

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 or another unit of Illinois State or  
11 local government for public use, or (2) to lease that  
12 property upon the terms and at the price that the board  
13 determines for a period not to exceed 99 years to any  
14 corporation organized under the laws of this State, ~~in either~~  
15 ~~ease for public use, and provided that~~ The grantee or lessee  
16 must covenant ~~covenants~~ to hold and maintain the such  
17 property for public park or recreational purposes unless the  
18 ~~er---~~ such park district obtains other real property of  
19 substantially the same size or larger and of substantially  
20 the same or greater suitability for park purposes without  
21 additional cost to the such district. In the case of property  
22 given or sold under this subsection after the effective date  
23 of this amendatory Act of the 92nd General Assembly for which  
24 this covenant is required, the conveyance must provide that  
25 ownership of the property automatically reverts to the  
26 grantor if the grantee knowingly violates the required  
27 covenant by allowing all or any part of the property to be  
28 used for purposes other than park or recreational purposes.

29 (b) Any park district owning or holding any real estate  
30 is authorized to convey such property to a nongovernmental  
31 entity in exchange for other real property of substantially

1 equal or greater value as determined by 2 appraisals of the  
2 property and of substantially the same or greater suitability  
3 for park purposes without additional cost to such district.

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

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

30 Prior to the sale of the property to a not-for-profit  
31 corporation, the park board shall hold a public meeting to  
32 consider the proposed sale. Notice of the meeting shall be  
33 published not less than 3 times (the first and last  
34 publication being not less than 10 days apart) in a newspaper

1 of general circulation within the park district. If there is  
2 no such newspaper, then the notice shall be posted in not  
3 less than 3 public places in the park district. The notice  
4 shall be published or posted at least 10 days before the  
5 meeting. A resolution to approve the sale of the property to  
6 a not-for-profit corporation requires adoption by a majority  
7 of the park board.

8 (d) Real estate, not subject to such covenant or which  
9 has not been conveyed and replaced as provided in this  
10 Section, may be conveyed in the manner provided by Sections  
11 10-7a to 10-7d hereof, inclusive.

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

19 (f) Notwithstanding any other provision of law, if (i)  
20 the real estate that a park district with a population of  
21 3,000 or less transfers by lease, license, development  
22 agreement, or other means to any private entity is greater  
23 than 70% of the district's total property and (ii) the  
24 current use of the real estate will be substantially altered  
25 by that private entity, the real estate may be conveyed only  
26 in the manner provided for in Sections 10-7a, 10-7b, and  
27 10-7c.

28 (Source: P.A. 90-14, eff. 7-1-97; 91-423, eff. 8-6-99;  
29 91-918, eff. 7-7-00.)