

1 AN ACT concerning park districts.

2 Be it enacted by the People of the State of Illinois,
3 represented in the General Assembly:

4 Section 5. The Park District Code is amended by
5 changing Section 10-7 as follows:

6 (70 ILCS 1205/10-7) (from Ch. 105, par. 10-7)

7 Sec. 10-7. Sale, lease, or exchange of realty.

8 (a) Any park district owning and holding any real estate
9 is authorized (1) to give, sell, or lease that such property
10 to the State of Illinois, with the State's consent, or
11 another unit of Illinois State or local government for public
12 use, or (2) to lease that property upon the terms and at the
13 price that the board determines for a period not to exceed 99
14 years to any corporation organized under the laws of this
15 State, ~~in either case for public use, and provided that~~ The
16 grantee or lessee must covenant ~~covenants~~ to hold and
17 maintain the such property for public park or recreational
18 purposes unless the ~~or such~~ park district obtains other real
19 property of substantially the same size or larger and of
20 substantially the same or greater suitability for park
21 purposes without additional cost to the such district. In the
22 case of property given or sold under this subsection after
23 the effective date of this amendatory Act of the 92nd General
24 Assembly for which this covenant is required, the conveyance
25 must provide that ownership of the property automatically
26 reverts to the grantor if the grantee knowingly violates the
27 required covenant by allowing all or any part of the property
28 to be used for purposes other than park or recreational
29 purposes. Real estate given, sold, or leased to the State of
30 Illinois under this subsection (1) must be 50 acres or more
31 in size, (2) may not be located within the territorial limits

1 of a municipality, and (3) may not be the site of an
2 environmental liability or hazard.

3 (b) Any park district owning or holding any real estate
4 is authorized to convey such property to a nongovernmental
5 entity in exchange for other real property of substantially
6 equal or greater value as determined by 2 appraisals of the
7 property and of substantially the same or greater suitability
8 for park purposes without additional cost to such district.

9 Prior to such exchange with a nongovernmental entity the
10 park board shall hold a public meeting in order to consider
11 the proposed conveyance. Notice of such meeting shall be
12 published not less than three times (the first and last
13 publication being not less than 10 days apart) in a newspaper
14 of general circulation within the park district. If there is
15 no such newspaper, then such notice shall be posted in not
16 less than 3 public places in said park district and such
17 notice shall not become effective until 10 days after said
18 publication or posting.

19 (c) Notwithstanding any other provision of this Act,
20 this subsection (c) shall apply only to park districts that
21 serve territory within a municipality having more than 40,000
22 inhabitants and within a county having more than 260,000
23 inhabitants and bordering the Mississippi River. Any park
24 district owning or holding real estate is authorized to sell
25 that property to any not-for-profit corporation organized
26 under the laws of this State upon the condition that the
27 corporation uses the property for public park or recreational
28 programs for youth. The park district shall have the right
29 of re-entry for breach of condition subsequent. If the
30 corporation stops using the property for these purposes, the
31 property shall revert back to ownership of the park district.
32 Any temporary suspension of use caused by the construction of
33 improvements on the property for public park or recreational
34 programs for youth is not a breach of condition subsequent.

1 Prior to the sale of the property to a not-for-profit
2 corporation, the park board shall hold a public meeting to
3 consider the proposed sale. Notice of the meeting shall be
4 published not less than 3 times (the first and last
5 publication being not less than 10 days apart) in a newspaper
6 of general circulation within the park district. If there is
7 no such newspaper, then the notice shall be posted in not
8 less than 3 public places in the park district. The notice
9 shall be published or posted at least 10 days before the
10 meeting. A resolution to approve the sale of the property to
11 a not-for-profit corporation requires adoption by a majority
12 of the park board.

13 (d) Real estate, not subject to such covenant or which
14 has not been conveyed and replaced as provided in this
15 Section, may be conveyed in the manner provided by Sections
16 10-7a to 10-7d hereof, inclusive.

17 (e) In addition to any other power provided in this
18 Section, any park district owning or holding real estate that
19 the board deems is not required for park or recreational
20 purposes may lease such real estate to any individual or
21 entity and may collect rents therefrom. Such lease shall not
22 exceed 2 and one-half times the term of years provided for in
23 Section 8-15 governing installment purchase contracts.

24 (f) Notwithstanding any other provision of law, if (i)
25 the real estate that a park district with a population of
26 3,000 or less transfers by lease, license, development
27 agreement, or other means to any private entity is greater
28 than 70% of the district's total property and (ii) the
29 current use of the real estate will be substantially altered
30 by that private entity, the real estate may be conveyed only
31 in the manner provided for in Sections 10-7a, 10-7b, and
32 10-7c.

33 (Source: P.A. 90-14, eff. 7-1-97; 91-423, eff. 8-6-99;
34 91-918, eff. 7-7-00.)