

HB0654



96TH GENERAL ASSEMBLY

State of Illinois

2009 and 2010

HB0654

Introduced 02/06/09, by Rep. Timothy L. Schmitz

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 Kane County for the Stearns Road Corridor project. Effective immediately.

LRB096 07585 AJO 17680 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; Kane County. Quick-take
8 proceedings under Article 20 may be used for a period of 12
9 months after the effective date of this amendatory Act of the
10 96th General Assembly by Kane County for the acquisition of the
11 following described properties for the purpose of road
12 construction of the Stearns Road Corridor Project, including
13 permanent easements and temporary easements.

14 PARCEL 1ST0030:

15 That part of the East Half of Section 1, Township 40 North,
16 Range 8 East of the Third Principal Meridian described as
17 follows:

18 Commencing at the northeast corner of the Southeast Quarter
19 of said Section 1; thence South along the Section Line 7.67
20 chains; thence North 84 degrees 00 minutes West 1606.0 feet
21 to the center line of the Elgin and St. Charles Road (also

1 known as Dunham Road); thence North 34 degrees 19 minutes
2 West along the tangent center line of said road and said
3 center line extended 231.0 feet to the extended center line
4 of Clintonville Road (now abandoned) for the point of
5 beginning; thence North 86 degrees 35 minutes West along
6 said center line 679.4 feet to the easterly right of way
7 line of the Chicago, Aurora and Elgin Railway; thence
8 northwesterly along said easterly right of way line 37.2
9 feet to the center line of the concrete pavement in State
10 Route No. 25; thence northeasterly along said center line
11 1155.8 feet to its intersection with the center line of
12 said Elgin and St. Charles (Dunham) Road; thence southerly
13 and southeasterly along said last mentioned center line
14 888.5 feet to the extension of the center line of said
15 Clintonville Road (now abandoned); thence North 86 degrees
16 35 minutes West along said extension 7.575 feet to the
17 point of beginning, (except therefrom any part lying in the
18 Northeast 1/4 of Section 1 aforesaid) in the Township of
19 St. Charles, Kane County, Illinois.

20 Said part contains 1.667 acres, more or less, of which
21 0.386 acre, more or less, was previously dedicated or used
22 for highway purposes.

23 PARCEL 1ST0150DED:

24 That part of the Northwest Quarter of Section 4, Township

1 40 North, Range 8, East of the Third Principal Meridian,
2 described as follows:

3 Beginning at the northwest corner of said Section 4; thence
4 easterly along the north line of the Northwest Quarter of
5 said Section 4 on an assumed bearing of North 88 degrees 51
6 minutes 02 seconds East, 2313.15 feet to the southwesterly
7 right of way line of the Chicago, Central and Pacific
8 Railroad as per Document Number 9160 recorded November 11,
9 1886; thence southeasterly along said right of way line
10 South 46 degrees 31 minutes 09 seconds East, 478.24 feet to
11 the east line of the Northwest Quarter of said Section 4;
12 thence southerly along said east line South 0 degrees 12
13 minutes 58 seconds East, 128.22 feet; thence northwesterly
14 1172.37 feet on a curve to the left having a radius of
15 1691.00 feet, the chord of said curve bears North 71
16 degrees 11 minutes 44 seconds West, 1149.03 feet; thence
17 South 88 degrees 56 minutes 34 seconds West, 1419.74 feet;
18 thence South 44 degrees 16 minutes 03 seconds West, 160.12
19 feet to the existing right of way line of Randall Road as
20 per Document Number 778732 recorded April 30, 1955; thence
21 South 89 degrees 37 minutes 06 seconds West, 40.00 feet to
22 the west line of the Northwest Quarter of said Section 4;
23 thence northerly along said west line North 0 degrees 22
24 minutes 53 seconds West, 181.64 feet to the Point of
25 Beginning, in Kane County, Illinois.

26 Said part contains 6.377 acres, more or less, of which

1 1.733 acres, more or less, was previously dedicated or used
2 for highway purposes.

3 PARCEL 1ST0101TE-B:

4 That part of the Southwest Quarter of Section 2, Township
5 40 North, Range 8 East of the Third Principal Meridian,
6 described as follows:

7 Commencing at the northeast corner of said Southwest
8 Quarter; thence on an assumed bearing of South 89 degrees
9 24 minutes 51 seconds West along the North line of said
10 Southwest Quarter, 664.14 feet to the easterly right of way
11 line of the railroad formerly known as the Carpentersville,
12 Elgin, and Aurora Railway Company; thence South 5 degrees
13 24 minutes 19 seconds East along said line, 378.16 feet to
14 a point on the southerly line of the proposed permanent
15 roadway easement, said point also being the Point of
16 Beginning; thence continuing South 5 degrees 24 minutes 19
17 seconds East along said line, 232.37 feet; thence South 84
18 degrees 35 minutes 41 seconds West, 50.00 feet to the
19 westerly right of way line of said Railway; thence North 5
20 degrees 24 minutes 19 seconds West along said line, 144.00
21 feet; thence North 84 degrees 35 minutes 41 seconds East,
22 40.00 feet; thence North 5 degrees 24 minutes 19 seconds
23 West, 89.87 feet; thence South 86 degrees 54 minutes 53
24 seconds East, 10.11 feet to the Point of Beginning, in Kane

1 County, Illinois.

2 Said part containing 0.186 acre, more or less.

3 PARCEL 1ST0150PE:

4 That part of the Northwest Quarter of Section 4, Township
5 40 North, Range 8, East of the Third Principal Meridian,
6 described as follows:

7 Commencing at the northwest corner of said Section 4;
8 thence southerly along the west line of the Northwest
9 Quarter of said Section 4 on an assumed bearing of South 0
10 degrees 22 minutes 53 seconds East, 181.64 feet; thence
11 North 89 degrees 37 minutes 06 seconds East, 40.00 feet to
12 the existing right of way line of Randall Road as per
13 Document Number 778732 recorded April 30, 1955; thence
14 North 44 degrees 16 minutes 03 seconds East along the
15 proposed right of way, 160.12 feet; thence North 88 degrees
16 56 minutes 34 seconds East along said proposed right of
17 way, 482.88 feet to the Point of Beginning; thence
18 continuing along said proposed right of way North 88
19 degrees 56 minutes 34 seconds East, 820.00 feet; thence
20 South 1 degree 03 minutes 26 seconds East, 150.00 feet;
21 thence South 88 degrees 56 minutes 34 seconds West, 820.00
22 feet; thence North 1 degree 03 minutes 26 seconds West,
23 150.00 feet to the Point of Beginning, in Kane County,
24 Illinois.

1 Said part contains 2.824 acres, more or less.

2 PARCEL 1ST0101PE:

3 That part of the Southwest Quarter of Section 2, Township
4 40 North, Range 8 East of the Third Principal Meridian,
5 described as follows:

6 Commencing at the northeast corner of said Southwest
7 Quarter; thence on an assumed bearing of South 89 degrees
8 24 minutes 51 seconds West along the North line of said
9 Southwest Quarter, 664.14 feet to the easterly right of way
10 line of the railroad formerly known as the Carpentersville,
11 Elgin, and Aurora Railway Company; thence South 5 degrees
12 24 minutes 19 seconds East along said line, 378.16 feet to
13 the Point of Beginning; thence North 86 degrees 54 minutes
14 53 seconds West, 50.55 feet to the westerly right of way
15 line of said Railway; thence North 5 degrees 24 minutes 19
16 seconds West along said line, 182.00 feet; thence South 86
17 degrees 54 minutes 53 seconds East, 50.55 feet to said
18 easterly right of way line; thence South 5 degrees 24
19 minutes 19 seconds East along said line, 182.00 feet to the
20 Point of Beginning, in Kane County, Illinois.

21 Said part containing 0.209 acre, more or less.

22 PARCEL 1ST0150TE-1:

1 That part of the Northwest Quarter of Section 4, Township
2 40 North, Range 8, East of the Third Principal Meridian,
3 described as follows:

4 Commencing at the northwest corner of said Section 4;
5 thence southerly along the west line of the Northwest
6 Quarter of said Section 4 on an assumed bearing of South 0
7 degrees 22 minutes 53 seconds East, 181.64 feet; thence
8 North 89 degrees 37 minutes 06 seconds East, 40.00 feet to
9 the existing right of way line of Randall Road as per
10 Document Number 778732 recorded April 30, 1955; thence
11 North 44 degrees 16 minutes 03 seconds East along the
12 proposed right of way, 160.12 feet to the Point of
13 Beginning; thence North 88 degrees 56 minutes 34 seconds
14 East along said proposed right of way, 482.88 feet; thence
15 South 1 degree 03 minutes 26 seconds East, 20.00 feet;
16 thence South 88 degrees 56 minutes 34 seconds West, 503.11
17 feet to the proposed right of way; thence North 44 degrees
18 16 minutes 03 seconds East along said proposed right of
19 way, 28.45 feet to the Point of Beginning, in Kane County,
20 Illinois.

21 Said part contains 0.226 acre, more or less.

22 PARCEL 1ST0101TE-A:

23 That part of the Southwest Quarter of Section 2, Township
24 40 North, Range 8 East of the Third Principal Meridian,

1 described as follows:

2 Commencing at the northeast corner of said Southwest
3 Quarter; thence on an assumed bearing of South 89 degrees
4 24 minutes 51 seconds West along the North line of said
5 Southwest Quarter, 664.14 feet to the easterly right of way
6 line of the railroad formerly known as the Carpentersville,
7 Elgin, and Aurora Railway Company; thence South 5 degrees
8 24 minutes 19 seconds East along said line, 71.66 feet to a
9 point on the southerly right of way line of the Chicago,
10 Central, and Pacific Railroad, said point also being the
11 Point of Beginning; thence continuing South 5 degrees 24
12 minutes 19 seconds East along said easterly right of way
13 line, 124.51 feet to the northerly line of the proposed
14 permanent roadway easement; thence North 86 degrees 54
15 minutes 53 seconds West along said line, 10.11 feet; thence
16 North 5 degrees 24 minutes 19 seconds West along said line,
17 63.82 feet; thence North 87 degrees 40 minutes 25 seconds
18 West, 40.37 feet to the westerly right of way line of said
19 Railway; thence North 5 degrees 24 minutes 19 seconds West
20 along said line, 60.55 feet to the southerly right of way
21 line of the Chicago, Central, and Pacific Railroad; thence
22 South 87 degrees 40 minutes 25 seconds East along said
23 line, 50.46 feet to the Point of Beginning, in Kane County,
24 Illinois.

25 Said part containing 0.084 acre, more or less.

1 PARCEL 1ST0145PE:

2 That part of the Northwest Quarter of Section 4, Township
3 40 North, Range 8, East of the Third Principal Meridian,
4 together with that part of the South Half of Section 33,
5 Township 41 North, Range 8, East of the Third Principal
6 Meridian, described as follows:

7 Commencing at an iron pipe at the north quarter corner of
8 said Section 4; thence on an assumed bearing of South 0
9 degrees 12 minutes 58 seconds East along the East line of
10 said Northwest Quarter, 232.40 feet to an angle point in
11 the southwesterly right of way line of the Chicago, Central
12 and Pacific Railroad, said point also being the point of
13 beginning; thence continuing South 0 degrees 12 minutes 58
14 seconds East along said East line, 103.68 feet to an angle
15 point in said right of way line; thence North 46 degrees 31
16 minutes 09 seconds West along said right of way line,
17 273.02 feet; thence North 28 degrees 54 minutes 24 seconds
18 East, 37.72 feet; thence 213.25 feet on a curve to the left
19 having a radius of 621.00 feet, the chord of said curve
20 bears North 19 degrees 04 minutes 09 seconds East, 212.20
21 feet to the northeasterly right of way line of said
22 Railroad; thence South 46 degrees 33 minutes 44 seconds
23 East along said right of way line, 94.31 feet; thence
24 187.66 feet on a curve to the right having a radius of
25 701.00 feet, the chord of said curve bears South 21 degrees

1 14 minutes 16 seconds West, 187.10 feet; thence South 54
2 degrees 20 minutes 19 seconds East, 134.71 feet to the
3 point of beginning, in Kane County, Illinois.
4 Said parcel contains 0.710 acre, more or less.

5 PARCEL 1ST0150TE-2:

6 That part of the Northwest Quarter of Section 4, Township
7 40 North, Range 8, East of the Third Principal Meridian,
8 described as follows:

9 Commencing at the north quarter corner of said Section 4;
10 thence southerly along the east line of the Northwest
11 Quarter of said Section 4 on an assumed bearing of South 0
12 degrees 12 minutes 58 seconds East, 464.31 feet to the
13 Point of Beginning; thence continuing along said line South
14 0 degrees 12 minutes 58 seconds East, 12.87 feet; thence
15 westerly 1173.52 feet on a curve to the left having a
16 radius of 1681.00 feet, the chord of said curve bears North
17 71 degrees 03 minutes 28 seconds West, 1149.83 feet; thence
18 South 88 degrees 56 minutes 34 seconds West, 116.86 feet;
19 thence North 1 degree 03 minutes 26 seconds West, 10.00
20 feet to the proposed right of way; thence North 88 degrees
21 56 minutes 34 seconds East along said proposed right of
22 way, 116.86 feet; thence easterly along said proposed right
23 of way 1172.37 feet on a curve to the right having a radius
24 of 1691.00 feet, the chord of said curve bears South 71

1 degrees 11 minutes 44 seconds East, 1149.03 feet to the
2 Point of Beginning, in Kane County, Illinois.
3 Said part contains 0.296 acre, more or less.

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