

# SB1258



## 100TH GENERAL ASSEMBLY

### State of Illinois

2017 and 2018

SB1258

Introduced 2/7/2017, by Sen. Pamela J. Althoff

#### 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. Effective immediately.

LRB100 09070 HEP 19221 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 Natural Resources shall obtain  
21 a certified copy of the portions of this Act containing the  
22 title, the enacting clause, the effective date, the appropriate

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

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