



Legislation Details (With Text)

**File #:** 23-0888      **Version:** 1      **Name:** COA/ 101 N River St/ Purchase  
**Type:** Resolution      **Status:** Passed  
**File created:** 10/31/2023      **In control:** City Council  
**On agenda:** 11/28/2023      **Final action:** 11/28/2023  
**Title:** A Resolution authorizing the City to accept a donation of real property owned by H. Linden & Sons Development, Inc. on South Spencer St., Aurora, Illinois.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Parcels for acceptance, 2. Linden Properties Donation and Conveyance Agreement 8\_22\_23

Date	Ver.	Action By	Action	Result
11/28/2023	1	City Council	approved on the Consent Agenda	
11/21/2023	1	Committee of the Whole	(PLACED ON CONSENT AGENDA)	
11/16/2023	1	Finance Committee	recommended for approval	Pass

**TO:** Mayor Richard C. Irvin

**FROM:** Jim Birchall, Chief Public Facilities Officer  
Derrick Winston, Director of Public Facilities  
Gio Santana, Superintendent of Parks & Rec

**DATE:** November 14, 2023

**SUBJECT:**

A Resolution authorizing the acquisition and acceptance of a land donation to the City of Aurora by Linden & Sons

**PURPOSE:**

To accept a donation of approximately 1.03 acres of land behind the homes in the 1000 block of Bangs St. comprising seven total parcels of land from Linden & Sons.

**BACKGROUND:**

Over the years the City has purchased or acquired some of the adjoining properties, and the City currently owns land totaling approximately 11 acres immediately to the west of the parcels to be donated. In addition to being adjacent to City owned land, this area is less than a quarter mile west of the Phillips Park. The parcels are currently vacant and due to being land locked cannot be used as is.

The City, however, has increasingly viewed vacant and underutilized properties as opportunities for productive reuse, and with acceptance of this donated land in conjunction with the land already owned this increases our options for development of additional opportunities.

In addition to providing greater flexibility for long term planning, acquisition of this vacant land will

also provide consistent maintenance to these parcels which will improve aesthetics and quality of life for the adjacent homes whose properties back up to this vacant land.

Under this agenda item, we are recommending the acceptance of seven separate properties as noted below Tax Pins:

- 1) 15-34-230-002, 2) 15-34-230-003, 3) 15-34-230-004, 4) 15-34-230-005,
- 5) 15-34-230-006, 6) 15-34-230-007, 7) 15-34-230-008.

**DISCUSSION:**

The City continues to make long-term decisions to bolster its acquisition of land throughout City limits in order to maximize the potential for development of recreational, entertainment, commercial & residential developments. Most, if not all of the development agreements approved in the past several years have involved the purchase, donation or swap of land to support the given development. Maintenance costs will be minimal and will be easily absorbed into the current operational maintenance of the adjacent city owned land t activity.

A Phase I Environmental Site Assessment (ESA) has been completed and has identified past uses and conditions, consistent with the past use of the property.

**IMPACT STATEMENT:**

The acquisition of land will provide the City additional flexibility in the long term planning of that area.

**RECOMMENDATIONS:**

We recommend that proposed resolution accepting the donation of land be approved.

cc: Finance Committee



CITY OF AURORA, ILLINOIS

RESOLUTION NO. \_\_\_\_\_  
DATE OF PASSAGE \_\_\_\_\_

A Resolution authorizing the City to accept a donation of real property owned by H. Linden & Sons Development, Inc. on South Spencer St., Aurora, Illinois.

WHEREAS, the City of Aurora has a population of more than 25,000 persons and is, therefore, a home rule unit under subsection (a) of Section 6 of Article VII of the Illinois Constitution of 1970; and

WHEREAS, subject to said Section, a home rule unit may exercise any power and perform any function pertaining to its government and affairs for the protection of the public health, safety, morals, and welfare; and

WHEREAS, H. Linden & Sons Development, Inc. ("Lidnen") owns certain real property on South Spencer St, between Ashland Ave and Parker Ave. within the City of Aurora (hereinafter, "Subject Property"); and

WHEREAS the Subject Property is legally described as follows: Lots 4,5,6,7,8,9 and 10 in Block 13 of H.H. Evans Addition to Aurora, in the City of Aurora, Kane County, Illinois; commonly known as V/L between Ashland and Parker on South Spencer Street, Aurora, Illinois; and

WHEREAS, Linden has expressed its desire to donate the Subject Property to the City; and

WHEREAS, the City is desirous of accepting the Subject Property from Linden due to its proximity and contiguity with other parcels of land owned by the City; and

WHEREAS, the City and Linden have negotiated a Property Conveyance and Donation Agreement ("Agreement") to facilitate the Linden's donation of and the City's acceptance of the Subject Property pursuant to the terms therein contained; and

WHEREAS, pursuant to the Agreement, the City shall make the Subject Property available for use by the public for recreational purposes as open space; and

WHEREAS, the Agreement is attached to this Resolution and made apart thereof as if fully set forth therein;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Aurora, Illinois, as follows: that the acceptance of the Subject Parcel by the City in accordance with the terms set forth in the Agreement shall be and hereby is authorized; and further

BE IT RESOLVED, that the respective officers and employees of the City shall be and hereby are duly authorized to take all actions necessary and proper carry into effect the purposes of this Resolution, including but not limited the execution of the Agreement on behalf of the City and the execution of all other documents required to complete the contemplated conveyance of the Subject Property.