

# HB4653



## 95TH GENERAL ASSEMBLY

State of Illinois

2007 and 2008

HB4653

by Rep. David R. Leitch

### SYNOPSIS AS INTRODUCED:

Requires the Director of Corrections, on behalf of the State of Illinois and the Department of Corrections, to convey, by quit claim deed, all right, title, and interest of the State of Illinois and the Department of Corrections in and to certain real estate to Peoria County. Effective immediately.

LRB095 17710 AJO 43785 b

FISCAL NOTE ACT  
MAY APPLY

A BILL FOR

1 AN ACT concerning land.

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

4 Section 5. The State of Illinois owns the following  
5 described real estate, which is under the control of the  
6 Department of Corrections:

7 A part of the SW 1/4 of Section 4, T8N, R6E, 4th Principal  
8 Meridian, Peoria County, Illinois, more particularly bounded  
9 and described as follows:

10 The East half (E 1/2) of the Southeast Quarter (SE 1/4) of the  
11 Southwest Quarter (SW 1/4) of Section Four (4), Township 8  
12 North (8N), Range 6 East (6E) of the Fourth Principal Meridian,  
13 Peoria County, Illinois, excepting therefrom an easement for  
14 right-of-way purposes, the East Sixteen and one-half (16 1/2)  
15 feet thereof, containing 20.00 acres, more or less; and

16 The West half (W 1/2) of the Southeast Quarter (SE 1/4) of the  
17 Southwest Quarter (SW 1/4) of Section Four (4), Township 8  
18 North (8N), Range 6 East (6E) of the Fourth Principal Meridian,  
19 Peoria County, Illinois, excepting therefrom an easement for  
20 right-of-way purposes, over a triangular parcel of land  
21 described as follows:

1 Beginning at the Northwest (NW) corner of the above described  
2 tract of land and running East (E) along the North (N) line  
3 thereof, a distance of twenty (20) feet, thence Southwesterly  
4 (SW) to a point on the West (W) line of the above described  
5 tract, which is twenty (20) feet South (S) of the point of  
6 beginning; containing twenty (20.00) acres, more or less.

7 Excepting from the above described 40.00 Acre Tract the  
8 following:

9 A part of the SW 1/4 of Section 4, T8N, R6E, 4th Principal  
10 Meridian, Peoria County, Illinois, more particularly bounded  
11 and described as follows:

12 Commencing at the approximate Southeast corner of the SE 1/4 of  
13 the SW 1/4 of said Section 4, and being at the centerline of  
14 the pavement of Illinois Highway #116 (S.B.I. Rt. #8), Thence S  
15  $88^{\circ} 16'$  W along the centerline of the pavement off said  
16 Illinois Highway #116, a distance of 733.7 feet; Thence N  $1^{\circ}$   
17  $35'$  W, 156.0 feet; Thence N  $28^{\circ} 20'$  E, 122.3 feet; Thence N  $1^{\circ}$   
18  $35'$  W, 67.7 feet; Thence East, 29.1 feet to an iron rod, said  
19 iron rod being the Point of Beginning for the tract to be  
20 described; Thence continuing East, 41.0 feet to an iron rod;  
21 Thence S  $1^{\circ} 53'$  E, 140.0 feet to an iron rod; Thence East, 51.0  
22 feet to an iron rod; Thence N  $1^{\circ} 53'$  W, 220.0 feet to an iron

1 rod; Thence East, 34.0 feet to an iron rod; Thence North, 67.0  
2 feet to an iron rod; Thence S 88° 10' W, 123.4 feet to an iron  
3 rod; Thence South, 143.0 feet to the Point of Beginning,  
4 containing 0.514 Acres and subject to the following:

5 1. The right of ingress and egress along Streets "A"  
6 and "C" and the right to use the "Parking Areas" lying East  
7 of said "A" Street and South of said "C" Street adjoining  
8 above described property.

9 2. The right of ingress and egress on "B" Street,  
10 running S 80° 33' from "A" Street and across above  
11 described tract.

12 3. ALSO: an easement 15 feet in width for a 4"  
13 watermain, being 7 1/2' on each side of the following  
14 described centerline: Commencing at the Point of Beginning  
15 in the above described tract (0.514 Acres), Thence East 11  
16 feet to the Point of Beginning for the centerline to be  
17 described; Thence S 13° 20' W, 218 feet; Thence S 83° 33'  
18 E, 241 feet; Thence S 4° 40' E, 53 feet, more or less, to  
19 the Northerly right-of-way line of said Illinois Highway  
20 #116.

21 4. ALSO: an Easement 15 feet in width for a 6" Waste  
22 Water Overflow Line, being 7 1/2 feet on each side of the  
23 following described centerline: Commencing at the Point of  
24 Beginning in the above described 0.514 Acre Tract; Thence  
25 East 41.0 feet to an iron rod; Thence S 1° 53' E, 140.0  
26 feet to an iron rod; Thence East, 51.0 feet to an iron rod;

1           Thence N 1° 53' W, 14 feet to the Point of Beginning for  
2           the centerline to be described; Thence S 61° 40' E, 76.5  
3           feet to a Manhole; Thence S 33° 45' E, 121 feet to a  
4           Manhole; Thence N 88° 16' E, 371 feet to a Manhole; Thence  
5           S 19° 30' E, 28 feet, more or less, to the Northerly  
6           right-of-way line of said Illinois Highway #116.

7           Said easements #3 and #4 above to be reserved for renewing and  
8           maintaining said underground piping, together with the right to  
9           enter upon said Easements at all times to operate and maintain  
10          the 4" Waterline and the 6" Waste Water Overflow. No permanent  
11          buildings or trees shall be placed on said Easements.

12          Also excepting from the above described 40 Acre Tract the  
13          following:

14          Real property described as a tract of land containing 1.03  
15          acres, more or less, in the SW 1/4 of Section 4, T-8-N, R-6-E  
16          of the 4th Principal Meridian, Peoria County, Illinois, and  
17          more particularly described as follows:

18          From the South 1/4 corner of said Section 4, go S 89° 46' W,  
19          17.5 feet along centerline Illinois State Highway #116, which  
20          is the South line of Section 4; Thence North 0° 14' E, 41.4  
21          feet to SE corner of existing fenced plot; thence N 0° 14' E,  
22          733.65 feet along existing fence line to a point; thence N 89°

1 58' W, 316.85 feet to a point hereinafter known as the point of  
2 beginning; thence N 89° 58' W, 330 feet to a point; thence N 0°  
3 2' E, 136.4 feet to a point; thence S 89° 58' E, 330 feet to a  
4 point; thence S 0° 2' W, 136.4 feet to the point of beginning.

5 Granting access easement to the Federal Aviation  
6 Administration property described above, said easement being  
7 more particularly described as a strip of land 26 feet wide on  
8 the west side and 10 feet wide on the east side of the  
9 following described line:

10 Beginning at the Northwest corner of the ARSRM plot, go S 0° 2'  
11 W, 635.8 feet to a point; thence S 20° 50' 30" W, 153.85 feet to  
12 a point; thence S 0° 5' W, 135.15 feet to the centerline of  
13 State Highway #116. Said easement subject to all existing State  
14 highway Rights-of-way, and all other existing access and  
15 utility easements and leases.

16 Also granting a utility easement to the ARSRM plot from State  
17 Highway #116. This easement is more particularly described as a  
18 strip of land 10 feet wide on the west side of the following  
19 described line: Beginning at the Southeast corner of the ARSRM  
20 plot, go S 0° 14' W, 776.5 feet to the centerline of State  
21 Highway #116.

22 A utility easement to the ARSRM site from the 33 KV Central

1 Illinois Electric Company (CILCO) substation located adjacent  
2 to State Highway #116. This easement is more particularly  
3 described as a strip of land 15 feet wide on the east side of a  
4 line beginning at the southwest corner of the ARSRM site and  
5 running S 0° 02' W to the north edge of the CILCO substation  
6 and a strip of land 50 feet wide on the west side of a line  
7 beginning 590 feet S 0° 02' W of the southwest corner of the  
8 ARSRM site and running S 0° 02' W to the north edge of the CILCO  
9 substation. This easement shall include the right to install  
10 and maintain overhead and underground utility lines, and shall  
11 be subject to existing roadways and utility easements.

12 The utility easements shall provide the right to install and  
13 maintain underground and overhead utility lines and shall be  
14 subject to existing rights-of-way and utility easements.

15 All presently owned government lands adjacent to the Radar  
16 Building for 2000 foot radius in all directions shall be zoned  
17 against all new structures (temporary or permanent) which  
18 exceed an elevation of 780 feet MSL (Mean Sea Level) without  
19 written approval from the FAA Regional Director.

20 All presently owned government lands adjacent to the Radar  
21 Building for a 1000 foot radius in all directions shall be  
22 zoned against any new metal structures of any kind regardless  
23 of height. This eliminates, but is not limited to, any metal

1 buildings, metal roofs and metal fences. This does not restrict  
2 wooden, masonry block or concrete buildings with structural  
3 steel framing.

4 Total acreage described above is 38.456 acres, more or less,  
5 with the following described easements.

6 Also, perpetual easements and right-of-ways in, on, over,  
7 under, and across the land for the location, construction,  
8 operation, maintenance, patrol, and removal of a sewer line  
9 with all necessary fittings and appliances together with the  
10 right to trim, cut, fell, and remove therefrom all trees,  
11 underbrush, and obstructions and any other vegetation,  
12 structures, or obstacles within the limits of the  
13 right-of-ways, subject however to existing easements for  
14 public roads and highways, public utilities, railroads and  
15 pipelines, including the rights hereinafter described in, on,  
16 over, under, and across certain lands in Peoria County, State  
17 of Illinois, described as follows:

18 The South Forty (40) feet of the West Forty (40) feet of the  
19 Northeast Quarter (NE 1/4) of the Southwest Quarter (SW 1/4) of  
20 Section 4, Township 8 North, Range 6 East of the Fourth  
21 Principal Meridian, Peoria County, Illinois; containing 0.04  
22 acre, more or less.



1 And saving, excepting and reserving to the Grantor, its  
2 successors or assigns, forever, all ores, minerals, coal, oils,  
3 gasses and salts situated in, upon or under said property or  
4 any part or parts thereof, and the right at all times to enter  
5 upon said land, or any part or parts thereof, and there  
6 explore, search, dig, drill and mine for ores, minerals, coal,  
7 oils, gases and salts and freely carry on the business of  
8 drilling or mining and removing such, and for such purpose or  
9 purposes take, use and occupy so much and such parts of said  
10 property, and to cave the surface thereof, and for such term of  
11 time as said Grantor, its successors or assigns shall deem  
12 expedient without any let, hindrance or interference by the  
13 Grantee, their successors and assigns. Provided, however, that  
14 if said Grantor, its successors or assigns shall require any  
15 part of the surface of said land for permanent occupancy or  
16 shall cave the surface thereof or shall damage any part of the  
17 surface of said land or the improvements of such part, the  
18 Grantor, its successors or assigns shall pay said Grantee or its  
19 successors or assigns for the land so caved or occupied or for  
20 the damage caused but not exceeding in amount the actual prior  
21 market value of the part or parts of the property so occupied  
22 or damaged together with improvements. The purpose of this  
23 exception or reservation is to sever the surface estate of said  
24 property from the mineral estate lying beneath the surface and  
25 by this Quitclaim Deed convey only rights in the use of the  
26 surface of said property.

1 And also subject to existing easements for public roads,  
2 highways, public utilities, railroads, pipelines, and  
3 rights-of-way, if any, not shown of record.

4 Section 10. The real estate described in Section 5 is no  
5 longer needed by the State of Illinois. Therefore, the Director  
6 of Corrections, on behalf of the State of Illinois and the  
7 Department of Corrections, must convey by quit claim deed all  
8 right, title, and interest of the State of Illinois and the  
9 Department of Corrections in and to the real estate described  
10 in Section 5 of this Act to the Peoria County at no additional  
11 consideration.

12 Section 15. The Director of Corrections shall obtain a  
13 certified copy of this Act within 60 days after this Act's  
14 effective date and shall record the certified document in the  
15 Recorder's Office of Peoria County, Illinois.

16 Section 99. Effective date. This Act takes effect upon  
17 becoming law.