

HB5247



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

HB5247

Introduced 2/9/2024, by Rep. Jenn Ladisch Douglass

SYNOPSIS AS INTRODUCED:

735 ILCS 30/25-5-130 new

Amends the Eminent Domain Act. Provides that quick-take powers may be used for a period of no more than 2 years after the effective date of the amendatory Act by the City of Elmhurst for the acquisition of certain described property for the purpose of road construction. Repeals the new provisions 3 years after the effective date. Effective immediately.

LRB103 38623 JRC 68760 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 25-5-130 as follows:

6 (735 ILCS 30/25-5-130 new)

7 Sec. 25-5-130. Quick-take; City of Elmhurst; North York
8 Road.

9 (a) Quick-take proceedings under Article 20 may be used
10 for a period of 2 years after the effective date of this
11 amendatory Act of the 103rd General Assembly by the City of
12 Elmhurst for the acquisition of the following described
13 property for the purpose of road construction:

14 Route: North York Road

15 Section: At I-290/Lake Street

16 County: DuPage

17 Job No.:

18 Parcel: 0002

19 Owner: NXE Properties, LLC

20 Pin No.: 03-35-406-048

21 That part of Lot 1 in County Clerk's Assessment Division of
22 Lots 1 and 2 of North Elmhurst Third Addition to the Village of
23 Elmhurst, being a subdivision in the East Half of the

1 Southeast Quarter of Section 35, Township 40 North, Range 11
2 East of the Third Principal Meridian, according to the plat
3 thereof recorded April 8, 1927 as document R233179, described
4 as follows:

5 Commencing at the northwest corner of said Lot 1; thence South
6 61 degrees 59 minutes 07 seconds East, (bearings based on
7 Illinois State Plane Coordinates System, NAD83, East Zone),
8 being the northerly line of said Lot 1, a distance of 194.85
9 feet to the Point of Beginning;

10 Thence continuing South 61 degrees 59 minutes 07 seconds East,
11 along said northerly line, 53.14 feet to a point 10.00 feet
12 west of the northeast corner of said Lot 1; thence South 04
13 degrees 00 minutes 07 seconds East, along a line that
14 commences at the southeast corner of said Lot 1 and ends at a
15 point 10.00 feet west of the northeast corner of said Lot 1,
16 said line herein after referred to as Line "A", a distance of
17 40.63 feet; thence South 89 degrees 59 minutes 53 seconds
18 West, perpendicular to the last course, 5.00 feet to a point on
19 a line 5.00 feet west of and parallel with Line "A"; thence
20 North 04 degrees 00 minutes 07 seconds West, along said
21 parallel line, 33.40 feet; thence northwesterly 9.30 feet,
22 along the arc of a non-tangent circle to the left, having a
23 radius of 39.00 feet and whose chord bears North 52 degrees 45
24 minutes 22 seconds West, 9.28 feet to a point of tangency;
25 thence North 59 degrees 35 minutes 15 seconds West, 7.04 feet
26 to a point on a line 7.00 feet southerly of the northerly line

1 of said Lot 1; thence North 61 degrees 59 minutes 07 seconds
2 West, along said parallel line, 36.54 feet; thence North 28
3 degrees 00 minutes 53 seconds East, perpendicular to the last
4 course, 7.00 feet to the Point of Beginning, situated in the
5 County of DuPage and the State of Illinois.

6 Said Parcel Containing 565 square feet or 0.013 acres, more or
7 less.

8 (b) This Section is repealed 3 years after the effective
9 date of this amendatory Act of the 103rd General Assembly.

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