

# SB1296



## 96TH GENERAL ASSEMBLY

State of Illinois

2009 and 2010

SB1296

Introduced 2/10/2009, by Sen. Pamela J. Althoff

### SYNOPSIS AS INTRODUCED:

735 ILCS 30/25-5-25 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.

LRB096 10059 AJ0 20224 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 adding  
5 Section 25-5-25 as follows:

6 (735 ILCS 30/25-5-25 new)

7 Sec. 25-5-25. Quick-take; Village of Johnsburg. Quick-take  
8 proceedings under Article 20 may be used for a period of no  
9 more than one year after the effective date of this amendatory  
10 Act of the 96th General Assembly by the Village of Johnsburg,  
11 McHenry County for the acquisition of the following described  
12 property for the purpose of constructing a METRA rail station  
13 and rail storage yard:

14 PARCEL 1:

15 That part of the of the Southwest Quarter, part of the  
16 Southeast Quarter of Section 15 and part of the Northeast  
17 Quarter of Section 22, Township 45 North, Range 8 East of  
18 the Third Principal Meridian, McHenry County, Illinois  
19 more particularly described as follows: Beginning at the  
20 intersection of the North line of the said Southwest  
21 Quarter and the westerly line of the Chicago and  
22 Northwestern Railroad; thence southerly along said

1 westerly line to the intersection of the East line of said  
2 Southwest Quarter and said westerly line; thence  
3 continuing southerly along said westerly line to the  
4 intersection of the South line of said Southeast Quarter  
5 and said westerly line; thence continuing southerly along  
6 said westerly line to the northerly line of F.A.P. Route  
7 420; thence northwesterly along said northerly line to a  
8 line lying 530.00 feet westerly of and parallel with the  
9 said westerly line of the Chicago and Northwestern  
10 Railroad; thence northerly along said parallel line to a  
11 line lying 392.00 feet southerly of and parallel with the  
12 said North line of the Southwest Quarter; thence northerly  
13 along a line which intersects with the said North line of  
14 said Southwest Quarter and a line lying 412.05 feet  
15 westerly of and parallel with the said westerly line of the  
16 Chicago and Northwestern Railroad; thence easterly along  
17 said North line to the point of beginning.

18 PARCEL 2:

19 That part of the Northwest Quarter of Section 15, Township  
20 45 North, Range 8 East of the Third Principal Meridian,  
21 McHenry County, Illinois more particularly described as  
22 follows: Beginning at the intersection of the North line of  
23 the South Half of said Northwest Quarter and the westerly  
24 line of the Chicago and Northwestern Railroad; thence  
25 southerly along said westerly line to the South line of the

1 said Northwest Quarter; thence westerly along said South  
2 line to a line lying 412.05 feet westerly of and parallel  
3 with the said westerly line of the Chicago and Northwestern  
4 Railroad; thence northerly along said parallel line to said  
5 North line of the said South Half; thence easterly along  
6 said North line of said South Half to the point of  
7 beginning.

8 PARCEL 3:

9 PART OF THE EAST HALF OF SECTION 22, TOWNSHIP 45 NORTH,  
10 RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, BEING  
11 DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF  
12 THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID  
13 SECTION 22; THENCE NORTH 00 DEGREES 14 MINUTES 04 SECONDS  
14 EAST, 326.75 FEET TO THE SOUTHERLY RIGHT-OF-WAY LINE OF  
15 F.A. ROUTE 420 (ALSO KNOWN AS F.A. ROUTE 201) AND THE POINT  
16 OF BEGINNING; THENCE SOUTH 53 DEGREES 44 MINUTES 23 SECONDS  
17 EAST ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, 96.43 FEET;  
18 THENCE SOUTH 81 DEGREES 26 MINUTES 11 SECONDS EAST ALONG  
19 SAID SOUTHERLY RIGHT-OF-WAY LINE, 149.31 FEET TO THE  
20 NORTHWEST LINE OF THE PROPERTY DESCRIBED IN DOCUMENT NO.  
21 98R0015236; THENCE SOUTH 71 DEGREES 00 MINUTES 28 SECONDS  
22 WEST ALONG SAID LINE, 106.38 FEET; THENCE SOUTH 01 DEGREES  
23 23 MINUTES 04 SECONDS WEST ALONG THE WEST LINE OF SAID  
24 PROPERTY DESCRIBED IN DOCUMENT 98R0015236, 1,675.00 FEET  
25 TO THE OLD CENTERLINE OF MCCULLOM LAKE ROAD; THENCE NORTH

1       36 DEGREES 55 MINUTES 21 SECONDS WEST ALONG SAID  
2       CENTERLINE, 292.63 FEET TO A LINE 30.00 FEET EAST OF AND  
3       PARALLEL WITH THE EASTERLY RIGHT-OF-WAY LINE OF THE CHICAGO  
4       AND NORTHWESTERN RAILROAD; THENCE NORTH 12 DEGREES 37  
5       MINUTES 51 SECONDS WEST ALONG SAID PARALLEL LINE, 621.31  
6       FEET; THENCE NORTHWESTERLY 666.70 FEET ALONG SAID PARALLEL  
7       LINE, BEING A CURVE TO THE LEFT, HAVING A RADIUS OF  
8       5,809.58 FEET, CHORD LENGTH OF 666.34 FEET, AND BEARS NORTH  
9       15 DEGREES 55 MINUTES 06 SECONDS WEST; THENCE NORTH 19  
10       DEGREES 12 MINUTES 21 SECONDS WEST PARALLEL WITH THE SAID  
11       RIGHT-OF-WAY LINE, 165.20 FEET TO THE CENTERLINE OF A  
12       DRAINAGE DITCH; THENCE NORTH 60 DEGREES 19 MINUTES 37  
13       SECONDS EAST ALONG SAID DRAINAGE DITCH, 433.61 FEET TO THE  
14       SOUTHERLY RIGHT-OF-WAY LINE OF SAID F.A. ROUTE 420; THENCE  
15       SOUTH 53 DEGREES 44 MINUTES 23 SECONDS EAST ALONG SAID  
16       SOUTHERLY RIGHT-OF-WAY LINE, 109.26 FEET, TO THE PLACE OF  
17       BEGINNING, IN MCHENRY COUNTY, ILLINOIS.

18       PARCEL 4:

19       PART OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF  
20       SECTION 22, TOWNSHIP 45 NORTH, RANGE 8 EAST OF THE THIRD  
21       PRINCIPAL MERIDIAN, BEING DESCRIBED AS FOLLOWS: COMMENCING  
22       AT THE SOUTHEAST CORNER OF THE NORTHWEST QUARTER OF THE  
23       NORTHEAST QUARTER OF SAID SECTION 22; THENCE NORTH 00  
24       DEGREES 14 MINUTES 01 SECONDS EAST ALONG THE EAST LINE  
25       THEREOF, 326.75 FEET TO THE SOUTHERLY RIGHT-OF-WAY LINE OF

1 F.A. ROUTE 420 (ALSO KNOWN AS F. A. ROUTE 201); THENCE  
2 NORTH 53 DEGREES 44 MINUTES 23 SECONDS WEST ALONG SAID  
3 RIGHT-OF-WAY LINE 109.26 FEET TO THE CENTERLINE OF A  
4 DRAINAGE DITCH AND THE PLACE OF BEGINNING; THENCE SOUTH 60  
5 DEGREES 19 MINUTES 37 SECONDS WEST ALONG SAID CENTERLINE  
6 433.61 FEET TO A LINE 30 FEET EAST OF AND PARALLEL WITH THE  
7 EASTERLY RIGHT-OF-WAY LINE OF THE CHICAGO & NORTHWESTERN  
8 RAILROAD; THENCE NORTH 19 DEGREES 12 MINUTES 21 SECONDS  
9 WEST ALONG SAID PARALLEL LINE, 572.26 FEET TO THE SOUTHERLY  
10 RIGHT-OF-WAY LINE OF SAID F.A. ROUTE 420; THENCE SOUTH 61  
11 DEGREES 52 MINUTES 18 SECONDS EAST ALONG SAID SOUTHERLY  
12 RIGHT-OF-WAY LINE 505.55 FEET; THENCE SOUTH 53 DEGREES 44  
13 MINUTES 23 SECONDS EAST ALONG SAID SOUTHERLY RIGHT-OF-WAY  
14 LINE 147.78 FEET TO THE PLACE OF BEGINNING, IN MCHENRY  
15 COUNTY, ILLINOIS.

16 PARCEL 5:

17 A 30 FOOT STRIP OF LAND LYING EAST OF AND ADJACENT TO THE  
18 EASTERLY RIGHT-OF-WAY LINE OF CHICAGO AND NORTHWESTERN  
19 RAILROAD, BEING PART OF THE NORTHEAST QUARTER OF SECTION  
20 22, TOWNSHIP 45 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL  
21 MERIDIAN, LYING SOUTH OF THE SOUTHERLY RIGHT-OF-WAY LINE OF  
22 F.A. ROUTE 420 (ALSO KNOWN AS F.A. ROUTE 201) AND NORTH OF  
23 THE NORTHEASTERLY RIGHT-OF-WAY LINE OF MCCULLOM LAKE ROAD,  
24 IN MCHENRY COUNTY, ILLINOIS.

25 Section 99. Effective date. This Act takes effect upon

1 becoming law.