

Dist. 99: Woodridge lacks right of 1st refusal

By Dave Fornell

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Community High School District 99 officials contend the village of Woodridge does not have the right of first refusal to purchase a 44-acre parcel of district-owned land next to its Village Hall — but Woodridge officials have produced a document they maintain proves that such a commitment was made in 1978.

The District 99 School Board decided to put the property up for sale last week and immediately outlined its plans to sell the vacant land to the highest bidder. The village of Woodridge and the Woodridge Park District want to acquire the parcel for open space and expansion of the municipal government center. Woodridge Mayor Bill Murphy has said several times over the past year that the village has the right of first refusal in an old agreement with the School District.

But District 99 officials said they found no evidence of any such agreement.

"There are no official records that the district found," said Board President Julia Beckman. "There is no legal agreement."

Beckman said there was a letter sent more than 20 years ago by the village of Woodridge asking the district to consider giving Woodridge the right to first refusal, but she said it was not binding because it was only a request.

However, Woodridge officials said the high school district entered into an agreement with the village in 1978, offering first refusal in the event of future sale in exchange for Woodridge allowing the district to annex the land into Woodridge under a less-restrictive zoning classification.

Former District 99 Superintendent Arthur Wiscombe wrote a letter on June 14, 1978, to Woodridge that explained the School Board had decided to offer the village and Park District the opportunity to buy the land if the district did not use the parcel "for school purposes." The School Board also agreed to give the village and Park District a reasonable amount of time to decide if they wanted to purchase the land at fair market value before offering it to the highest bidder, and said the School District would be willing to consider installment payments made by Woodridge.

"The documents speaks for itself," Murphy said. "I was a trustee back then, so I was there, and I remember full well what the agreement was."

Murphy said he is happy the district has agreed to sell the property but has concerns that District 99 will not adhere to the deal it put into writing 27 years ago.

"We have reviewed these issues with our attorney, but that involves potential litigation so I can't comment on it," Murphy said. "But I hope it will not come to that."

All questions about the Woodridge property are being referred to District 99 Controller Mark Staehlin.

"There technically is no right to first refusal," he said. "We found there isn't really a right to first refusal."

He said the district has not seen a copy of the letter, but the district's research shows it can place the property on the open market. When the intention to sell the property was announced last week, Superintendent David Eblen said the bidding process had already started and will close Friday, June 3.

"We still want to keep a dialogue open with Woodridge," Staehlin said. "We are still wanting to talk to them, and we realize Woodridge has an interest in the property."

Beckman said the bidding process will help the district determine the fair market value of the land. District 99 officials would not say what they think the property is worth. In the past, board members have said the property is worth more than \$10 million, and possibly as much as \$18 million. District 99 has promised to set aside the money generated from the sale to pay for school repairs, maintenance and building upgrades.

"We are interested in working amicably with the village and the Park District," Beckman said.

Woodridge officials question District 99's intentions because it published an advertisement for the property bidding in the Reporter-Progress last week, which stated the land is ideal for high-density housing. The property is currently zoned R-1, which only allows one home per acre, and district officials stated a zoning change is the most likely long-term contingency on any land sale deal.

Beckman has repeatedly said the district needs to sell the property with the best interests of the whole district involved, not just the interests of Woodridge. District officials said developing the property for residential use would have a lasting, positive impact on the district's finances, with about \$300,000 in new revenue. If the property were sold to Woodridge, the district would not receive any property tax dollars in the future.

The property, located at the corner of Woodridge and Center drives, was purchased by District 99 in 1966 for a potential third high school, which voters rejected in three referendums. With enrollment expected to decline, the Board of Education decided to put the property up for auction at an April 11 closed-session meeting.

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