

SB3495



98TH GENERAL ASSEMBLY

State of Illinois

2013 and 2014

SB3495

Introduced 2/14/2014, by Sen. Pamela J. Althoff

SYNOPSIS AS INTRODUCED:

735 ILCS 30/25-5-55 new

Amends the Eminent Domain Act. Provides that quick-take proceedings may be used for a period of no longer than one year from the effective date by McHenry County for the acquisition of described property for the purpose of reconstruction of the intersection of Miller Road and Illinois Route 31. Effective immediately.

LRB098 20230 HEP 55581 b

A BILL FOR

1 AN ACT concerning civil law.

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

4 Section 5. The Eminent Domain Act is amended by adding
5 Section 25-5-55 as follows:

6 (735 ILCS 30/25-5-55 new)

7 Sec. 25-5-55. Quick-take; McHenry County. Quick-take
8 proceedings under Article 20 may be used for a period of no
9 longer than one year from the effective date of this amendatory
10 Act of the 98th General Assembly by McHenry County for the
11 acquisition of the following described property for the purpose
12 of reconstruction of the intersection of Miller Road and
13 Illinois Route 31:

14 Route: Illinois State Route 31

15 Section: Section 09-00372-00-PW

16 County: McHenry County

17 Job No.: R-91-020-06

18 Parcel: 0003

19 Sta. 119+70.41 To Sta. 136+74.99

20 Owner: Parkway Bank and Trust

21 Company as Trustee under Trust

22 Agreement dated October 25, 1988

1 known as trust No. 9052

2 Index No. 14-02-100-002, 14-02- 100-051

3 A part of the Northwest Quarter of Section 2, Township 44
4 North, Range 8 East of the Third Principal Meridian, in McHenry
5 County, Illinois, described as follows:

6 Commencing at the southwest corner of said Northwest Quarter;
7 thence North 0 degrees 40 minutes 30 seconds East, (bearings
8 based on Illinois State Plane Coordinates East Zone 1983 Datum)
9 along the west line of said Northwest Quarter, 33.01 feet;
10 thence North 89 degrees 27 minutes 02 seconds East along a line
11 parallel with and 33.00 feet north of the south line of said
12 Northwest Quarter, 633.53 feet to the Point of Beginning;
13 thence North 47 degrees 43 minutes 11 seconds East, 76.04 feet;
14 thence Northeasterly 892.04 feet along a curve to the left
15 having a radius of 5900.00 feet, the chord of said curve bears
16 North 03 degrees 13 minutes 38 seconds East, a chord distance
17 of 891.20 feet; thence North 01 degrees 06 minutes 15 seconds
18 West, 737.81 feet; thence North 88 degrees 52 minutes 57
19 seconds East, 60.00 feet to a point on the westerly line of
20 Illinois State Route 31 as dedicated per Book 12 of
21 Miscellaneous Records, pages 200, 201 and 203; thence South 01
22 degrees 06 minutes 15 seconds East along said westerly line,
23 405.84 feet; thence South 01 degrees 00 minutes 45 seconds West
24 along said westerly line, 135.20 feet; thence South 02 degrees

1 50 minutes 15 seconds East along said westerly line, 165.10
2 feet; thence South 01 degrees 06 minutes 15 seconds East along
3 said westerly line, 407.00 feet; thence Southwesterly 567.07
4 feet along said westerly line, said line being a curve to the
5 right having a radius of 3779.83 feet, the chord of said curve
6 bears South 03 degrees 11 minutes 37 seconds West, a chord
7 distance of 566.54 feet to point on a line parallel with and
8 33.00 feet north of the south line of said Northwest Quarter;
9 thence South 89 degrees 27 minutes 02 seconds West along a line
10 parallel with and 33.00 feet north of the south line of said
11 Northwest Quarter, 142.09 feet to the Point of Beginning in
12 McHenry County, Illinois.

13 Said parcel containing 116,716 square feet (2.679 acres) more
14 or less.

15 Route: Bull Valley Road
16 Section: Section 09-00372-00-PW
17 County: McHenry County
18 Job No.: R-91-020-06
19 Parcel: 0003TE
20 Sta. 531+73.39 To Sta. 532+82.90
21 Owner: Parkway Bank and Trust
22 Company as Trustee under Trust
23 Agreement dated October 25, 1988
24 known as trust No. 9052

1 Index No. 14-02-100-002

2 A part of the Southwest Quarter of the Northwest Quarter of
3 Section 2, Township 44 North, Range 8 East of the Third
4 Principal Meridian, in McHenry County, Illinois, described as
5 follows:

6 Commencing at the southwest corner of said Southwest Quarter;
7 thence North 00 degrees 40 minutes 30 seconds East, (bearings
8 based on Illinois State Plane Coordinates East Zone 1983 Datum)
9 along the west line of said Southwest Quarter, 33.01 feet;
10 thence North 89 degrees 27 minutes 02 seconds East along a line
11 parallel with and 33.00 feet north of the south line of said
12 Southwest Quarter, 540.42 feet to the Point of Beginning;
13 thence North 00 degrees 33 minutes 06 seconds West, 14.95 feet;
14 thence North 89 degrees 26 minutes 54 seconds East, 109.87
15 feet; thence South 47 degrees 43 minutes 11 seconds West, 22.47
16 feet to a point on a line parallel with and 33.00 feet north of
17 the south line of said Southwest Quarter; thence South 89
18 degrees 27 minutes 02 seconds West along said line parallel
19 with and 33.00 feet north of the south line of said Southwest
20 Quarter, 93.10 feet to the Point of Beginning in McHenry
21 County, Illinois.

22 Said parcel containing 1,518 square feet (0.035 acres) more or
23 less.

1 Route: Illinois State Route 31
2 Section: Section 09-00372-00-PW
3 County: McHenry County
4 Job No.: R-91-020-06
5 Parcel: 0011
6 Sta. 124+14.14 To Sta. 124+35.35
7 Owner: Trapani, LLC, an Illinois
8 limited liability company
9 Index No. 14-02-100-050

10 A part of the Southwest Quarter of the Northwest Quarter of
11 Section 2, Township 44 North, Range 8 East of the Third
12 Principal Meridian, in McHenry County, Illinois, described as
13 follows:

14 Commencing at the northwest corner of Lot 1 in McDonalds
15 Subdivision, being a subdivision of part of the Northwest
16 Quarter of Section 2, Township 44 North, Range 8 East of the
17 Third Principal Meridian, according to the plat thereof
18 recorded December 22, 1993 as Document No. 93R80090, in McHenry
19 County, Illinois; thence Northeasterly along the easterly line
20 of Illinois State Route 31 as dedicated per Book 12 of
21 Miscellaneous Records, pages 200, 201 and 203, 206.43 feet
22 along a curve to the left having a radius of 3859.83 feet, the
23 chord of said curve bears North 2 degrees 41 minutes 29 seconds

1 East, (bearings based on Illinois State Plane Coordinates East
2 Zone 1983 Datum) a chord distance of 206.41 feet to the Point
3 of Beginning; thence continuing Northeasterly along said
4 easterly line, 21.36 feet, said line being a curve to the left
5 having a radius of 3859.83 feet, the chord of said curve bears
6 North 1 degrees 00 minutes 02 seconds East, a chord distance of
7 21.36 feet to a point the south line of a parcel of land per
8 deed recorded February 10, 2003 as Document No. 2003R0017053;
9 thence North 89 degrees 22 minutes 29 seconds East along said
10 south line, 1.04 feet; thence Southwesterly 21.41 feet along a
11 curve to the right having a radius of 6060.00 feet, the chord
12 of said curve bears South 03 degrees 47 minutes 21 seconds
13 West, a chord distance of 21.41 feet to the Point of Beginning
14 in McHenry County, Illinois.

15 Said parcel containing 11 square feet (0.000 acres) more or
16 less.

17 Route: Illinois State Route 31
18 Section: Section 09-00372-00-PW
19 County: McHenry County
20 Job No.: R-91-020-06
21 Parcel: 0011TE-1
22 Sta. 123+50.48 To Sta. 124+26.94
23 Owner: Trapani, LLC, an Illinois
24 limited liability company

1 Index No. 14-02-100-050

2 A part of the Southwest Quarter of the Northwest Quarter of
3 Section 2, Township 44 North, Range 8 East of the Third
4 Principal Meridian, in McHenry County, Illinois, described as
5 follows:

6 Commencing at the northwest corner of Lot 1 in McDonalds
7 Subdivision, being a subdivision of part of the Northwest
8 Quarter of Section 2, Township 44 North, Range 8 East of the
9 Third Principal Meridian, according to the plat thereof
10 recorded December 22, 1993 as Document No. 93R80090, in McHenry
11 County, Illinois; thence Northeasterly along the easterly line
12 of Illinois State Route 31 as dedicated per Book 12 of
13 Miscellaneous Records, pages 200, 201 and 203, 142.05 feet
14 along a curve to the left having a radius of 3859.83 feet, the
15 chord of said curve bears North 3 degrees 10 minutes 09 seconds
16 East, (bearings based on Illinois State Plane Coordinates East
17 Zone 1983 Datum) a chord distance of 142.05 feet to the Point
18 of Beginning; thence continuing Northeasterly along said
19 easterly line, 64.39 feet, said line being a curve to the left
20 having a radius of 3859.83 feet, the chord of said curve bears
21 North 1 degrees 38 minutes 13 seconds East, a chord distance of
22 64.38 feet; thence Northeasterly 12.69 feet along a curve to
23 the left having a radius of 6060.00 feet, the chord of said
24 curve bears North 03 degrees 49 minutes 49 seconds East, a

1 chord distance of 12.69 feet; thence South 89 degrees 01
2 minutes 32 seconds East, 4.46 feet; thence Southwesterly 77.18
3 feet along a curve to the right having a radius of 3864.83
4 feet, the chord of said curve bears South 01 degrees 32 minutes
5 47 seconds West, a chord distance of 77.17 feet; thence North
6 87 degrees 52 minutes 53 seconds West, 5.07 feet to the Point
7 of Beginning in McHenry County, Illinois.

8 Said parcel containing 387 square feet (0.009 acres) more or
9 less.

10 Route: Charles J. Miller Road
11 Section: Section 09-00372-00-PW
12 County: McHenry County
13 Job No.: R-91-020-06
14 Parcel: 0011TE-2
15 Sta. 537+44.77 To Sta. 538+37.59
16 Owner: Trapani, LLC, an Illinois
17 limited liability company
18 Index No. 14-02-100-050

19 A part of Lot 2, in McDonald's Subdivision, being a subdivision
20 of part of the Northwest Quarter of Section 2, Township 44
21 North, Range 8 East of the Third Principal Meridian, according
22 to the plat thereof recorded December 22, 1993 as Document No.
23 93R80090, in McHenry County, Illinois, described as follows:

1 Beginning at the southeast corner of said Lot 2; thence South
2 89 degrees 27 minutes 02 seconds West (bearings based on
3 Illinois State Plane Coordinates East Zone 1983 Datum) along
4 the south line of said Lot 2, 92.83 feet; thence North 00
5 degrees 33 minutes 02 seconds West, 33.91 feet; thence North 89
6 degrees 36 minutes 46 seconds East, 93.43 feet to a point on
7 the east line of said Lot 2; thence South 00 degrees 28 minutes
8 57 seconds West along said east line, 33.66 feet to the Point
9 of Beginning in McHenry County, Illinois.

10 Said parcel containing 3,146 square feet (0.072 acres) more or
11 less.

12 Route: Charles J. Miller Road
13 Section: Section 09-00372-00-PW
14 County: McHenry County
15 Job No.: R-91-020-06
16 Parcel: 0016
17 Sta. 538+37.74 To Sta. 539+63.26
18 Owner: Marion R. Reinwall Hoak
19 as Trustee of the Marion R.
20 Reinwall Hoak Living trust dated
21 September 15, 1998
22 Index No. 14-02-100-022

1 A part of the West Half of Government Lot 1 in the Northwest
2 Quarter of Section 2, Township 44 North, Range 8 East of the
3 Third Principal Meridian in McHenry County, Illinois,
4 described as follows:

5 Beginning at the southeast corner of said West Half of
6 Government Lot 1; thence South 89 degrees 27 minutes 02 seconds
7 West (bearings based on Illinois State Plane Coordinates East
8 Zone 1983 Datum) along the south line of said West Half of
9 Government Lot 1, 115.35 feet to the point of intersection with
10 the east line of Lot 2 in McDonald's Subdivision, being a
11 subdivision of part of the Northwest Quarter of Section 2,
12 Township 44 North, Range 8 East of the Third Principal
13 Meridian, according to the plat thereof recorded December 22,
14 1993 as Document No. 93R80090, in McHenry County, Illinois
15 extended southerly; thence North 00 degrees 28 minutes 57
16 seconds East along said east line extended southerly and along
17 said east line, 48.01 feet; thence North 89 degrees 27 minutes
18 02 seconds East, 115.36 feet to a point on the east line of
19 said West Half of Government Lot 1; thence South 00 degrees 29
20 minutes 41 seconds West along said east line, 48.01 feet to the
21 Point of Beginning in McHenry County, Illinois.

22 Said parcel containing 5,537 square feet (0.127 acres) more or
23 less, of which 0.087 acres more or less, has been previously
24 used or dedicated.

1 Route: Illinois State Route 31
2 Section: Section 09-00372-00-PW
3 County: McHenry County
4 Job No.: R-91-020-06
5 Parcel: 0017
6 Sta. 536+90.86 To Sta. 539+43.61
7 Owner: Alliance Bible Church of
8 the Christian and Missionary
9 Alliance, an Illinois not for profit
10 corporation
11 Index No. 14-02-302-005; 14-02-
12 302-004; 14-02-302-002

13 A part of Lots 4 and 5, in Smith First Addition being a
14 subdivision of the North 473.90 feet of the Northwest Quarter
15 of the Southwest Quarter of Section 2, Township 44 North, Range
16 8 East of the Third Principal Meridian, lying easterly of the
17 easterly right-of-way of State Route 31, according to the plat
18 thereof recorded in the recorder's office of McHenry County,
19 Illinois on February 16, 1973, as Document No. 586905 in
20 McHenry County, Illinois, described as follows:

21 Beginning at the northeast corner of said Lot 5; thence South
22 00 degrees 08 minutes 56 seconds West (bearings based on
23 Illinois State Plane Coordinates East Zone 1983 Datum) along

1 the east line of said Lot 5, 33.94 feet; thence Southwesterly
2 106.41 feet along a curve to the right having a radius of
3 795.00 feet, the chord of said curve bears South 85 degrees 36
4 minutes 55 seconds West, a chord distance of 106.34 feet;
5 thence South 89 degrees 26 minutes 58 seconds West, 154.36 feet
6 to a point on the west line of said Lot 4; thence North 00
7 degrees 10 minutes 27 seconds East along said west line, 41.06
8 feet to the northwest corner of said Lot 4; thence North 89
9 degrees 27 minutes 02 seconds East along the north line of said
10 Lots 4 and 5, 260.35 feet to the Point of Beginning in McHenry
11 County, Illinois.

12 Said parcel containing 10,438 square feet (0.240 acres) more or
13 less.

14 Section 99. Effective date. This Act takes effect upon
15 becoming law.