any part thereof, other than the part so declared to be invalid, and this City Council hereby expressly declares that it would have enacted this Ordinance even with the invalid portion deleted.

**PASSED BY A ROLL CALL VOTE OF THE CITY COUNCIL OF THE CITY OF FREEPORT, ILLINOIS** this \_\_\_\_ day of \_\_\_\_\_, 2018.

\_\_\_\_\_  
Dovie L. Anderson, City Clerk

YEAS:  
NAYS:  
ABSTAIN:  
PRESENT:

**APPROVED** by the Mayor of the City of Freeport this \_\_\_\_ day of \_\_\_\_\_, 2018.

\_\_\_\_\_  
Jodi Miller, Mayor

Date Published:  
Date Effective:

Approved as to form:

\_\_\_\_\_  
City Legal Counsel

**EXHIBIT A- LEASE AGREEMENT**