

# HB0770



## 100TH GENERAL ASSEMBLY

State of Illinois

2017 and 2018

HB0770

by Rep. Barbara Wheeler

### SYNOPSIS AS INTRODUCED:

Authorizes the Department of Natural Resources to convey, in exchange for \$1, certain real estate in McHenry County to the Fox Waterway Agency. Provides that the conveyance is subject to: (1) existing public utilities, existing public roads, and any and all reservations, easements, encumbrances, covenants, and restrictions of record; and (2) the express condition that any proceeds from the sale of the real property shall be utilized for the purchase and development of an alternate dredge material disposal site or sites. Authorizes the Director of Natural Resources to exchange described parcels of real estate in Lake County for another parcel of described real estate in Lake County. Effective immediately.

LRB100 08390 HEP 18502 b

A BILL FOR

1 AN ACT concerning property.

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

4 Section 5. The Director of the Department of Natural  
5 Resources, on behalf of the State of Illinois, is authorized to  
6 execute and deliver to the Fox Waterway Agency, a  
7 special-purpose unit of local government organized and  
8 existing under the laws of this State, for and in consideration  
9 of \$1 paid to the Department, a quit claim deed to the  
10 following described real property:

11 Site R-15

12 A tract conveyed to the State of Illinois, Department of  
13 Transportation, Division of Water Resources (now Department of  
14 Natural Resources) by Document No. 91R016102, dated May 9, 1991  
15 in County of McHenry, State of Illinois, description as  
16 follows:

17 That part of the Northeast fraction of the Northwest Quarter  
18 (on the East bank of the Fox River) of Section 32, Township 44  
19 North, Range 9 East of the Third Principal Meridian, described  
20 as follows: Beginning at the Northeast corner of said Northwest  
21 Quarter and running thence South along the East line thereof  
22 for a distance of 200 feet to a point; thence West parallel

1 with the North line of said Northwest Quarter for a distance of  
2 1040 feet to a point; thence Southwesterly on a line forming an  
3 angle of 55 degrees and 30 minutes to the left with a  
4 prolongation of the last described line, at the last described  
5 point, for a distance of 575 feet to a point, (said line  
6 hereinafter known as line "B"), to a point; thence  
7 Southwesterly on a line forming an angle of 28 degrees and 00  
8 minutes to the right with a prolongation of the last described  
9 line, at the last described point, for a distance of 260 feet,  
10 more or less, to the Easterly shore line of the Fox River;  
11 thence Northwesterly on the Easterly shore line of the Fox  
12 River for a distance of 110 feet to a point; thence  
13 Northeasterly for a distance of 246 feet, more or less, to a  
14 point on a line drawn 50 feet Northwesterly of and parallel  
15 with said line "E" as previously described herein; thence  
16 Northeasterly on a line 50 feet Northwesterly of and parallel  
17 with said line "B" for a distance of 580 feet, more or less, to  
18 a point, said point being 150 feet South of and parallel with  
19 the North line of the Northwest Quarter of said Section 32;  
20 thence East on the last mentioned parallel line for a distance  
21 of 275 feet, more or less, to a point on a line drawn 790 feet  
22 West of and parallel with the East line of said Northwest  
23 quarter; thence North on the last mentioned parallel line for a  
24 distance of 150 feet to a point on the North line of said  
25 Northwest Quarter; thence East 790 feet to the Place of  
26 Beginning in McHenry County, Illinois.

1 ALSO an easement for ingress and egress over that part thereof  
2 described as the East 60 feet of the North 200 feet of the  
3 Northwest Quarter of Section 32 Township 44 North, Range 9,  
4 East of the Third Principal Meridian, in McHenry County,  
5 Illinois.

6 ALSO a 60 foot easement for ingress and egress over that part  
7 of the Northwest Quarter of Section 32, Township 44 North,  
8 Range 9, East of the Third Principal Meridian, the center line  
9 of said easement being described as beginning at the Southeast  
10 corner of a certain deed recorded in the recorder's office of  
11 McHenry County, Illinois in Book 441 of Deeds, Page 157 as  
12 Document number 275452 and running South and Southeasterly  
13 parallel with the shore line of the Fox River to the most  
14 Southeasterly line of a tract of land (said Southeasterly line  
15 being located 350 feet Northwesterly of and parallel with line  
16 "A" as mentioned and described herein. Situated in the County  
17 of McHenry and in the State of Illinois.

18 A tract conveyed to the State of Illinois, Department of  
19 Transportation, Division of Water Resources (now Department of  
20 Natural Resources) by Document No. 91R012191, dated February  
21 21, 1991 in County of McHenry, State of Illinois, description  
22 as follows:

1 A parcel of land comprised of the Southwest Quarter of the  
2 Southeast Quarter of Section 29, Township 44 North, Range 9  
3 East of the Third Principal Meridian, described as follows:  
4 Beginning at the Southeast corner of said Southwest Quarter of  
5 the Southeast Quarter of Section 29 (said point being on the  
6 South line of said Section 29 as described in Document No.  
7 77847 and 1325.30 feet West of the Southeast of said Section  
8 29); thence South 89 degrees 21 minutes 28 seconds West along  
9 the South line of said Section 29, 1322.01 feet; thence North  
10 00 degrees 15 minutes 57 seconds West, 1311.43 feet; thence  
11 North 89 degrees 28 minutes 25 seconds East, 1315.01 feet;  
12 thence South 00 degrees 34 minutes 19 seconds East, 1308.75  
13 feet to the Point of Beginning; containing 39.655 acres, more  
14 or less, in McHenry County, Illinois.

15 A Permanent Easement conveyed to the State of Illinois,  
16 Department of Transportation, Division of Water Resources (now  
17 Department of Natural Resources) by Document No. 91047610,  
18 dated November 6, 1991 in County of McHenry, State of Illinois,  
19 description as follows:

20 All that part of the Northwest Quarter of the Northeast Quarter  
21 of Section 32, Township 44 North, Range 9 East of the Third  
22 Principal Meridian in McHenry County, Illinois, Described as  
23 follows:

1 Beginning at the Northwest corner of the Northeast Quarter of  
2 Section 32; thence South 00 degrees 57 minutes 13 seconds East  
3 along the West line of said Northeast Quarter, 30.00 feet;  
4 thence South 89 degrees 21 minutes 28 seconds East, 50.00 feet;  
5 thence North 00 degrees 57 minutes 13 seconds East, 30.00 feet  
6 to a point in the North line of said Section 32; thence North  
7 89 degrees 21 minutes 28 seconds West along said Section line  
8 50.00 feet to the Point of Beginning, containing 0.0344 acres  
9 more or less.

10 Site R-16

11 A tract conveyed to the State of Illinois, Department of  
12 Transportation, Division of Water Resources (now Department of  
13 Natural Resources) by Document No. 89R028726, dated July 11,  
14 1989 in County of McHenry, State of Illinois, description as  
15 follows:

16 Lots 1, 11 and 12, in Block 3 and Lot 28 in Block 4, all in  
17 Holiday Hills Unit No. 3, being a subdivision of part of the  
18 West Half of Fractional Section 18, Township 44 North, Range 9  
19 East of the Third Principal Meridian, lying on the Easterly  
20 side of the Fox River, according to the plat thereof recorded  
21 September 26, 1955, as Document No. 298208, in Book 12 of  
22 Plats, Pages 52 and 53, in McHenry County, Illinois.

23 A tract conveyed to the State of Illinois, Department of

1     Transportation, Division of Water Resources (now Department of  
2     Natural Resources) by Document No. 89R028725, dated August 31,  
3     1989 in County of McHenry, State of Illinois, description as  
4     follows:

5     Lot 2, Block 3, Holiday Hills Unit No. 3, being a subdivision  
6     of part of the West Half of Fractional Section 18, Township 44  
7     North, Range 9 East of the Third Principal Meridian, lying on  
8     the Easterly side of the Fox River, according to the plat  
9     thereof recorded September 26, 1955, as Document No. 298208, in  
10    Book 12 of Plats, Pages 52 and 53, in McHenry County, Illinois.

11    A tract conveyed to the State of Illinois, Department of  
12    Transportation, Division of Water Resources (now Department of  
13    Natural Resources) by Document No. 89R032634, dated July 13,  
14    1989 in County of McHenry, State of Illinois, description as  
15    follows:

16    Lots 3 and 4, Block 3, Holiday Hills Unit No. 3, being a  
17    subdivision of part of the West Half of Fractional Section 18,  
18    Township 44 North, Range 9 East of the Third Principal  
19    Meridian, lying on the Easterly side of the Fox River,  
20    according to the plat thereof recorded September 26, 1955, as  
21    Document No. 298208, in Book 12 of Plats, Pages 52 and 53, in  
22    McHenry County, Illinois.

1 A tract conveyed to the State of Illinois, Department of  
2 Transportation, Division of Water Resources (now Department of  
3 Natural Resources) by Document No. 89R032632, dated July 11,  
4 1989 in County of McHenry, State of Illinois, description as  
5 follows:

6 Lot 5, Block 3, Holiday Hills Unit No. 3, being a subdivision  
7 of part of the West Half of Fractional Section 18, Township 44  
8 North, Range 9 East of the Third Principal Meridian, lying on  
9 the Easterly side of the Fox River, according to the plat  
10 thereof recorded September 26, 1955, as Document No. 298208, in  
11 Book 12 of Plats, Pages 52 and 53, in McHenry County, Illinois.

12 A tract conveyed to the State of Illinois, Department of  
13 Transportation, Division of Water Resources (now Department of  
14 Natural Resources) by Document No. 89R028722, dated July 10,  
15 1989 in County of McHenry, State of Illinois, description as  
16 follows:

17 Lot 6, Block 3, Holiday Hills Unit No. 3, being a subdivision  
18 of part of the West Half of Fractional Section 18, Township 44  
19 North, Range 9 East of the Third Principal Meridian, lying on  
20 the Easterly side of the Fox River, according to the plat  
21 thereof recorded September 26, 1955, as Document No. 298208, in  
22 Book 12 of Plats, Pages 52 and 53, in McHenry County, Illinois.



1 A tract conveyed to the State of Illinois, Department of  
2 Transportation, Division of Water Resources (now Department of  
3 Natural Resources) by Judgement Order, Case No. 89ED3, dated  
4 March 30, 1990 in County of McHenry, State of Illinois,  
5 description as follows:

6 Lot 7, Block 3, Holiday Hills Unit No. 3, being a subdivision  
7 of part of the West Half of Fractional Section 18, Township 44  
8 North, Range 9 East of the Third Principal Meridian, lying on  
9 the Easterly side of the Fox River, according to the plat  
10 thereof recorded September 26, 1955, as Document No. 298208, in  
11 Book 12 of Plats, Pages 52 and 53, in McHenry County, Illinois.

12 A tract conveyed to the State of Illinois, Department of  
13 Transportation, Division of Water Resources (now Department of  
14 Natural Resources) by Document No. 89R028723, dated August 24,  
15 1989 in County of McHenry, State of Illinois, description as  
16 follows:

17 Lot 8, Block 3, Holiday Hills Unit No. 3, being a subdivision  
18 of part of the West Half of Fractional Section 18, Township 44  
19 North, Range 9 East of the Third Principal Meridian, lying on  
20 the Easterly side of the Fox River, according to the plat  
21 thereof recorded September 26, 1955, as Document No. 298208, in  
22 Book 12 of Plats, Pages 52 and 53, in McHenry County, Illinois.

1 A tract conveyed to the State of Illinois, Department of  
2 Transportation, Division of Water Resources (now Department of  
3 Natural Resources) by Document No. 89R032633, dated August 30,  
4 1989 in County of McHenry, State of Illinois, description as  
5 follows:

6 Lot 9, Block 3, Holiday Hills Unit No. 3, being a subdivision  
7 of part of the West Half of Fractional Section 18, Township 44  
8 North, Range 9 East of the Third Principal Meridian, lying on  
9 the Easterly side of the Fox River, according to the plat  
10 thereof recorded September 26, 1955, as Document No. 298208, in  
11 Book 12 of Plats, Pages 52 and 53, in McHenry County, Illinois.

12 A tract conveyed to the State of Illinois, Department of  
13 Transportation, Division of Water Resources (now Department of  
14 Natural Resources) by Judgement Order, Case No. 89ED4, dated  
15 March 19, 1993 in County of McHenry, State of Illinois,  
16 description as follows:

17 Lots 17, 18, 19, 20, 21, 22, 23, 24, 25, 26 and 27, Block 4, all  
18 in Holiday Hills Unit No. 3, being a subdivision of part of the  
19 West Half of Fractional Section 18, Township 44 North, Range 9  
20 East of the Third Principal Meridian, lying on the Easterly  
21 side of the Fox River, according to the plat thereof recorded  
22 September 26, 1955, as Document No. 298208, in Book 12 of  
23 Plats, Pages 52 and 53, in McHenry County, Illinois.

1 A tract conveyed to the State of Illinois, Department of  
2 Transportation, Division of Water Resources (now Department of  
3 Natural Resources) by Document No. 89R028724, dated July 11,  
4 1989 in County of McHenry, State of Illinois, description as  
5 follows:

6 Lot 10, Block 3, Holiday Hills Unit No. 3, being a subdivision  
7 of part of the West Half of Fractional Section 18, Township 44  
8 North, Range 9 East of the Third Principal Meridian, lying on  
9 the Easterly side of the Fox River, according to the plat  
10 thereof recorded September 26, 1955, as Document No. 298208, in  
11 Book 12 of Plats, Pages 52 and 53, in McHenry County, Illinois.

12 Section 10. The conveyances of real property authorized by  
13 Section 5 shall be made subject to: (1) existing public  
14 utilities, existing public roads, and any and all reservations,  
15 easements, encumbrances, covenants and restrictions of record;  
16 and (2) the express condition that any proceeds from the sale  
17 of the real property shall be utilized for the purchase and  
18 development of an alternate dredge material disposal site or  
19 sites.

20 Section 15. The Director of the Department of Natural  
21 Resources, on behalf of the State of Illinois, is authorized to  
22 exchange the interest in certain real properties in Lake

1 County, Illinois, hereinafter referred to as Parcels 1 and 2,  
2 for certain real property of equal or greater value in Lake  
3 County, Illinois, hereinafter referred to as Parcel 3, such  
4 Parcels being described as follows:

5 PARCEL 1:

6 A parcel of land being part of an area known as Site 4  
7 acquired jointly by agreement between Lake County Forrest  
8 Preserve District and the State of Illinois Department of  
9 Transportation, Division of Water Resources (now the State  
10 of Illinois, Department of Natural Resources) by a Judgment  
11 Order filed May 1 1980 in the Circuit Clerks Office of Lake  
12 County, Case number 78 ED 52, more particularly described  
13 as:

14 That part of Section 20 and 29, in township 44 North, Range  
15 12 East of the 3rd P. M., described as follows: Beginning  
16 at a point on the North line of the South 1478.4 feet  
17 (22.40 chains) of the Southwest Quarter of said Section 20,  
18 which point is 459.63 feet East of the Northwest corner of  
19 the South 1478.4 feet of the Southwest Quarter of said  
20 Section 20, said point also being on the Easterly line of  
21 the Commonwealth Edison Company right-of-way and also  
22 being the Southwest corner of "The Terrace" being H.O.  
23 Stone and Company's Subdivision Recorded September 28,  
24 1925, as Document 265877; thence Southeasterly along the

1 Easterly line of said Commonwealth Edison Company  
2 right-of-way 3754.84 feet, more or less, to the  
3 Northwesterly right-of-way line of the Chicago and North  
4 Western Railway (Mayfair Branch); thence Northeasterly  
5 along the Northwesterly line of said Chicago and North  
6 Western Railway (Mayfair Branch) to a point on the South  
7 line of said Section 20; thence West along the South line  
8 of Section 20 a distance of 810 feet, more or less to a  
9 point which is 700 feet West of the East line of the  
10 Southwest Quarter of said Section 20; thence North along a  
11 line parallel to and 700 feet West of the West line of the  
12 East Half of said Section 20 to the Southerly line of "The  
13 Terrace" Subdivision; which is also the North line of the  
14 South 22.40 chains of the Southwest Quarter of said Section  
15 20; thence West along the last described line to the place  
16 of beginning, in Lake County, Illinois, containing 84.5  
17 acres, more or less.

18 PARCEL 2:

19 A parcel of land being part of an area known as Site 18  
20 acquired jointly by agreement between Lake County Forrest  
21 Preserve District and the State of Illinois Department of  
22 Transportation, Division of Water Resources (now the State  
23 of Illinois, Department of Natural Resources) by a Judgment  
24 Order filed November 14 1977 in the Circuit Clerks Office  
25 of Lake County, Case number 76 ED 98, more particularly

1 described as:

2 That part of the North Half of Section 17 and the Northeast  
3 Quarter of Section 18, Township 43 North, Range 12 East of  
4 the 3rd P. M., described as follows: Commencing at the  
5 intersection of the North line of Section 18 with the  
6 Easterly right of way line of Waukegan Road (State Route  
7 43); thence Southeasterly along the said Easterly right of  
8 way line of Waukegan Road to the south line of the North  
9 Half of said Section 17; thence East along said South line  
10 of Section 17 to the center line of the West Skokie  
11 Drainage Ditch; thence Northerly and Northwesterly along  
12 the center line of said West Skokie Drainage Ditch to the  
13 North line of said Section 17; thence West along said North  
14 line to the place of beginning, (excepting therefrom that  
15 part of the Northwest Quarter of the Northwest Quarter of  
16 Section 17, described as follows: Beginning at a point on  
17 the North line of said Northwest Quarter of the Northwest  
18 Quarter 343.34 feet West of the Northeast corner of said  
19 Northwest Quarter of the Northwest Quarter; thence South at  
20 right angle to said North line of the Northwest Quarter of  
21 the Northwest Quarter a distance of 298.0 feet; thence West  
22 at right angle to the last described course, a distance of  
23 247.0 feet; thence North at right angle to the last  
24 described course, a distance of 298.0 feet to said North  
25 line of the Northwest Quarter of the Northwest Quarter;

1           thence East on said North line of the Northwest Quarter of  
2           the Northwest Quarter, a distance of 247.0 feet to the  
3           point of beginning, all in Township 43 North, Range 12 East  
4           of the 3rd P.M.) and also (excepting the West 3 acres of  
5           the North Half of the Northeast Quarter of the Northwest  
6           Quarter of Section 17, Township 43 North, Range 12 East of  
7           the 3rd P.M.) and also (excepting the East 660 feet of the  
8           South 132 feet of the Northwest Quarter of Section 17,  
9           Township 43 North, Range 12 East of the 3rd P. M.) and also  
10          (excepting that part of the East Half of the Northwest  
11          Quarter of Section 17, Township 43 North, Range 12 East of  
12          the 3rd P. M., described as follows: Beginning at a point  
13          in the North line of the Northeast Quarter of the Northwest  
14          Quarter of said Section 17 which is 197.6 feet East of the  
15          Northwest corner thereof, being the Northeast corner of the  
16          West 3.0 acres of the North Half of the Northeast Quarter  
17          of the Northwest Quarter of Section 17; thence South along  
18          the East line of said 3.0 acre tract and the East line  
19          extended, 1029.8 feet; thence East parallel with the North  
20          line of the Northeast Quarter of the Northwest Quarter of  
21          said Section 17, 423.0 feet; thence North 1029.8 feet to a  
22          point in the North line of the Northeast Quarter of the  
23          Northwest Quarter of said Section 17, which is 423.0 feet  
24          East of the place of beginning and thence West along said  
25          North line 423.0 feet to the place of beginning) and also  
26          (excepting therefrom all parts thereof previously

1 dedicated or used for public highways or drainage ditch)  
2 all in Lake County, Illinois.

3 PARCEL 3:

4 A parcel of land acquired by the Lake County Forest  
5 Preserve District by a Corporate Warranty Deed, dated  
6 October 12, 2006 recorded October 19, 2006 as document  
7 number 6076619

8 That part of the Northwest Quarter of Section 9, Township  
9 44 North, Range 9 East of the Third Principal Meridian,  
10 lying Westerly of the center line of Darrell Road in Lake  
11 County, Illinois.

12 Section 20. With respect to the transaction under Section  
13 15, each party shall be responsible for any and all title costs  
14 associated with their respective properties.

15 Section 25. The conveyance of Parcels 1 and 2 and the  
16 acceptance of Parcel 3 as authorized by Section 15 shall be  
17 made subject to existing public utilities, existing public  
18 roads, and any and all reservations, easements, encumbrances,  
19 covenants and restrictions of record.

20 Section 30. The Director of Natural Resources shall obtain  
21 a certified copy of the portions of this Act containing the



1 title, the enacting clause, the effective date, the appropriate  
2 Section or Sections containing the land descriptions of the  
3 property to be conveyed, and this Section within 60 days after  
4 its effective date and, upon receipt of the payment required by  
5 the Section or Sections, if any payment is required, shall  
6 record the certified document in the Recorder's Office in the  
7 county in which the land is located.

8 Section 99. Effective date. This Act takes effect upon  
9 becoming law.