

10/22/2007  
10/2/2007

**52-R-07**

**A RESOLUTION**

**Re-Conveyance of 1817 Church Street from the  
Evanston Westside Citizens District Council, Inc., to the  
City of Evanston**

**WHEREAS**, on May 22, 2001, the City of Evanston conveyed by Quit Claim Deed to the Evanston Westside Citizens District Council, Inc., the property commonly known as 1817 Church Street, and legally described as follows:

THE WEST 1/2 OF LOT 12 AND THE EAST 10 FEET OF LOT 13 IN BLOCK 3 IN MERRILL LADD'S SECOND ADDITION TO EVANSTON, BEING A SUBDIVISION OF THE WEST 1/2 OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 13, TOWNSHIP 41 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS, COMMONLY KNOWN AS 1817 CHURCH STREET, EVANSTON, ILLINOIS.

A copy of aforesaid May 22, 2001, Quit Claim Deed is attached hereto as Exhibit A and incorporated herein by reference; and

**WHEREAS**, the 1817 Church Street property was conveyed to the Evanston Westside Citizens District Council, Inc., with the stated intent that it would be used solely and exclusively for the purpose of operating an African-American Heritage Museum or African-American Cultural Center, per Section 1 of Exhibit A; and

**WHEREAS**, conveyance of the 1817 Church Street property was subject for a period of ninety-nine (99) years from May 21, 2001, to certain conditions, among which was that an African-American Heritage Museum or African-American Cultural Center must be open to the public on the subject property no later than nine (9) months after conveyance, per Section 2(a) of Exhibit A:

- (a) "An African-American Heritage Museum or African American Cultural Center must be open to the public on the subject property no later than nine (9) months after conveyance."

and

**WHEREAS**, Section 2(b) of Exhibit A contains the following language:

- (b). "If, as determined by a majority vote of the Aldermen of Grantors' City Council, an African-American Heritage Museum or African-American Cultural Center is not created and open to the public for one-hundred and eighty (180) consecutive days at any time during the aforedecreed 99 years, Grantor is hereby held by the City to be authorized to direct its Corporation Counsel to record the deed dated 5/31/2001 {sic}, conveying title from Grantee to Grantor."

and

**WHEREAS**, on May 30, 2001, the Evanston Westside Citizens District Council, Inc. executed and delivered to the City a Quit Claim Deed re-conveying the property known as 1817 Church Street back to the City of Evanston in accordance with Section 2(b) of Exhibit A. A copy of said May 30, 2001, Quit Claim Deed is attached hereto as Exhibit B and incorporated herein by reference; and

**WHEREAS**, the Housing & Community Development Act Committee of the City of Evanston has determined after investigation, meeting, and discussion that an African-American Heritage Museum or African-American Cultural Center has not been created and open to the public within nine (9) months of conveyance (May 21, 2001) as set forth in Exhibit A; and

**WHEREAS**, the Housing & Community Development Act Committee of the City of Evanston has determined after investigation, meeting, and discussion that an African-American Heritage Museum or African-American Cultural Center has "...not

created and open to the public for one-hundred and eighty (180) consecutive days at any time during the aforedecreed 99 years;" and

**WHEREAS**, the Housing & Community Development Act Committee has determined that the Evanston Westside Citizens District Council, Inc., has not met the conditions as set forth in the deed of conveyance for the subject property; and

**WHEREAS**, the Evanston City Council has reviewed and considered the materials provided by the Housing & Community Development Act Committee and City of Evanston Staff; and

**WHEREAS**, the Evanston City Council does hereby accept and agree with the findings of the Housing & Community Development Act Committee that the Evanston Westside Citizens District Council, Inc., has not created and/or operated open to the public within nine (9) months of conveyance on May 21, 2001, an African-American Heritage Museum or African-American Cultural Center on the subject property; and

**WHEREAS**, the Evanston City Council reaffirms its commitment to the objective of establishing an African-American museum at 1817 Church Street for the benefit of all Evanstonians.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EVANSTON, COOK COUNTY, ILLINOIS:**

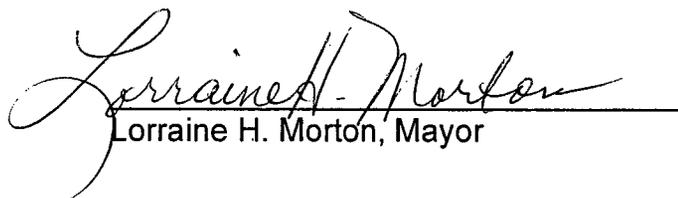
**SECTION 1:** That the Evanston City Council, by a majority vote of the Aldermen, does hereby find and determine: a) that an African-American Heritage Museum or African-American Cultural Center has not been created and opened within nine (9) months of conveyance (May 22, 2001) by the Evanston Westside Citizens

District Council, Inc.; and b) that an African-American Heritage Museum or African-American Cultural Center has not been open to the public for one hundred and eighty (180) consecutive days at any time during the aforedecreed ninety-nine (99) years.

**SECTION 2:** That the Evanston City Council, pursuant to the conditions of the May 22, 2001, Quit Claim Deed of conveyance (Exhibit A) does hereby authorize and direct its Corporation Counsel, and its Law Department, to undertake all actions to obtain the re-conveyance of 1817 Church Street, as described herein, including but not limited to the filing of Exhibit B re-conveying the property to the City, from the Evanston Westside Citizens District Council, Inc., back to the City of Evanston.

**SECTION 3:** That the Evanston City Council shall use its best efforts in collaboration with all community organizations, including but not limited to the Evanston West Side Citizen District Council and others, private entities, etc., to establish an African-American museum at 1817 Church Street.

**SECTION 4:** That this Resolution shall be in full force and effect from and after its passage and approval in the manner provided by law.

  
Lorraine H. Morton, Mayor

Attest:

  
Mary R. Morris, City Clerk

Adopted: October 22, 2007

EXHIBIT A

**QUIT CLAIM DEED**  
**executed May 22, 2001**

EXHIBIT A

This document prepared by:  
Karen Gilkeson, Staff Attorney  
City of Evanston Law Department  
2100 Ridge Avenue, Suite 4500  
Evanston, IL 60201

925560

0010468430



When Recorded, Mail to:  
~~Loratha Henry~~, President Secretary  
Evanston Westside Citizen  
District Council, Inc.  
~~1744~~ 1930 Brown  
Evanston, IL 60201

Common Address:  
1817 Church Street  
Evanston, Illinois

Permanent Index Number:  
10-13-220-042, vol. 53

**QUIT CLAIM DEED**

The City of Evanston, a municipal corporation (the "Grantor") created and existing under and by virtue of the laws of the State of Illinois and duly authorized to transact business in the State of Illinois, for the consideration of \$1.00 (One Dollar), in hand paid, and pursuant to the authority given by the Evanston City Council, CONVEYS AND QUIT CLAIMS to Evanston Westside Citizen District Council, Inc. (the "Grantee"), whose address is ~~1930~~ <sup>1930</sup> Brown Avenue, Evanston, Illinois, the following described Real Estate situated in Cook County, Illinois, subject to the Conditions described on Exhibit A, attached hereto and made a part hereof:

THE WEST 1/2 OF LOT 12 AND THE EAST 10 FEET OF LOT 13 IN BLOCK 3 IN MERRILL LADD'S SECOND ADDITION TO EVANSTON, BEING A SUBDIVISION OF THE WEST 1/2 OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 13, TOWNSHIP 41 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS, COMMONLY KNOWN AS 1817 CHURCH STREET, EVANSTON, ILLINOIS.

In Witness Whereof, said Grantor has caused its corporate seal to be hereto affixed, and has caused its name to be signed to these presents by Roger Crum, its City Manager, and attested by Mayre Press, its Deputy City Clerk, this 22nd day of May, 2001.

impress  
Corporate Seal  
Here

The City of Evanston, a municipal corporation

By: Roger Crum  
Roger Crum, City Manager

Attest: Mayre Press  
Mayre Press, Deputy City Clerk

STATE OF ILLINOIS )  
                                  ) SS  
COUNTY OF COOK )

I, the undersigned, a Notary Public in for the County and State aforesaid, DO HEREBY CERTIFY that Roger Crum, personally known to me to be the City Manager of THE CITY OF EVANSTON, a municipal corporation, and Mayre Press, who is personally known to me to be the Deputy City Clerk of said municipal corporation, appeared before me this day in person and acknowledged that as such City Manager and Deputy City Clerk of said municipal corporation, they signed and delivered the said instrument, and caused the corporate seal of said municipal corporation to be affixed hereto, pursuant to authority granted to them by the City Council of the municipal corporation, as their free and voluntary act and as the free and voluntary act and deed of said municipal corporation, for the uses and purposes therein set forth.



Given under my hand and notarial seal this 30th day of May, 2001.  
Bruce M Young  
Notary Public  
My commission expires on 21 July, 2003

EXHIBIT A

**CONDITIONS TO QUITCLAIM DEED BETWEEN THE CITY OF EVANSTON AND  
THE EVANSTON WESTSIDE CITIZEN DISTRICT COUNCIL, INC.**

1. The subject property is conveyed to Evanston Westside Citizen District Council, Inc. ("Grantee") with the intent that it will be used solely and exclusively for the purpose of operating an African American Heritage Museum or African American Cultural Center. Without the express prior written consent of the City of Evanston, ("Grantor"), neither the subject property, nor any portion thereof, shall be sold or leased or otherwise disposed of, if the result of such sale, lease or disposition would be to establish a use on said property that differs from the intended use herein described.
2. This deed is transferred on the condition that the Grantee, contemporaneously with the execution of the deed from Grantor to Grantee, executes a quitclaim deed to Grantor, transferring title to the subject property from Grantee to Grantor for the consideration of one dollar (\$1.00). Said quitclaim deed to Grantor shall bear the same date as the quitclaim deed from Grantor to Grantee. Grantor will have custody of this deed. For the ninety-nine (99) years following conveyance of the subject property from Grantor to Grantee, these conditions shall obtain:
  - (a). An African-American Heritage Museum or African American Cultural Center must be open to the public on the subject property no later than ~~sixty~~ <sup>nine (9)</sup> months after the conveyance.
  - (b). If, as determined by a majority vote of the Aldermen of Grantors' City Council, an African-American Heritage Museum or African American Cultural Center is not created and open to the public for one-hundred and eighty (180) consecutive days at any time during the aforedecreed 99 years, Grantor is hereby held by the City to be authorized to direct its Corporation Counsel to record the deed dated 5/31/2001, conveying title from Grantee to Grantor.
  - (c). If, at any time within the aforedecreed 99 years, the Grantee sells the property to a third party which does not use the property as an African American Heritage Museum or an African American Cultural Center, the Grantee shall pay the Grantor the sum of one hundred seventy five thousand and no 00/100 dollars (\$175,000.00). Such amount will reimburse the Grantor for the amount paid by the City to purchase the property.
3. Pursuant to a covenant and agreement made by Samuel H. Adams and Dolores E. Adams, on behalf of themselves, their heirs, successors and assigns, the Purchaser hereby understands and agrees that the land shall not be used as a pool hall after December 2, 1980, which is the expiration date of a variance granted by the City Council of the City of Evanston, recorded October 25, 1973 as document no. 22524429.
4. All conditions set forth in paragraphs 1, 2 and 3 of this Exhibit A survive the closing.
5. Conditions shall run with the land and be binding on heirs and successors in interest. Grantee shall record this deed with the Office of Cook County Recorder of Deeds and shall provide the City's Law Department with a copy thereof.

**STATEMENT BY GRANTOR AND GRANTEE**

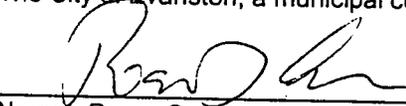
The grantor or his agent affirms that, to the best of its knowledge, the name of the grantee shown on the deed or assignment of beneficial interest in a land trust is either a natural person, an Illinois corporation or foreign corporation authorized to do business or acquire and hold title to real estate in Illinois, a partnership authorized to do business or acquire and hold title to real estate in Illinois, or other entity recognized as a person and authorized to do business or acquire title to real estate under the laws of the State of Illinois.

Grantor:

The City of Evanston, a municipal corporation

Dated 5/22, 2001

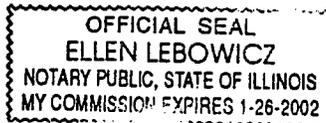
By:

  
Name: Roger Crum  
Its: City Manager

Subscribed and sworn to before me  
by the said Roger Crum this 22  
day of May

Notary Public





The grantee or its agent affirms and verifies that the name of the grantee shown on the deed or assignment of beneficial interest in a land trust is either a natural person, an Illinois corporation or foreign corporation authorized to do business or acquire and hold title to real estate in Illinois, a partnership authorized to do business or acquire and hold title to real estate in Illinois, or other entity recognized as a person and authorized to do business or acquire and hold title to real estate under the laws of the State of Illinois.

Grantee:

Evanston Westside Citizens District Council, Inc.

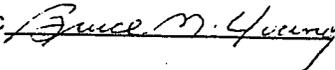
Dated 30 May, 2001

By:

  
Name: Betty J. Palmer  
Its: President

~~by the said~~  
Subscribed and sworn to before me  
this 30<sup>th</sup> day of May, 2001.

Notary Public





Note: Any person who knowingly submits a false statement concerning the identity of a grantee shall be guilty of a Class C Misdemeanor for the first offense and of Class A Misdemeanor for subsequent offenses.

(Attach to Deed or ABI to be recorded in Cook County, Illinois, if exempt under provisions of Section 4 of the Illinois Real Estate Transfer Tax Act.)

EXHIBIT B

**QUIT CLAIM DEED**  
**executed May 30, 2001**

**EXHIBIT B**

This document prepared by and when recorded mail to :

Karen Gilkeson, Staff Attorney  
City of Evanston  
2100 Ridge Avenue, Suite 4500  
Evanston, IL 60201

**Common Address:**

1817 Church Street  
Evanston, Illinois

**Permanent Index Number:**

10-13-220-042, vol. 53

**QUIT CLAIM DEED**

Evanston Westside Citizen District Council, Inc. (the "Grantor") created and existing under and by virtue of the laws of the State of Illinois and duly authorized to transact business in the State of Illinois, for the consideration of \$1.00 (One Dollar), in hand paid, and pursuant to the authority given by the Board of Directors of said corporation, CONVEYS AND QUIT CLAIMS to the City of Evanston, an Illinois municipal corporation. (the "Grantee"), whose address is 2100 Ridge Avenue, Evanston, Illinois, the following described Real Estate situated in Cook County, Illinois, to wit:

THE WEST 1/2 OF LOT 12 AND THE EAST 10 FEET OF LOT 13 IN BLOCK 3 IN MERRILL LADD'S SECOND ADDITION TO EVANSTON, BEING A SUBDIVISION OF THE WEST 1/2 OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 13, TOWNSHIP 41 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS, COMMONLY KNOWN AS 1817 CHURCH STREET, EVANSTON, ILLINOIS.

In Witness Whereof, said Grantor has caused its corporate seal to be hereto affixed, and has caused its name to be signed to these presents by ~~Loretha Henry~~ <sup>Betty J. Palmer</sup>, its President, and attested by Cordelia Burts, its Secretary, this 30 day of May, 2001.

Impress  
Corporate Seal  
Here

STATE OF ILLINOIS )  
                                  ) SS  
COUNTY OF COOK )

Evanston Westside Citizen District Council, Inc.

By: Betty J. Palmer  
Loretha Henry, President  
~~Betty J. Palmer~~  
Attest: Cordelia Burts  
Cordelia Burts, Secretary

<sup>us</sup> Betty J. Palmer

I, the undersigned, a Notary Public in for the County and State aforesaid, DO HEREBY CERTIFY that ~~Loretha Henry~~ <sup>Betty J. Palmer</sup>, personally known to me to be the President of EVANSTON WESTSIDE CITIZEN DISTRICT COUNCIL, INC., a corporation, and Cordelia Burts, who is personally known to me to be the Secretary of said corporation, appeared before me this day in person and acknowledged that as such President and Secretary of said corporation, they signed and delivered the said instrument, and caused the corporate seal of said corporation to be affixed hereto, pursuant to authority granted to them by the Board of Directors of the corporation, as their free and voluntary act and as the free and voluntary act and deed of said corporation, for the uses and purposes therein set forth.

Given under my hand and notarial seal this 30 day of May, 2001.

Bruce M. Young  
Notary Public

My commission expires on 21 July, 2003

