

## NOTICE OF SALE

Notice is hereby given that the Village of Downers Grove, DuPage County, Illinois, will sell at public sale, by taking sealed proposals, which proposals shall be accepted until 5:00 p.m. on the 27<sup>th</sup> day of April, 2012, at the Village Hall 801 Burlington Avenue, Downers Grove, IL 60515, addressed to Attention: Enza Petrarca, Village Attorney, the following described property:

Lot 35 in Block 8 (except that part of Lot 35 in Block 8, if any, falling within Lot 34 in Block 8 in Straub's Addition to Downers Grove, bounded and described as follows: commencing at the intersection of the north line of Summit Street and the east line of Benton Avenue and proceeding thence north along the east line of Benton Avenue 550 feet to an iron pipe at the corner of said Lot 34 for a point of beginning; thence east parallel with the north line of Summit Street, 131.4 feet to an iron pipe at the southeast corner of said Lot 34; thence north parallel with the east line of Benton Avenue 50 feet to an iron pipe at the northeast corner of said Lot 34; thence west parallel with the north line of Summit Street, 131.4 feet to an iron pipe at the northwest corner of said Lot 34 on the east line of Benton Avenue; thence south along the east line of Benton Avenue to the point of beginning, being a resubdivision of part of Lot 4 in Assessor's division of Sections 7 and 8, Township 38 North, Range 11 east of the Third Principal Meridian, according to the Plat thereof recorded November 27, 1890 as Document 44124, In DuPage County, Illinois);

Also, (except that part of Lot 35 in Block 8, if any, falling within Lot 7 of the plat of Owner's subdivision of all that part of the westerly half (in width) of Block 8 in Straube's Addition to Downers Grove, in the southeast quarter of Section 8, Township 38 North, Range 11 east of the Third Principal Meridian, lying north of a line described as commencing at a point in the west line of said block, 386.75 feet southerly from the northwesterly corner thereof, as measured along said west line, thence east 131.7 feet to a point equidistant between the east and west lines of said block, according to the plat thereof recorded October 21, 1937 as Document 384586, in DuPage County, Illinois) in Straube's addition to Downers Grove, being a resubdivision of part of Lot 4 in Assessor's division of Sections 7 and 8, Township 38 North, Range 11 east of the Third Principal Meridian, according to the plat thereof recorded November 27, 1890 as Document 44124, in DuPage County, Illinois

Commonly known as 5237 Benton Avenue, Downers Grove, Illinois, PIN 09-08-409-047 (formerly PINs 09-08-409-007, -008).

Which sale shall be made on the following terms to wit:

**Site Data:**

1. The property is approximately 88ft. X 131 ft. and approximately 11,533 sq. ft.

2. The property is zoned R-4 Single Family Residence District.
3. There is an underground stormwater tank beneath the south thirty-three (33) feet of the property which is encumbered by an easement prohibiting the construction of any permanent structures on the property and requiring the owner to maintain the property – except for the stormwater facilities.
4. The property is improved with an approximately 2,000 sq. ft. single family home. The home has a living room, dining room, kitchen, family room, three bedrooms, laundry room, two bathrooms and a full unfinished basement. A two car detached garage is also on the property.

**Terms and Conditions of Sale:**

5. Prospective purchasers shall submit a statement, along with the proposal, certified by a principal or authorized officer of the prospective purchaser, setting forth the following information:

- a) The legal name, address and contact person for the prospective purchaser.
- b) If a corporation, the state and date of incorporation, the names and addresses of the principal officers thereof – if a partnership, the date of organization, type of partnership and names and addresses of the general partners thereof – if a sole proprietor, the date of the organization of the business and the name or names and address or addresses of the owners.
- c) Information demonstrating prospective purchaser's financial capability of funding the payments required either by guarantees of a financial institution or other proof of assurance.

6. Closing shall take place within sixty (60) days of acceptance of the proposal. A finalized Contract for Sale shall be completed between the parties no later than 30 days after acceptance of the proposal. A copy of the Contract for Sale to be entered into by the Village and the prospective purchaser shall be available for inspection at the Village Clerk's Office and on the Village website at [www.downers.us](http://www.downers.us).

7. All information about the property included in this Notice of Sale is believed to be reliable, but is not guaranteed and no express or implied representations or

warranties are made with regard to the property or matters relating thereto, or terms contained herein.

The property will be sold and conveyed to the successful prospective purchaser on an "AS IS" basis without any representations or warranties of any kind, express or implied, either oral or written, made by the Village with respect to the physical, environmental, zoning or structural condition of the property or with respect to the existence or absence of underground fuel storage tanks, toxic or hazardous materials, substances or wastes in, on, under or affecting the property, including but not limited to, asbestos about or on the property, and subject to existing zoning, flood plain and any other restrictions on the use or development of the property. **All warranties with respect to the property are hereby expressly disclaimed. Except as provided below regarding the scope of prospective purchaser's indemnity commitment, any risk and all responsibility relating to any condition of the property, including, but not limited to any of the above-described conditions, are assumed by prospective purchaser and disclaimed by the Village.**

All prospective purchasers are urged to examine the property and conduct their own inspection and investigation of the property (including, without limitation, environmental inspections and investigations). The prospective purchaser shall take all necessary action and bear all expenses and liability associated with making the property suitable for the prospective purchaser's intended use and complying with all applicable laws.

9. A proposal may be withdrawn at any time prior to the time stated for receipt of proposals. No proposal shall be withdrawn, cancelled or modified after notification of acceptance by the Village.

10. The Village reserves the right to waive irregularities, to continue the sale from time to time, to reject any and all proposals, whether or not they meet the minimum bid prices, and to adjourn the sale.

11. Prospective purchasers may secure information pertaining to the Subject Property at the Village Website [www.downers.us](http://www.downers.us) or by contacting the Legal Department at (630) 434-5543.