



Rep. Chapin Rose

**Filed: 3/30/2009**

09600HB4075ham001

LRB096 04448 AJ0 24506 a

1 AMENDMENT TO HOUSE BILL 4075

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 4075 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. Arcola conveyance. The Director of the  
5 Department of Natural Resources, on behalf of the State of  
6 Illinois, shall, pursuant to the conditions stated in Section  
7 50, execute and deliver to the City of Arcola, an Illinois Unit  
8 of Local Government, of the County of Douglas, State of  
9 Illinois, for and in consideration of One Dollar (\$1.00) paid  
10 to said Department, a quit claim deed to the following  
11 described real property, to wit:

12 All that part of the following described property lying  
13 between Locust Street and Collins Street in the City of  
14 Arcola, and all that part of the following described  
15 property running from Jacques Street, in the City of  
16 Arcola, in an easterly direction approximately two (2)

1 miles, to wit:

2 All those certain pieces or parcels of land and  
3 premises, easements, rights-of-way and any other rights of  
4 any kind whatsoever appurtenant thereto or used in  
5 conjunction therewith on and along that portion of the  
6 former Peoria Secondary Track of the Penn Central  
7 Corporation, as granted to The People of the State of  
8 Illinois, Department of Conservation, by Quit Claim Deed  
9 dated September 20, 1991, recorded in the Moultrie County  
10 Recorder's Office as document #228680, recorded in the  
11 Douglas County Recorder's Office in Deed Book 221 at Page  
12 238, and recorded in the Coles County Recorder's Office in  
13 Volume 771 at Page 209;

14 EXCEPT that part thereof required by the Illinois  
15 Department of Transportation for the future widening of  
16 Interstate 57.

17 Section 10. Arthur conveyance. The Director of the  
18 Department of Natural Resources, on behalf of the State of  
19 Illinois, shall, pursuant to the conditions stated in Section  
20 50, execute and deliver to the Village of Arthur, an Illinois  
21 Unit of Local Government, of the Counties of Douglas and  
22 Moultrie, for and in consideration of One Dollar (\$1.00) paid  
23 to said Department, a quit claim deed to the following

1 described real property, to wit:

2 All that part of the following described property lying  
3 westerly of the East line of the Northwest Quarter (NW 1/4)  
4 of Section 30, Township 15 North, Range 7 East of the Third  
5 Principal Meridian, Douglas County, Illinois, as extended  
6 across the former right-of-way of the abandoned Penn  
7 Central Railroad, and easterly of the West right of way  
8 line of Glasgow Street in the Village of Arthur, Moultrie  
9 County, Illinois, as extended across said railroad  
10 right-of-way, to wit:

11 Part of Section 25 Township 15 North, Range 6 East of  
12 the Third Principal Meridian, Moultrie County, Illinois  
13 and part of Section 30, Township 15 North, Range 7 East of  
14 the Third Principal Meridian, Douglas County, Illinois,  
15 being all those certain pieces or parcels of land and  
16 premises, easements, rights-of-way and any other rights of  
17 any kind whatsoever appurtenant thereto or used in  
18 conjunction therewith on and along that portion of the  
19 former Peoria Secondary Track of the Penn Central  
20 Corporation, lying within said Sections 25 and 30, as  
21 granted to The People of the State of Illinois, Department  
22 of Conservation, by Quit Claim Deed dated September 20,  
23 1991, recorded in the Moultrie County Recorder's Office as  
24 document #228680, recorded in the Douglas County

1 Recorder's Office in Deed Book 221 at Page 238, and  
2 recorded in the Coles County Recorder's Office in Volume  
3 771 at Page 209.

4 Section 15. Hindsboro conveyance. The Director of the  
5 Department of Natural Resources, on behalf of the State of  
6 Illinois, shall, pursuant to the conditions stated in Section  
7 50, execute and deliver to the Village of Hindsboro, an  
8 Illinois Unit of Local Government, of the County of Douglas,  
9 State of Illinois, for and in consideration of One Dollar  
10 (\$1.00) paid to said Department, a quit claim deed to the  
11 following described real property, to wit:

12 All that part of the following described property lying  
13 within the limits of the Village of Hindsboro, to wit:

14 All those certain pieces or parcels of land and  
15 premises, easements, rights-of-way and any other rights of  
16 any kind whatsoever appurtenant thereto or used in  
17 conjunction therewith on and along that portion of the  
18 former Peoria Secondary Track of the Penn Central  
19 Corporation, as granted to The People of the State of  
20 Illinois, Department of Conservation, by Quit Claim Deed  
21 dated September 20, 1991, recorded in the Moultrie County  
22 Recorder's Office as document #228680, recorded in the  
23 Douglas County Recorder's Office in Deed Book 221 at Page

1           238, and recorded in the Coles County Recorder's Office in  
2           Volume 771 at Page 209.

3           Section 20. Lovington conveyance. The Director of the  
4           Department of Natural Resources, on behalf of the State of  
5           Illinois, shall, pursuant to the conditions stated in Section  
6           50, execute and deliver to the Village of Lovington, an  
7           Illinois Unit of Local Government, of the County of Moultrie,  
8           State of Illinois, for and in consideration of One Dollar  
9           (\$1.00) paid to said Department, a quit claim deed to the  
10          following described real property, to wit:

11           All that part of the following described property  
12           running from the Illinois Route 32 river bridge, eastward  
13           through Lovington and to the East line of Lovington  
14           Township, to wit:

15           All those certain pieces or parcels of land and  
16           premises, easements, rights-of-way and any other rights of  
17           any kind whatsoever appurtenant thereto or used in  
18           conjunction therewith on and along that portion of the  
19           former Peoria Secondary Track of the Penn Central  
20           Corporation, as granted to The People of the State of  
21           Illinois, Department of Conservation, by Quit Claim Deed  
22           dated September 20, 1991, recorded in the Moultrie County  
23           Recorder's Office as document #228680, recorded in the  
24           Douglas County Recorder's Office in Deed Book 221 at Page

1           238, and recorded in the Coles County Recorder's Office in  
2           Volume 771 at Page 209.

3           Section 25. Lovington Township conveyance. The Director of  
4           the Department of Natural Resources, on behalf of the State of  
5           Illinois, shall, pursuant to the conditions stated in Section  
6           50, execute and deliver to Lovington Township, an Illinois Unit  
7           of Local Government, of the County of Moultrie, State of  
8           Illinois, for and in consideration of One Dollar (\$1.00) paid  
9           to said Department, a quit claim deed to the following  
10          described real property, to wit:

11           All that part of the following described property  
12           running from Washington Street to Broadway Street in the  
13           Village of Lovington, and all that part of the following  
14           described property running from County Road 700 East,  
15           eastwardly approximately 600 feet, to wit:

16           All those certain pieces or parcels of land and  
17           premises, easements, rights-of-way and any other rights of  
18           any kind whatsoever appurtenant thereto or used in  
19           conjunction therewith on and along that portion of the  
20           former Peoria Secondary Track of the Penn Central  
21           Corporation, as granted to The People of the State of  
22           Illinois, Department of Conservation, by Quit Claim Deed  
23           dated September 20, 1991, recorded in the Moultrie County  
24           Recorder's Office as document #228680, recorded in the  
25           Douglas County Recorder's Office in Deed Book 221 at Page

1           238, and recorded in the Coles County Recorder's Office in  
2           Volume 771 at Page 209.

3           Section 30. East Oakland Township conveyance. The Director  
4           of the Department of Natural Resources, on behalf of the State  
5           of Illinois, shall, pursuant to the conditions stated in  
6           Section 50, execute and deliver to East Oakland Township , an  
7           Illinois Unit of Local Government, of the County of Coles,  
8           State of Illinois, for and in consideration of One Dollar  
9           (\$1.00) paid to said Department, a quit claim deed to the  
10          following described real property, to wit:

11           All that part of the following described property  
12           running from Main Street in Oakland, westerly to County  
13           Road 2300 East, to wit:

14           All those certain pieces or parcels of land and  
15           premises, easements, rights-of-way and any other rights of  
16           any kind whatsoever appurtenant thereto or used in  
17           conjunction therewith on and along that portion of the  
18           former Peoria Secondary Track of the Penn Central  
19           Corporation, as granted to The People of the State of  
20           Illinois, Department of Conservation, by Quit Claim Deed  
21           dated September 20, 1991, recorded in the Moultrie County  
22           Recorder's Office as document #228680, recorded in the  
23           Douglas County Recorder's Office in Deed Book 221 at Page

1           238, and recorded in the Coles County Recorder's Office in  
2           Volume 771 at Page 209.

3           Section 35. Bourbon Township conveyance. The Director of  
4           the Department of Natural Resources, on behalf of the State of  
5           Illinois, shall, pursuant to the conditions stated in Section  
6           50, execute and deliver to Bourbon Township, an Illinois Unit  
7           of Local Government, of the County of Douglas, State of  
8           Illinois, for and in consideration of One Dollar (\$1.00) paid  
9           to said Department, a quit claim deed to the following  
10          described real property, to wit:

11           All that part of the following described property  
12          located within the limits of Bourbon Township, to wit:

13           All those certain pieces or parcels of land and  
14          premises, easements, rights-of-way and any other rights of  
15          any kind whatsoever appurtenant thereto or used in  
16          conjunction therewith on and along that portion of the  
17          former Peoria Secondary Track of the Penn Central  
18          Corporation, as granted to The People of the State of  
19          Illinois, Department of Conservation, by Quit Claim Deed  
20          dated September 20, 1991, recorded in the Moultrie County  
21          Recorder's Office as document #228680, recorded in the  
22          Douglas County Recorder's Office in Deed Book 221 at Page  
23          238, and recorded in the Coles County Recorder's Office in  
24          Volume 771 at Page 209.



1           ALSO,

2           That tract or parcel of land previously conveyed from  
3 Lorenzo S. Stewart and his wife to the People of the State  
4 of Illinois, Department of Conservation, by Warranty Deed  
5 recorded in the Recorder's Office of Douglas County,  
6 Illinois, on March 12, 1992, in Book 223 of Deeds at page  
7 135, as Document No. 188627, said tract or parcel being  
8 described as follows:

9           That portion of the Penn Central Corporations's Peoria  
10 Secondary Line of Railroad (now abandoned) lying between  
11 the centerline of Bourbon Road (Station No. 3093 + 20) and  
12 the East line of Section 35, Township 15 North, Range 7  
13 East of the Third Principal Meridian (Station No. 3079 +  
14 75), containing 3.86 acres, more or less, and being a part  
15 of the Southeast Quarter of said Section 35.

16           ALSO,

17           That permanent irrevocable easement previously  
18 conveyed from OKAW Buildings, Inc., an Illinois  
19 Corporation, to the People of the State of Illinois,  
20 Department of Conservation, by Deed Granting Easement  
21 recorded October 24, 1994, in the Recorder's Office of  
22 Douglas County, Illinois, in Book 346 of Records at page  
23 346, as Document No. 198983, over, under, upon and along

1 the following described real estate for the purpose of  
2 constructing, maintaining, repairing and operating the  
3 Prairie Wind State Trail, to wit:

4 GENERAL DESCRIPTION: The Easterly 75 feet, and the  
5 Northerly 20 feet of the following described tract of land:

6 All that parcel of land situate in the Township of  
7 Bourbon, County of Douglas, State of Illinois, being part  
8 of the Southeast Quarter of the Northwest Quarter of  
9 Section 35, Township 15 North, Range 7 East of the Third  
10 Principal Meridian, and being all of the right, title and  
11 interest of the Grantor herein and to all those certain  
12 pieces or parcels of land and premises, easements,  
13 right-of-way and any other rights of any kind whatsoever  
14 appurtenant to or used in conjunction therewith on and  
15 along that portion of the former Peoria Secondary of the  
16 Penn Central Corporation, described as follows: Beginning  
17 at the West line of said Southeast Quarter of the Northwest  
18 Quarter of Section 35 as extended across the right-of-way  
19 of said Peoria Secondary through a point in the centerline  
20 thereof at Railroad Valuation Station 3119+55, the same  
21 being within the limits of East Street; thence extending in  
22 a Southeasterly direction along the centerline of said  
23 railroad a distance of 777 feet, more or less, to a line  
24 coincident with the Easterly face of the backwall for  
25 Bridge No. 58/86 as extended across the right-of-way of  
26 said Peoria Secondary through a point in the centerline

1           thereof at Railroad Valuation Station 3111+80, the same  
2           being the place of ending, situated in the County of  
3           Douglas, in the State of Illinois;

4           DETAIL DESCRIPTION: Part of the Southeast Quarter of  
5           the Northwest Quarter of Section 35, Township 15 North,  
6           Range 7 East of the Third Principal Meridian, more  
7           particularly described as follows:

8           Commencing at the Northwest corner of Lot 9, Rork's  
9           Subdivision, Chesterville, Illinois; thence South 74  
10          degrees 20 minutes 00 seconds East (an assumed bearing) on  
11          the Southerly right-of-way line of the former Peoria  
12          Secondary of the Penn Central Corporation, 520.52 feet to a  
13          point on the West line of the Southeast Quarter of the  
14          Northwest Quarter of said Section 35; thence North 00  
15          degrees 00 minutes 00 seconds East on the West line of said  
16          Southeast Quarter of the Northwest Quarter, 31.24 feet to  
17          the Point of Beginning; thence from said Point of  
18          Beginning, North 00 degrees 00 minutes 00 seconds East on  
19          the West line of said Southeast Quarter of the Northwest  
20          Quarter, 20.68 feet to a point on the Northerly  
21          right-of-way line of the former Peoria Secondary of the  
22          Penn Central Corporation; thence South 74 degrees 20  
23          minutes 00 seconds East on said Northerly right-of-way  
24          line, 758.47 feet to a point; thence South 15 degrees 40  
25          minutes 00 seconds West, 50.00 feet to a point on the  
26          Southerly right-of-way line of the former Peoria Secondary

1 of the Penn Central Corporation; thence North 74 degrees 20  
2 minutes 00 seconds West on said Southerly right-of-way  
3 line, 75.00 feet to a point; thence North 15 degrees 40  
4 minutes 00 seconds East, 30.00 feet to a point; thence  
5 North 74 degrees 20 minutes 00 seconds West, 677.88 feet to  
6 the Point of Beginning, containing 0.40 acres, more or  
7 less, all situated in the County of Douglas, in the State  
8 of Illinois.

9 ALSO,

10 Three (3) Tracts of land previously conveyed from  
11 Robert D. Stewart and wife to the People of the State of  
12 Illinois, Department of Conservation, by Warranty Deed  
13 recorded in the Recorder's Office of Douglas County,  
14 Illinois, on March 8, 1993, in Book 287 of Records at page  
15 242, as Document 192675, said Tracts being described as  
16 follows:

17 Tract I:

18 All that strip or parcel of land, 100 feet wide,  
19 situate in the Township of Bourbon, County of Douglas,  
20 State of Illinois, being part of the Northeast Quarter and  
21 part of the Northwest Quarter of Section 34, Township 15  
22 North, Range 7 East of the Third Principal Meridian and  
23 being that portion of the former Peoria Secondary of the  
24 Penn Central Corporation further bounded and described

1 according to a plan of survey made by W. Justin Grady,  
2 Registered Land Surveyor No. 2259, dated November 6, 1990,  
3 as follows: Beginning at the intersection of the South  
4 Right of Way Line of said Peoria Secondary with the East  
5 Line of said Section 34; thence Northwesterly along said  
6 South Right of Way Line on an Azimuth of 285 degrees 03  
7 minutes, a distance of 3,402.62 feet; thence North crossing  
8 said property to the North Right of Way Line of said Peoria  
9 Secondary along a line on an Azimuth of 0 degrees 00  
10 minutes, a distance of 103.60 feet; thence Southeasterly  
11 along said North Right of way Line on an Azimuth of 105  
12 degrees 03 minutes, a distance of 3,402.62 feet; thence  
13 South along the East Line of said Section 34 on an Azimuth  
14 of 180 degrees 00 minutes, a distance of 103.60 feet to the  
15 point of beginning.

16 Tract II:

17 All that parcel of land situate in the Village of  
18 Chesterville, County of Douglas, State of Illinois, being  
19 part of the Southwest Quarter of the Northwest Quarter of  
20 Section 35, Township 15 North, Range 7 East of the Third  
21 Principal Meridian and being all of the right, title and  
22 interest of the Grantor herein and to all those certain  
23 pieces of parcels of land and premises, easements, rights  
24 of way and any other rights of any kind whatsoever  
25 appurtenant thereto or used in conjunction therewith on and  
26 along that portion of the former Peoria Secondary Track of

1 the Penn Central Corporation, described as follows:  
2 Beginning at the West line of said Section 35 as extended  
3 across the right of way of said Peoria Secondary through a  
4 point in the centerline thereof at Railroad Valuation  
5 Station 3133+10, more or less, thence extending in a  
6 Southeasterly direction along the centerline of said  
7 railroad a distance of 790 feet, more or less, to the  
8 centerline of the first north/south thru street as extended  
9 across the right of way of said Peoria Secondary through a  
10 point in the centerline thereof at Railroad Valuation  
11 Station 3125+20, the place of ending.

12 Tract III:

13 Lot 13 of original town of Chesterville, Douglas  
14 County, Illinois.

15 Section 40. City of Oakland conveyance. The Director of the  
16 Department of Natural Resources, on behalf of the State of  
17 Illinois, shall, pursuant to the conditions stated in Section  
18 50, execute and deliver to City of Oakland, an Illinois Unit of  
19 Local Government, of the County of Coles for and in  
20 consideration of One Dollar (\$1.00) paid to said Department, a  
21 quit claim deed to the following described real property, to  
22 wit:

23 All that part of the following described property  
24 situated in Coles County, Illinois, to wit:

1 All those certain pieces or parcels of land and  
2 premises, easements, rights-of-way and any other rights of  
3 any kind whatsoever appurtenant thereto or used in  
4 conjunction therewith on and along that portion of the  
5 former Peoria Secondary Track of the Penn Central  
6 Corporation, as granted to The People of the State of  
7 Illinois, Department of Conservation, by Quit Claim Deed  
8 dated September 20, 1991, recorded in the Moultrie County  
9 Recorder's Office as document #228680, recorded in the  
10 Douglas County Recorder's Office in Deed Book 221 at Page  
11 238, and recorded in the Coles County Recorder's Office in  
12 Volume 771 at Page 209.

13 Section 45. Lowe Road District conveyance. The Director of  
14 the Department of Natural Resources, on behalf of the State of  
15 Illinois, shall, pursuant to the conditions stated in Section  
16 50, execute and deliver to Lowe Road District, an Illinois Unit  
17 of Local Government, of the County of Moultrie, State of  
18 Illinois, for and in consideration of One Dollar (\$1.00) paid  
19 to said Department, a quit claim deed to the following  
20 described real property, to wit:

21 Three (3) parcels in Lowe Township, one parcel starting  
22 at the East side of Section 28 and running westerly  
23 approximately 726 feet, another parcel running from one end

1 of Williamsburg to the other, and another parcel in Section  
2 27 behind Effingham Equity Fertilizer Plant, said parcels  
3 being parts of the following described property, to wit:

4 All those certain pieces or parcels of land and  
5 premises, easements, rights-of-way and any other rights of  
6 any kind whatsoever appurtenant thereto or used in  
7 conjunction therewith on and along that portion of the  
8 former Peoria Secondary Track of the Penn Central  
9 Corporation, as granted to The People of the State of  
10 Illinois, Department of Conservation, by Quit Claim Deed  
11 dated September 20, 1991, recorded in the Moultrie County  
12 Recorder's Office as document #228680, recorded in the  
13 Douglas County Recorder's Office in Deed Book 221 at Page  
14 238, and recorded in the Coles County Recorder's Office in  
15 Volume 771 at Page 209.

16 Section 50. Restrictions and conditions.

17 (a) For a parcel of real property described in Section 5,  
18 10, 15, 20, 25, 30, 35, 40, or 45, that is not subject to any  
19 litigation, the entity designated to receive real property  
20 described in that Section shall within 30 days after the  
21 effective date of this Act receive from the Department of  
22 Natural Resources a written notice of first refusal to receive  
23 that property and if the entity designated to receive real  
24 property described in that Section then gives written notice to



1 the Director of the Department of Natural Resources that the  
2 entity will accept the described real property as grantee and  
3 will tender the consideration of \$1.00, the conveyance of the  
4 parcel of real property shall be made pursuant to the  
5 applicable Section and Section 55 and subject to existing  
6 public utilities, existing public roads, and any and all  
7 reservations, easements, covenants and restrictions of record.

8 (b) The conveyance of a parcel of real property authorized  
9 by Section 5, 10, 15, 20, 25, 30, 35, 40, or 45, shall be made  
10 as follows: if the property described in the appropriate  
11 Section is included in whole or in part in a judgment in, or a  
12 settlement or other resolution of litigation that is favorable  
13 to the State of Illinois or the Department of Natural  
14 Resources, as a party, concerning the property described in the  
15 respective Section of this Act in the case of: Ag Farms, Inc.  
16 v. American Premier Underwriters and the Illinois Department of  
17 Natural Resources (2002-MR-6) in Moultrie County; or Hemingway  
18 v. American Premier Underwriters the Illinois Department of  
19 Natural Resources (97-MR-5) in Douglas County, then the entity  
20 designated to receive real property described in that Section  
21 shall receive, within 60 days after the conclusion of that  
22 litigation as to that parcel of property, from the Department  
23 of Natural Resources a written notice of first refusal to  
24 receive that property upon the conclusion, as to that parcel of  
25 property, of that litigation if the entity designated to  
26 receive real property described in that Section gives written

1 notice to the Director of the Department of Natural Resources  
2 that the entity will accept the described real property as  
3 grantee and will tender the consideration of \$1.00; provided  
4 that the conveyance is made subject to existing public  
5 utilities, existing public roads, and any and all reservations,  
6 easements, encumbrances, covenants and restrictions of record.

7 (c) Notwithstanding other provisions of this Act, for each  
8 Section, the parcel of real property described in that Section  
9 shall not be conveyed so long as there is pending any  
10 litigation concerning the ownership of that parcel of property.

11 Section 55. The Director of Natural Resources shall obtain  
12 a certified copy of the portions of this Act containing the  
13 title, the enacting clause, the restrictions and conditions on  
14 the property to be conveyed, the effective date, the  
15 appropriate Section containing the land description of the  
16 property to be conveyed, and this Section, within 60 days after  
17 the entity designated as the grantee of the real property  
18 described in the appropriate Section has delivered a written  
19 notice to the Director of Natural Resources that states that  
20 the entity will accept the described property as grantee and  
21 will pay the consideration of \$1.00 and, upon receipt of the  
22 payment required by the Section, shall record the certified  
23 document in the Recorder's Office in the County in which the  
24 land is located.

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