

---

---

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

---

---

**RESOLUTION**  
**NO. \_\_\_\_\_**

---

---

**A RESOLUTION AUTHORIZING BEARROWS REAL ESTATE & AUCTION CO. TO  
AUCTION SURPLUS PERSONAL PROPERTY**

---

---

**JOHN BEARROWS, Mayor**  
**ROSE HUERAMO, City Clerk**

**TOM McDERMOTT**  
**BIL HAYES**  
**KATE SHAW-DICKEY**  
**DAN McDERMOTT**  
**ROSAELIA ARTEAGA**  
**BEN VALDIVIESO**  
**City Council**

---

Published in pamphlet form by authority of the Mayor and City Council of the City of Rochelle  
Peterson, Johnson, and Murray, LLC, City Attorneys  
200 W. Adams, Suite 2125, Chicago, IL 60606

CITY OF ROCHELLE

Ogle County, Illinois

**RESOLUTION NO. \_\_\_\_**

**A RESOLUTION AUTHORIZING BEARROWS REAL ESTATE & AUCTION CO. TO  
AUCTION SURPLUS PERSONAL PROPERTY**

**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, 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 (“City”), pursuant to Section 11-76-4 of the Illinois Municipal Code (65 ILCS 5/11-76-4), has determined that certain personal property including bicycles, equipment, furniture and miscellaneous office items, are no longer needed or utilized; and

**WHEREAS**, Bearrows Real Estate and Auction has offered to host, at no expense to the City, occasional auctions to sell the City’s surplus items that are no longer needed or utilized; and

**WHEREAS**, it is the opinion of a majority of the corporate authorities presently holding office, it is not necessary for, useful to, or in the best interest of the City of Rochelle to retain ownership of the aforementioned personal property and deem that said personal property is surplus; and

**WHEREAS**, it has been determined by the Corporate Authorities of the City of Rochelle that it is in the best interest of the City and its residents to authorize Bearrows Real Estate and Auction Company to auction the aforementioned surplus personal property on behalf of the City.

**BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF  
ROCHELLE, ILLINOIS:**

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

**SECTION TWO:** Pursuant to 65 ILCS 5/11-76-4, the Corporate Authorities of the City of Rochelle find that the bicycles, equipment, furniture and miscellaneous office items are no longer necessary or useful to the City and that it is in the best interest of the City to dispose of said personal

property. Furthermore, Bearrows Real Estate & Auction Company, is hereby authorized to auction and sell such surplus personal property of the City, at no expense to the City. The City Manager or his designee is authorized to execute all agreements related to the sale of the City's surplus items with Bearrows Real Estate & Auction Company subject to review and revisions by the City Attorney.

SECTION THREE: If any provision of this Resolution 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 Resolution that can be given effect without the invalid application or provision, and each invalid provision or invalid application of this Resolution is severable.

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

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

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

APPROVED THIS 25<sup>th</sup> day of September 2023

---

MAYOR

ATTEST:

---

CITY CLERK

STATE OF ILLINOIS        )  
                                      )  
COUNTY OF OGLE         )        SS.

CERTIFICATE

I, Rose Hueramo, 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 Resolution No. \_\_\_\_\_, “A RESOLUTION AUTHORIZING BEARROWS REAL ESTATE & AUCTION CO. TO AUCTION SURPLUS PERSONAL PROPERTY” which was adopted by the Mayor and City Council of the City of Rochelle on September 25, 2023.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the City of Rochelle this 25<sup>th</sup> day of September, 2023.

---

CITY CLERK