

# Paperwork shows Dist. 99 knew of 1st refusal

Murphy produces

documentation

outlining pact

By Dave Fornell Staff writer

Woodridge officials contended Community High School District 99 lied and misled the public by saying it does not have an agreement with the village promising the right of first refusal to purchase a vacant 45-acre property next to the Woodridge Village Hall.

District 99 officials denied a deal was ever made with the village of Woodridge for the right of first refusal. But Woodridge Mayor William Murphy produced letters proving the district not only made the deal but also provided a letter and other documentation on the agreement to Woodridge in 2002.

School Board President Julia Beckman and District 99 Controller Mark Staehlin said the district had no knowledge of a 1978 agreement to offer the land to Woodridge if the site was never used for a third high school. They also said they would be interested in seeing the letter to which Murphy referred.

However, Murphy produced a copy of a July 2002 letter from District 99 Superintendent David Eblen, which included copies of 1978 School Board minutes and the 1978 letter outlining the agreement the School Board made with the village. Eblen did not return phone calls seeking comment.

Woodridge officials said District 99 officials lied when they said they did not know about the agreement. They also said the School District continues to mislead residents.

"Calling it a miscommunication is characterizing it in a very kind way," Murphy said. "It is indicative that District 99 has not been forthcoming with the information. It disappoints me."

In the minutes from a June 13, 1978, School Board meeting, the board agreed in a 5-2 vote to give Woodridge the right of first refusal to buy the land at a fair market price, as determined by a District 99 appraiser. The board also agreed to give a reasonable amount of time for the village to make the purchase, and the board said it would consider using a payment plan.

According to 1978 meeting minutes from both District 99 School Board and the Woodridge Village Board, the deal was made in exchange for Woodridge's agreement to leave the zoning of the property unchanged.

Woodridge Planning and Development Director Michael Mays said the village was concerned about the School District selling the property to a developer if the site was not used for school use. To prevent the property from being purchased and developed into homes, Woodridge wanted to change the zoning from its current R-1, which allows homes to be built on 1-acre lots, to a more restrictive R-1A zoning. This would have made it more difficult and less attractive for a developer to buy the property.

"At the time, R-1A was the village's most restrictive zoning classification," Mays said.

He said the R-1A zoning classification no longer exists, and R-1 is now the most restrictive class. Mays said any developer of the property would likely ask to rezone the property to allow more homes to be built to make the project economically feasible. But, he said, this is where the village can flex its muscle regarding the future of the property.

"The village is not going to support any rezoning," Mays said.

Woodridge officials said the village has had an interest in purchasing the property if it was not used for a school since District 99 bought the land in 1966. Officials said the land would be used for open space and expansion of its town center local government complex. The village and the Woodridge Park District offered to purchase the property in the fall for up to \$10 million.

District 99 officials said the property is likely worth much more than \$10 million and hope to find out what the market will bear through a bidding process the district opened for the property in mid-April. Bids will be accepted until June. The Woodridge Village Board last week agreed to place a bid on the land.

Murphy said Woodridge has discussed the bidding and the apparent violation of the 1978 agreement with the village attorney but did not want to comment about any possible legal action the village may take.

District 99 officials did not return phone calls seeking comment.

Dave Fornell's e-mail address is: [Dfornell@libertysuburban.com](mailto:Dfornell@libertysuburban.com)