

# HB5849



## 102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

HB5849

by Rep. Sue Scherer

### SYNOPSIS AS INTRODUCED:

Authorizes the Director of Central Management Services to execute and deliver a quitclaim deed to certain described property to the City of Springfield for \$1, subject to specified conditions. Effective immediately.

LRB102 29632 LNS 41658 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. Definitions. As used in this Act:

5 "CDB" means the State's Capital Development Board.

6 "City" means the City of Springfield, an Illinois  
7 Municipal Corporation, Sangamon County, Illinois.

8 "Corporate authorities" has the same meaning as set forth  
9 in Section 1-1-2 of the Illinois Municipal Code.

10 "Demolition work" means the demolition of the State  
11 buildings down to the concrete slab, the proper remediation as  
12 necessary of the debris generated by the demolition, the  
13 proper disposal of the debris, the relocation or splitting and  
14 reestablishing for future connection of any and all necessary  
15 active utilities, and the preparation for the reactivation of  
16 State buildings on the east and west of the future railroad  
17 right-of-way that is being established for the Project.

18 "Department" means the Department of Central Management  
19 Services.

20 "Director" and "Administrator" mean the Director of the  
21 Department.

22 "Project" means the development project known as the  
23 Springfield High Speed Rail Corridor Improvement Project.

24 "Property" means all of the real estate described in

1 Section 10, consisting of a strip of land from the  
2 Department's Sangamo Complex in the City that is owned by the  
3 Department.

4 "State buildings" means certain structures of the Sangamo  
5 Complex as identified by the Department.

6 Section 10. Land transfer for the Project. Pursuant to the  
7 provisions and subject to the terms and conditions of this  
8 Act, the Director, on behalf of the State of Illinois, is  
9 authorized to execute and deliver to the City, for and in  
10 consideration of \$1 paid to the Department, a quitclaim deed  
11 to the following described real property and such ancillary  
12 documents as the Department deems appropriate, for fully and  
13 properly effectuating a transfer to the City of title to the  
14 following land from the Department's Sangamo Complex in the  
15 City:

16 Common Address: 1021 North Grand Avenue East, Springfield,  
17 IL 62702

18 Parcel SR0021A

19 Part of Lot 20 of the Subdivision of the Northwest part of  
20 the Northwest Quarter Section 23 and part of the East Half  
21 of the Northeast Quarter and part of the Southeast Quarter  
22 of Section 22, all in Township 16 North, Range 5 West of  
23 the 3rd Principal Meridian, more particularly described as

1 follows:

2 Beginning at the Southeast corner of Lot 20, being the  
3 intersection of the existing northerly right of way line  
4 of North Grand Avenue and the existing westerly right of  
5 way line of Eleventh Street; thence South 88 degrees 47  
6 minutes 07 seconds West along south line of Lot 20, being  
7 the existing northerly right of way line of North Grand  
8 Avenue, 480.93 feet; thence North 00 degrees 02 minutes 56  
9 seconds East, 8.86 feet; thence North 88 degrees 51  
10 minutes 10 seconds East, 480.99 feet to the east line of  
11 Lot 20, being existing westerly right of way line of  
12 Eleventh Street; thence South 00 degrees 31 minutes 28  
13 seconds West along east line of Lot 20 a distance of 8.29  
14 feet to the Point of Beginning containing 4,124.40 square  
15 feet or 0.095 acre, more or less.

16 Parcel SR0021B

17 Part of Lot 20 of the Subdivision of the Northwest part of  
18 the Northwest Quarter Section 23 and part of the East Half  
19 of the Northeast Quarter and part of the Southeast Quarter  
20 of Section 22, all in Township 16 North, Range 5 West of  
21 the 3rd Principal Meridian, more particularly described as  
22 follows:

23 Commencing at the Southeast corner of Lot 20, being the  
24 intersection of the existing northerly right of way line  
25 of North Grand Avenue and the existing westerly right of

1 way line of Eleventh Street; thence North 00 degrees 31  
2 minutes 28 seconds East along east line of Lot 20 a  
3 distance of 8.29 feet; thence South 88 degrees 51 minutes  
4 10 seconds West, 259.42 feet to the Point of Beginning;  
5 thence continuing South 88 degrees 51 minutes 10 seconds  
6 West, 120.02 feet; thence North 00 degrees 08 minutes 55  
7 seconds West, 88.34 feet; thence North 89 degrees 51  
8 minutes 05 seconds East, 30.00 feet; thence North 00  
9 degrees 08 minutes 55 seconds West, 755.05 feet; thence  
10 South 88 degrees 19 minutes 36 seconds East, 90.05 feet;  
11 thence South 00 degrees 08 minutes 55 seconds East, 838.43  
12 feet to the Point of Beginning containing 78,300.74 square  
13 feet or 1.798 acre, more or less.

14 Parcel SR0021C

15 Part of Lot 20 of the Subdivision of the Northwest part of  
16 the Northwest Quarter Section 23 and part of the East Half  
17 of the Northeast Quarter and part of the Southeast Quarter  
18 of Section 22, all in Township 16 North, Range 5 West of  
19 the 3rd Principal Meridian, more particularly described as  
20 follows:

21 Commencing at the Northwest corner of Lot 20, being the  
22 intersection of the existing southerly right of way line  
23 of Converse Avenue and the existing easterly right of way  
24 line of Ninth Street; thence South 88 degrees 39 minutes  
25 41 seconds East along the north line of Lot 20, being the

1 existing southerly right of way line of Converse Avenue,  
2 258.03 feet to the Point of Beginning; thence continuing  
3 South 88 degrees 39 minutes 41 seconds East along the  
4 north line of Lot 20 a distance of 286.24 feet; thence  
5 South 87 degrees 41 minutes 19 seconds West, 109.71 feet  
6 thence North 88 degrees 19 minutes 36 seconds West, 90.05  
7 feet; thence North 84 degrees 24 minutes 06 seconds West,  
8 86.94 feet to the Point of Beginning containing 1,267.54  
9 square feet or 0.029 acre, more or less.

10 Section 15. Conveyance.

11 (a) The City is pursuing a development project known as  
12 the Springfield High Speed Rail Corridor Improvement Project,  
13 and the City's corporate authorities have determined that it  
14 is in the best interest of the City, its residents, and the  
15 Project, to acquire all of the real estate described in  
16 Section 10, consisting of a strip of land from the  
17 Department's Sangamo Complex in the City that is owned by the  
18 Department, including the land, existing foundation, slab  
19 structures, existing utility facilities, and other  
20 improvements at or below grade level, all of which are the  
21 property of the State of Illinois. The corporate authorities  
22 of the City intend to use the Property as part of the Project.

23 (b) To allow for the Project, the State of Illinois,  
24 through the CDB, shall access and evaluate for demolition,  
25 then the CDB shall demolish the State buildings down to the

1 concrete slab, properly remediate as necessary the debris  
2 generated by the demolition, properly dispose of the debris,  
3 relocate or split and reestablish for future connection any  
4 and all necessary active utilities, and prepare for the  
5 reactivation of State buildings on the east and west of the  
6 future railroad right-of-way that is being established for the  
7 Project.

8 (c) Within 2 years of the effective date of this Act, the  
9 City shall reimburse the State for the entire cost of the  
10 demolition work, including the associated work described in  
11 subsection (b) for the State buildings.

12 (d) The City, using the City's own funds, shall remove the  
13 foundation and slab structures from the Property to install  
14 the necessary infrastructure for the new rail system that is  
15 encompassed in the Project.

16 (e) The City, using the City's own funds, shall relocate  
17 to the appropriate public ways and streets the active  
18 storm-sewer line that is currently located in the Sangamo  
19 Complex parking lot and serves both the Sangamo Complex and  
20 other private entities nearby.

21 (f) The City has assured the Administrator that the City  
22 shall accept the Property without any representation or  
23 warranty from the Department as to the condition of the  
24 Property or the fitness of the Property for any purpose. The  
25 corporate authorities of the City have also assured the  
26 Administrator that, upon the City's acquisition of the

1 Property from the Department, the City, through its agents,  
2 employees, and contractors, will diligently, timely, and fully  
3 carry out and accomplish all of its obligations under this  
4 Act.

5 (g) The Administrator is satisfied that, pursuant to the  
6 provisions and subject to all of the terms and conditions of  
7 this Act, the transfer of the Property to the City, for \$1 paid  
8 to the Department, for the City to use as part of the Project  
9 is in the interests of the State of Illinois.

10 (h) Notwithstanding any other law of the State of Illinois  
11 to the contrary, the Administrator is authorized under this  
12 Act, subject to the terms and conditions in this Act, to sell  
13 all right, title, and interest of the State of Illinois in and  
14 to the Property to the City for \$1 and such other terms and  
15 conditions in the quitclaim deed and ancillary documents that  
16 the Administrator deems appropriate, with such sale occurring  
17 pursuant to a Purchase and Sale Agreement prepared by the  
18 Department and that the conveyance of the Property authorized  
19 by this Act shall be made subject to existing public roads,  
20 existing rights of public utilities, existing rights of the  
21 public or quasipublic utilities, and any and all reservations,  
22 easements, encumbrances, covenants, agreements, and  
23 restrictions of record.

24 (i) The quitclaim deed described in this Section shall  
25 contain a reverter clause providing, in language prepared by  
26 and acceptable to the Department, that title to the Property



1 shall revert, without further action, to the State of Illinois  
2 if: the Property is used for any purpose other than as  
3 described in this Act, which is use as an element of public  
4 transportation infrastructure by the City and its affiliates;  
5 or if an attempt is made, without the prior written consent of  
6 the Department, to sell the Property to any person or entity or  
7 to convey or donate the Property in any manner whatsoever. The  
8 language prepared by and acceptable to the Department may  
9 include, if the Director sees fit to include it, in the  
10 Director's discretion, a provision specifically empowering the  
11 Director to issue exemptions to the operation of the reverter  
12 clause on a case by case basis, in each case at the Director's  
13 discretion following receipt of a request with full  
14 justification submitted by the City.

15 Section 20. Transfer stipulations; execution by the City;  
16 document recording. The transfer of title authorized under  
17 this Act shall be by quitclaim deed, which shall be prepared by  
18 the Department so that the transfer to the City is on an "AS  
19 IS", "WHERE IS", and "WITH ALL FAULTS" basis as of the date of  
20 sale, without any representation by the State of Illinois to  
21 the City, or any persons and entities whatsoever, as to the  
22 Property's condition or fitness for any purpose. The deed  
23 shall be executed by the City as grantee in order to confirm  
24 the City's undertaking to abide by the requirements in this  
25 Act and the City's agreement to diligently, timely, and fully

1 perform its obligations as set forth in this Act. All  
2 documents of transfer shall be recorded in Sangamon County.

3 Section 25. Director's authority regarding discretion,  
4 consent, and decisions. In any situation or instance where,  
5 under the provisions of this Act, the Director is authorized  
6 to exercise discretion, or to grant or withhold consent, the  
7 Director's authority shall be deemed to be unfettered in  
8 making a decision, based on the Director's own determination  
9 as to the interests of the State of Illinois.

10 Section 99. Effective date. This Act takes effect upon  
11 becoming law.