

SB1895



95TH GENERAL ASSEMBLY

State of Illinois

2007 and 2008

SB1895

Introduced 1/10/2008, by Sen. Pamela J. Althoff

SYNOPSIS AS INTRODUCED:

735 ILCS 30/Art. 25, Pt. 5 heading
735 ILCS 30/25-5-5 new

Amends the Eminent Domain Act. Grants quick-take eminent domain powers for a period of one year to the Village of Johnsburg for the construction of a METRA rail station and rail storage yard. Effective immediately.

LRB095 16077 AJO 42095 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 changing
5 the heading of Part 5 of Article 25 and by adding Section
6 25-5-5 as follows:

7 (735 ILCS 30/Art. 25, Pt. 5 heading)

8 Part 5. New Quick-take Powers

9 ~~(Reserved)~~

10 (Source: P.A. 94-1055, eff. 1-1-07.)

11 (735 ILCS 30/25-5-5 new)

12 Sec. 25-5-5. Quick-take; Village of Johnsburg. Quick-take
13 proceedings under Article 20 may be used for a period of no
14 more than one year after the effective date of this amendatory
15 Act of the 95th General Assembly by the Village of Johnsburg,
16 McHenry County for the acquisition of the following described
17 property for the purpose of constructing a METRA rail station
18 and rail storage yard:

19 PARCEL 1:

20 That part of the of the Southwest Quarter, part of the
21 Southeast Quarter of Section 15 and part of the Northeast

1 Quarter of Section 22, Township 45 North, Range 8 East of
2 the Third Principal Meridian, McHenry County, Illinois
3 more particularly described as follows: Beginning at the
4 intersection of the North line of the said Southwest
5 Quarter and the westerly line of the Chicago and
6 Northwestern Railroad; thence southerly along said
7 westerly line to the intersection of the East line of said
8 Southwest Quarter and said westerly line; thence
9 continuing southerly along said westerly line to the
10 intersection of the South line of said Southeast Quarter
11 and said westerly line; thence continuing southerly along
12 said westerly line to the northerly line of F.A.P. Route
13 420; thence northwesterly along said northerly line to a
14 line lying 530.00 feet westerly of and parallel with the
15 said westerly line of the Chicago and Northwestern
16 Railroad; thence northerly along said parallel line to a
17 line lying 392.00 feet southerly of and parallel with the
18 said North line of the Southwest Quarter; thence northerly
19 along a line which intersects with the said North line of
20 said Southwest Quarter and a line lying 412.05 feet
21 westerly of and parallel with the said westerly line of the
22 Chicago and Northwestern Railroad; thence easterly along
23 said North line to the point of beginning.

24 PARCEL 2:

25 That part of the Northwest Quarter of Section 15, Township

1 45 North, Range 8 East of the Third Principal Meridian,
2 McHenry County, Illinois more particularly described as
3 follows: Beginning at the intersection of the North line of
4 the South Half of said Northwest Quarter and the westerly
5 line of the Chicago and Northwestern Railroad; thence
6 southerly along said westerly line to the South line of the
7 said Northwest Quarter; thence westerly along said South
8 line to a line lying 412.05 feet westerly of and parallel
9 with the said westerly line of the Chicago and Northwestern
10 Railroad; thence northerly along said parallel line to said
11 North line of the said South Half; thence easterly along
12 said North line of said South Half to the point of
13 beginning.

14 PARCEL 3:

15 PART OF THE EAST HALF OF SECTION 22, TOWNSHIP 45 NORTH,
16 RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, BEING
17 DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF
18 THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID
19 SECTION 22; THENCE NORTH 00 DEGREES 14 MINUTES 04 SECONDS
20 EAST, 326.75 FEET TO THE SOUTHERLY RIGHT-OF-WAY LINE OF
21 F.A. ROUTE 420 (ALSO KNOWN AS F.A. ROUTE 201) AND THE POINT
22 OF BEGINNING; THENCE SOUTH 53 DEGREES 44 MINUTES 23 SECONDS
23 EAST ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, 96.43 FEET;
24 THENCE SOUTH 81 DEGREES 26 MINUTES 11 SECONDS EAST ALONG
25 SAID SOUTHERLY RIGHT-OF-WAY LINE, 149.31 FEET TO THE

1 NORTHWEST LINE OF THE PROPERTY DESCRIBED IN DOCUMENT NO.
2 98R0015236; THENCE SOUTH 71 DEGREES 00 MINUTES 28 SECONDS
3 WEST ALONG SAID LINE, 106.38 FEET; THENCE SOUTH 01 DEGREES
4 23 MINUTES 04 SECONDS WEST ALONG THE WEST LINE OF SAID
5 PROPERTY DESCRIBED IN DOCUMENT 98R0015236, 1,675.00 FEET
6 TO THE OLD CENTERLINE OF MCCULLOM LAKE ROAD; THENCE NORTH
7 36 DEGREES 55 MINUTES 21 SECONDS WEST ALONG SAID
8 CENTERLINE, 292.63 FEET TO A LINE 30.00 FEET EAST OF AND
9 PARALLEL WITH THE EASTERLY RIGHT-OF-WAY LINE OF THE CHICAGO
10 AND NORTHWESTERN RAILROAD; THENCE NORTH 12 DEGREES 37
11 MINUTES 51 SECONDS WEST ALONG SAID PARALLEL LINE, 621.31
12 FEET; THENCE NORTHWESTERLY 666.70 FEET ALONG SAID PARALLEL
13 LINE, BEING A CURVE TO THE LEFT, HAVING A RADIUS OF
14 5,809.58 FEET, CHORD LENGTH OF 666.34 FEET, AND BEARS NORTH
15 15 DEGREES 55 MINUTES 06 SECONDS WEST; THENCE NORTH 19
16 DEGREES 12 MINUTES 21 SECONDS WEST PARALLEL WITH THE SAID
17 RIGHT-OF-WAY LINE, 165.20 FEET TO THE CENTERLINE OF A
18 DRAINAGE DITCH; THENCE NORTH 60 DEGREES 19 MINUTES 37
19 SECONDS EAST ALONG SAID DRAINAGE DITCH, 433.61 FEET TO THE
20 SOUTHERLY RIGHT-OF-WAY LINE OF SAID F.A. ROUTE 420; THENCE
21 SOUTH 53 DEGREES 44 MINUTES 23 SECONDS EAST ALONG SAID
22 SOUTHERLY RIGHT-OF-WAY LINE, 109.26 FEET, TO THE PLACE OF
23 BEGINNING, IN MCHENRY COUNTY, ILLINOIS.

24 PARCEL 4:

25 PART OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF

1 SECTION 22, TOWNSHIP 45 NORTH, RANGE 8 EAST OF THE THIRD
2 PRINCIPAL MERIDIAN, BEING DESCRIBED AS FOLLOWS: COMMENCING
3 AT THE SOUTHEAST CORNER OF THE NORTHWEST QUARTER OF THE
4 NORTHEAST QUARTER OF SAID SECTION 22; THENCE NORTH 00
5 DEGREES 14 MINUTES 01 SECONDS EAST ALONG THE EAST LINE
6 THEREOF, 326.75 FEET TO THE SOUTHERLY RIGHT-OF-WAY LINE OF
7 F.A. ROUTE 420 (ALSO KNOWN AS F. A. ROUTE 201); THENCE
8 NORTH 53 DEGREES 44 MINUTES 23 SECONDS WEST ALONG SAID
9 RIGHT-OF-WAY LINE 109.26 FEET TO THE CENTERLINE OF A
10 DRAINAGE DITCH AND THE PLACE OF BEGINNING; THENCE SOUTH 60
11 DEGREES 19 MINUTES 37 SECONDS WEST ALONG SAID CENTERLINE
12 433.61 FEET TO A LINE 30 FEET EAST OF AND PARALLEL WITH THE
13 EASTERLY RIGHT-OF-WAY LINE OF THE CHICAGO & NORTHWESTERN
14 RAILROAD; THENCE NORTH 19 DEGREES 12 MINUTES 21 SECONDS
15 WEST ALONG SAID PARALLEL LINE, 572.26 FEET TO THE SOUTHERLY
16 RIGHT-OF-WAY LINE OF SAID F.A. ROUTE 420; THENCE SOUTH 61
17 DEGREES 52 MINUTES 18 SECONDS EAST ALONG SAID SOUTHERLY
18 RIGHT-OF-WAY LINE 505.55 FEET; THENCE SOUTH 53 DEGREES 44
19 MINUTES 23 SECONDS EAST ALONG SAID SOUTHERLY RIGHT-OF-WAY
20 LINE 147.78 FEET TO THE PLACE OF BEGINNING, IN MCHENRY
21 COUNTY, ILLINOIS.

22 PARCEL 5:

23 A 30 FOOT STRIP OF LAND LYING EAST OF AND ADJACENT TO THE
24 EASTERLY RIGHT-OF-WAY LINE OF CHICAGO AND NORTHWESTERN
25 RAILROAD, BEING PART OF THE NORTHEAST QUARTER OF SECTION

1 22, TOWNSHIP 45 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL
2 MERIDIAN, LYING SOUTH OF THE SOUTHERLY RIGHT-OF-WAY LINE OF
3 F.A. ROUTE 420 (ALSO KNOWN AS F.A. ROUTE 201) AND NORTH OF
4 THE NORTHEASTERLY RIGHT-OF-WAY LINE OF MCCULLOM LAKE ROAD,
5 IN MCHENRY COUNTY, ILLINOIS.

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