

RESOLUTION NO. _____

**A RESOLUTION DECLARING CERTAIN REAL PROPERTY TO BE SURPLUS AND
AUTHORIZING THE SALE OF THE REAL PROPERTY LOCATED AT 106 KASCH
DRIVE, WINNEBAGO, ILLINOIS**

WHEREAS, the Village of Winnebago (“**Village**”) is an Illinois municipal corporation organized and operating under the Illinois Municipal Code (“**Code**”); and

WHEREAS, the Code (65 ILCS 5/11-76-4.1) authorizes the Village to sell surplus real estate, subject to certain procedures and conditions; and

WHEREAS, the Village owns two parcels of property located generally at 106 Kasch Drive, Winnebago, Illinois, bearing PIN numbers: 14-09-102-004 (“**Parcel 1**”) and 14-09-126-018 (“**Parcel 2**”), which are legally described in Exhibit A (the “**Property**”); and

WHEREAS, the Property contains +/- 10.19 acres, and is currently vacant; and

WHEREAS, Parcel 1 is located in the District 3 – General Business zoning district, and Parcel 2 is located in the District 4 – General Industrial zoning district; and

WHEREAS, the Village obtained two written appraisal reports for the Property, including a report dated March 22, 2025 for Parcel 1 and a report dated April 11, 2025 for Parcel 2, which were prepared by an Illinois state-certified appraiser, Kenneth J. Mrozek, Jr. of Valu Pros, establishing the fair market value of the Property (collectively, the “**Appraisal**”); and

WHEREAS, the Village Board has determined that the Property is no longer necessary, appropriate, required for the use of, profitable to, or in the best interests of the Village; and

WHEREAS, the Village Board finds that it is in the best interests of the Village to designate the Property as surplus and pursue selling the Property in accordance with this Resolution’s terms, and that doing so will promote the public health, safety, and welfare of the Village and its residents.

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Winnebago, Winnebago County, Illinois as follows:

Section 1. **Recitals and Exhibit.** The above recitals and attached exhibit are incorporated into this Section 1 as though fully set forth herein.

Section 2. **Surplus Declaration.** The Village hereby declares the Property to be surplus property.

Section 3. **Appraisal Available.** On and after this Resolution’s effective date, the Village Clerk is authorized and directed to make the Appraisal of the Property publicly available for inspection at the Office of the Village Clerk, 108 West Main Street, Winnebago, Illinois 61088.

Section 4. **Publication.** The Village Clerk is authorized and directed to publish this Resolution in the *Gazette*, a newspaper published in Winnebago County, Illinois, as soon as is practicable after this Resolution’s effective date.

Section 5. Sale Authorized. The Village Administrator or his designee is authorized and directed to conduct the sale, subject to (a) the Village Board's approval of a purchase and sale agreement in a form acceptable to the Village Board; and (b) the Property's sale price equaling no less than 80% of the Property's fair market value, as established by the Appraisal.

Section 6. Severability. In the event a court of competent jurisdiction finds this Resolution, or any provision hereof, to be invalid or unenforceable as applied, such finding shall not affect the validity of the remaining provisions of this Resolution and the application thereof to the greatest extent permitted by law.

Section 7. Repeal and Savings Clause. All resolutions, or parts of resolutions, in conflict herewith are hereby repealed; provided, however, that nothing herein contained shall affect any rights, actions, or cause of action which has accrued to the Village of Winnebago prior to the effective date of this Resolution.

Section 8. Effective Date. Upon its passage and approval according to law, this Resolution shall, by authority of the Board of Trustees, be published in pamphlet form, in accordance with law.

PASSED BY VOTE OF THE BOARD OF TRUSTEES of the Village of Winnebago, Winnebago County, Illinois, this ____ day of _____, 2026.

	<u>Ayes</u>	<u>Nays</u>	<u>Absent</u>	<u>Abstain</u>
Trustee Adam Lefevre	_____	_____	_____	_____
Trustee Jason Ackerman	_____	_____	_____	_____
Trustee Duane Springer	_____	_____	_____	_____
Trustee John Kim	_____	_____	_____	_____
Trustee Michael McKinnon	_____	_____	_____	_____
Trustee Jeremy Graham	_____	_____	_____	_____
President Frank Eubank	_____	_____	_____	_____

APPROVED THIS ____ DAY OF _____, 2026.

Village President Frank Eubank

(SEAL)

ATTEST: _____
Sally Jo Huggins, Village Clerk

EXHIBIT A

Legal Description of Property

Parcel 1:

Lot 4 of Final Plat No. 1 Winnebago Highlands

P.I.N.: 14-09-102-004

Parcel 2:

Lot 1 of Final Plat No. 3 Winnebago Highlands

P.I.N.: 14-09-126-018