

ORDINANCE NO. 2025 - 33

AN ORDINANCE AUTHORIZING DONATION OF  
MUNICIPAL REAL PROPERTY

WHEREAS, the City Council of the City of Mt. Vernon, Illinois has been advised by the City Manager that the property described within the attached Quit Claim Deed (hereinafter called "Property") is no longer necessary, useful to, or in the best interest of the City of Mt. Vernon to retain; and

WHEREAS, in the opinion of at least four-fifths (4/5th5) of the corporate authority of the City of Mt. Vernon it is no longer necessary, useful to, or in the best interest of the City of Mt. Vernon to retain the property; and

WHEREAS, the City Council of the City of Mt. Vernon, Illinois has determined that the City should authorize the disposition of said Property by donation upon the terms and conditions stated within the attached Quit Claim Deed.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Mt. Vernon, Illinois as follows:

Section 1. The City Council of the City of Mt. Vernon finds that the above-described Property now owned by the City of Mt. Vernon is no longer necessary or useful to the City of Mt. Vernon and the best interests of the municipality would be served by the donation of the same.

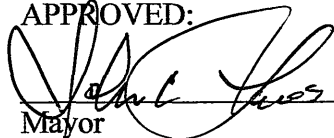
Section 2. That the attached Quit Claim Deed conveying the Property as provided within this Ordinance is hereby approved and the Mayor and City Clerk are hereby authorized and directed to execute said Deed and other documents of transfer as may be approved by the City Attorney to effect conveyance of the real estate subject of this Ordinance in accordance with the terms of the Quit Claim Deed attached hereto.

Section 3. This Ordinance shall be in full force and effect from and after its passage by at least four-fifths (4/5th5) of the City Council approving the matter as provided by law.


PASSED by at least four-fifths (4/5th5) the City Council of the City of Mt. Vernon, Illinois this 17<sup>th</sup> day of November, 2025.

APPROVED by the Mayor of the City of Mt. Vernon, Illinois this 1<sup>st</sup> day of December, 2025.

APPROVED:

  
\_\_\_\_\_  
Mayor

ATTEST:

  
\_\_\_\_\_  
City Clerk

This document prepared by:  
Jeffrey G. Howard, City Attorney  
Howard, Leggans, Piercy and Howard LLP  
PO Box 747  
Mt. Vernon, IL 62864

**QUITCLAIM DEED WITH RIGHT OF FIRST REFUSAL AND RESTRICTIVE  
COVENANT**

The Grantor, the City of Mt. Vernon, Illinois, a municipal corporation, duly organized and existing under and by virtue of the laws of the State of Illinois, having its principal office in the City of Mt. Vernon, in the County of Jefferson, and State of Illinois, in consideration of other good and valuable considerations and Ten and no/100 Dollars, conveys and quit claims to Grantee, Jefferson County Toys for Kids, Inc., an Illinois not-for-profit corporation, all interests in the following-described property, to-wit:

Lot 52 in Block 14 in Storms Survey of the Town, now City of Mt. Vernon, commonly known as 805 Main, Mt. Vernon, Illinois and having PIN: 07-29-376-002.

**Right of First Refusal.** For a period of ten (10) years from date of this Quitclaim Deed, the City of Mt. Vernon shall have the following right of first refusal to acquire the property: In the event Jefferson County Toys for Kids, Inc., or any subsequent Owner (hereinafter called "Owner") shall desire to transfer or convey, with or without consideration, the above-described property, Owner shall provide, by personal delivery or certified mail, separate written notice of such proposal or offer, together with an executed copy of the proposal or offer, to each the City Manager and to the City Clerk of the City of Mt. Vernon; whereupon, City of Mt. Vernon may acquire the property at the same price (if any) and on the same terms as offered by or to the proposed transferee or purchaser. City of Mt. Vernon shall exercise its right of first refusal by giving written Notice of Its Intent To Acquire to Owner and by tendering a matching down payment or deposit (if any) to Owner during the ninety (90) days immediately following the service of the notice of the proposal or offer and of the copy of such proposal or offer to the City. If City of Mt. Vernon shall fail to notify the Owner within the 90-day period as provided, the Owner may

transfer and convey the property to the prospective transferee or purchaser in accordance with the terms of the proposal or offer, except that any transfer or conveyance shall continue to be subject the Right of Refusal stated above for the ten year period as stated above. The Right of First Refusal described herein shall be a covenant running with the land.

In the event that Jefferson County Toys for Kids, Inc., or any subsequent Owner shall attempt to transfer, convey, or sell the property without first offering City of Mt. Vernon the right of first refusal as provided herein, such transfer, conveyance or sale shall be null and void.

Failure or refusal of City of Mt. Vernon to exercise the right of first refusal as specified herein shall not constitute a waiver of such right to acquire the property when any Owner receives or makes any subsequent proposal or offer from or to a prospective purchaser or transferee.

**Restrictive Covenant.** For a period of ten (10) years from date of this Quitclaim Deed (unless waived in writing by Resolution of the City Council of the City of Mt. Vernon), the property shall only be used for charitable and/or educational purposes of a lawfully organized and approved corporation organized and operated exclusively for charitable and educational purposes under Section 501 (c) (3) of the United States Internal Revenue Code. The Restrictive Covenant described above shall be a covenant running with the land.

**Code Compliance Required.** Grantee has represented that its intended use of the property is an office and donation center. Grantor makes no representations that the property complies with applicable Codes and Ordinances for such use. Grantee by accepting this Quitclaim Deed acknowledges that all applicable Codes and Ordinances, including without limitation zoning, building, electrical, plumbing, fire, accessibility, and other health and safety laws, must be fully complied with before use of the property by Grantee or its successors, and that all such compliance shall be at the sole expense of Grantee or its successor with no contribution from Grantor.

**THE ABOVE DESCRIBED PROPERTY IS CONVEYED "AS IS" WITH NO WARRANTIES OR GUARANTEES AS TO ANY MATTER CONCERNING OR AFFECTING SAID PROPERTY, INCLUDING WITHOUT LIMITATION ALL STRUCTURES, FACILITIES, EQUIPMENT, AND UTILITIES. GRANTEE BY ACCEPTING THE QUITCLAIM DEED ACKNOWLEDGES THAT GRANTEE HAS INSPECTED THE PROPERTY AND HAS MADE ALL INQUIRIES DEEMED BY GRANTEE NECESSARY TO BE MADE.**

Exempt under provisions of Section 31-45 (e), Real Estate Transfer Tax Law.

\_\_\_\_\_  
Date City Attorney

The City of Mt. Vernon has caused this Quit Claim Deed to be signed by its Mayor and attested by its City Clerk by City Clerk this 15<sup>th</sup> day of December 2025.

CITY OF MT. VERNON

By *John Lewis*  
Mayor

ATTEST:

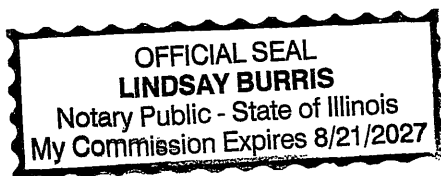
*Rebecca Barbour*  
City Clerk

Tax Statement Should Be Mailed to:  
Jefferson County Toys for Kids, Inc.  
805 Main  
Mt. Vernon, IL 62864

STATE OF ILLINOIS            )  
  ) SS.  
COUNTY OF JEFFERSON        )

I, the undersigned, a Notary Public in and for said County, in the State aforesaid, do hereby certify that John Lewis, as Mayor and Rebecca Barbour as City Clerk of the City of Mt. Vernon, who are personally known to me to the same persons whose names are subscribed to the foregoing instrument, as such Mayor and Clerk, appeared before me this day in person, and acknowledged that they signed, sealed, and delivered the said instrument as their free and voluntary act, and as a free and voluntary act of the City of Mt. Vernon, for the uses and purposes therein set forth, pursuant to authority given by the City Council of the City of Mt. Vernon, Illinois.

Given under my hand and notarial seal this 15<sup>th</sup> day of December 2025.



*Lindsay Burris*  
Notary Public