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### **Village Wins Court Battle to Buy Vacant Mall Property**

The Village has cleared the final legal hurdle to take possession of a long-vacant structure on the Marion Street Mall in downtown Oak Park that last housed the Sawyer College of Business.

A stay barring the Village from taking possession of the building was dissolved by Cook County Circuit Court in early November, ending a legal struggle that had wound its way through the Illinois judicial system since 1998 when the Village first sought to buy the 5,200 square foot site that had been vacant since at least 1991.

“There never really was any doubt that the Village had the right and the duty to the community to do something about this vacant property, given its dilapidated state and high visibility on our pedestrian mall,” said Village Manager Carl Swenson.

“This particular piece of property has been a curiosity and an eyesore on the mall for many years. With this final court action, we can take appropriate steps to incorporate the property into our overall plan to develop the central business district.”

The Village had sought to acquire the property through the condemnation process in March of 1998 after the owner had rejected an earlier offer to buy the vacant structure. The Cook County Circuit Court ruled in favor of the Village and asked a jury to set adequate compensation. In March 2000, a jury set the purchase price at \$390,500, an amount that the Village then deposited with the County Treasurer.

Appeals by the property owner to the Illinois Appellate Court and, later, the Illinois Supreme Court, prevented the Village from taking possession of the property. The state appellate court upheld the circuit court and in September of this year, the state Supreme Court refused to hear the case. The Village then had to ask the circuit court to dissolve the stay against possession, which it did on Nov. 9.

Just how the property will be developed is yet to be determined, Swenson said. Because of the poor condition of the building, it likely will be demolished. In the meantime, however, the building is secured and likely will remain standing until a future use is determined.

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