

AN ACT concerning property.

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

Section 5. "An Act concerning land", veto overridden September 22, 2008, Public Act 95-982, is amended by changing Section 5 as follows:

(P.A. 95-982, Sec. 5)

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

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

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

The West half (W 1/2) of the Southeast Quarter (SE 1/4) of the

Southwest Quarter (SW 1/4) of Section Four (4), Township 8 North (8N), Range 6 East (6E) of the Fourth Principal Meridian, Peoria County, Illinois, excepting therefrom an easement for right-of-way purposes, over a triangular parcel of land described as follows:

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

Excepting from the above described 40.00 Acre Tract the following:

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

Commencing at the approximate Southeast corner of the SE 1/4 of the SW 1/4 of said Section 4, and being at the centerline of the pavement of Illinois Highway #116 (S.B.I. Rt. #8), Thence S 88° 16' W along the centerline of the pavement off said Illinois Highway #116, a distance of 733.7 feet; Thence N 1° 35' W, 156.0 feet; Thence N 28° 20' E, 122.3 feet; Thence N 1°

35' W, 67.7 feet; Thence East, 29.1 feet to an iron rod, said iron rod being the Point of Beginning for the tract to be described; Thence continuing East, 41.0 feet to an iron rod; Thence S 1° 53' E, 140.0 feet to an iron rod; Thence East, 51.0 feet to an iron rod; Thence N 1° 53' W, 220.0 feet to an iron rod; Thence East, 34.0 feet to an iron rod; Thence North, 67.0 feet to an iron rod; Thence S 88° 10' W, 123.4 feet to an iron rod; Thence South, 143.0 feet to the Point of Beginning, containing 0.514 Acres and subject to the following:

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

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

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

4. ALSO: an Easement 15 feet in width for a 6" Waste

Water Overflow Line, being 7 1/2 feet on each side of the following described centerline: Commencing at the Point of Beginning in the above described 0.514 Acre Tract; Thence East 41.0 feet to an iron rod; Thence S 1° 53' E, 140.0 feet to an iron rod; Thence East, 51.0 feet to an iron rod; Thence N 1° 53' W, 14 feet to the Point of Beginning for the centerline to be described; Thence S 61° 40' E, 76.5 feet to a Manhole; Thence S 33° 45' E, 121 feet to a Manhole; Thence N 88° 16' E, 371 feet to a Manhole; Thence S 19° 30' E, 28 feet, more or less, to the Northerly right-of-way line of said Illinois Highway #116.

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

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

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

From the South 1/4 corner of said Section 4, go S 89° 46' W, 17.5 feet along centerline Illinois State Highway #116, which is the South line of Section 4; Thence North 0° 14' E, 41.4 feet to SE corner of existing fenced plot; thence N 0° 14' E, 733.65 feet along existing fence line to a point; thence N 89° 58' W, 316.85 feet to a point hereinafter known as the point of beginning; thence N 89° 58' W, 330 feet to a point; thence N 0° 2' E, 136.4 feet to a point; thence S 89° 58' E, 330 feet to a point; thence S 0° 2' W, 136.4 feet to the point of beginning.

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

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

Also granting a utility easement to the ARSRM plot from State Highway #116. This easement is more particularly described as a strip of land 10 feet wide on the west side of the following

described line: Beginning at the Southeast corner of the ARSRM plot, go S 0° 14' W, 776.5 feet to the centerline of State Highway #116.

A utility easement to the ARSRM site from the 33 KV Central Illinois Electric Company (CILCO) substation located adjacent to State Highway #116. This easement is more particularly described as a strip of land 15 feet wide on the east side of a line beginning at the southwest corner of the ARSRM site and running S 0° 02' W to the north edge of the CILCO substation and a strip of land 50 feet wide on the west side of a line beginning 590 feet S 0° 02' W of the southwest corner of the ARSRM site and running S 0° 02' W to the north edge of the CILCO substation. This easement shall include the right to install and maintain overhead and underground utility lines, and shall be subject to existing roadways and utility easements.

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

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

All presently owned government lands adjacent to the Radar Building for a 1000 foot radius in all directions shall be zoned against any new metal structures of any kind regardless of height. This eliminates, but is not limited to, any metal buildings, metal roofs and metal fences. This does not restrict wooden, masonry block or concrete buildings with structural steel framing.

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

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

The South Forty (40) feet of the West Forty (40) feet of the

Northeast Quarter (NE 1/4) of the Southwest Quarter (SW 1/4) of Section 4, Township 8 North, Range 6 East of the Fourth Principal Meridian, Peoria County, Illinois; containing 0.04 acre, more or less.

And saving, excepting and reserving to the Grantor, its successors or assigns, forever, all ores, minerals, coal, oils, gasses and salts situated in, upon or under said property or any part or parts thereof, and the right at all times to enter upon said land, or any part or parts thereof, and there explore, search, dig, drill and mine for ores, minerals, coal, oils, gases and salts and freely carry on the business of drilling or mining and removing such, and for such purpose or purposes take, use and occupy so much and such parts of said property, and to cave the surface thereof, and for such term of time as said Grantor, its successors or assigns shall deem expedient without any let, hindrance or interference by the Grantee, their successors and assigns. Provided, however, that if said Grantor, its successors or assigns shall require any part of the surface of said land for permanent occupancy or shall cave the surface thereof or shall damage any part of the surface of said land or the improvements of such part, the Grantor, its successors or assigns shall pay said Grantee or its successors or assigns for the land so caved or occupied or for the damage caused but not exceeding in amount the actual prior market value of the part or parts of the property so

occupied or damaged together with improvements. The purpose of this exception or reservation is to sever the surface estate of said property from the mineral estate lying beneath the surface and by this Quitclaim Deed convey only rights in the use of the surface of said property.

And also subject to existing easements for public roads, highways, public utilities, railroads, pipelines, and rights-of-way, if any, not shown of record. The conveyance shall be made subject to the condition that title to the buildings and the land shall revert to the State of Illinois, Department of Corrections, if Peoria County ceases to use the buildings and the land for a public or private purpose, and that if Peoria County sells the property, 10% of the sale proceeds shall be paid to the State of Illinois.

(Source: P.A. 95-982, eff. 9-22-2008.)

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