



## 98TH GENERAL ASSEMBLY

### State of Illinois

2013 and 2014

HB2658

Introduced 2/21/2013, by Rep. Barbara Wheeler

#### SYNOPSIS AS INTRODUCED:

735 ILCS 30/25-5-45 new

735 ILCS 30/25-5-50 new

Amends the Eminent Domain Act. Provides that quick-take proceedings may be used for a period of no longer than one year from the effective date by McHenry County for the acquisition of described property for the purpose of public improvements to serve McHenry County. Provides that quick-take proceedings may be used for a period of no longer than one year from the effective date by Madison County for the acquisition of described property for the purpose of public improvements to County Highway 52 in Madison County. Effective immediately.

LRB098 07939 HEP 38027 b

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 Sections 25-5-45 and 25-5-50 as follows:

6 (735 ILCS 30/25-5-45 new)

7 Sec. 25-5-45. Quick-take; McHenry County. Quick-take  
8 proceedings under Article 20 may be used for a period of no  
9 longer than one year from the effective date of this amendatory  
10 Act of the 98th General Assembly by McHenry County for the  
11 acquisition of the following described property for the purpose  
12 of public improvements to serve McHenry County:

13 Route: F.A.U. 168 (Johnsburg Road)

14 Section: 05-00314-00-WR

15 County: McHenry Job No.: R-91-005-06

16 Parcel: 1HK0045

17 Sta. 58+07.09 To Sta. 58+31.89

18 Sta. 176+10.72 To Sta. 177+36.15

19 Owner: JNL-Johnsburg Properties, Inc.

20 Index No. 09-13-277-001

21 09-13-277-002

1 That part of Sub Lot 2 of Lot 28 in Plat Number 3 McHenry,  
2 County Clerk's Plat of Section 13, Township 45 North, Range 8  
3 East of the Third Principal Meridian, according to the plat  
4 thereof recorded May 6, 1902 as document number 14079, in  
5 McHenry County, Illinois, described as follows:

6 Commencing at the southeast corner of the Northeast Quarter of  
7 said Section 13; thence on an assumed bearing of South 89  
8 degrees 15 minutes 13 seconds West along the south line of the  
9 Northeast Quarter of said Section 13, as monumented and  
10 occupied, a distance of 824.94 feet (825.2 feet, recorded)  
11 (826.0 feet, recorded) to a point of intersection with the  
12 Southerly extension of the east line of the grantor; thence  
13 North 1 degree 20 minutes 53 seconds East along the said  
14 Southerly extension of the east line of the grantor, a distance  
15 of 132.49 feet to the northeasterly right of way line of Chapel  
16 Hill Road recorded January 26, 1932 as document number 100422,  
17 being also the southeast corner of the grantor; thence North 46  
18 degrees 56 minutes 58 seconds West along the said northeasterly  
19 right of way line of Chapel Hill Road and along the  
20 northeasterly right of way line of Chapel Hill Road recorded  
21 January 26, 1932 as document number 100421, a distance of  
22 261.08 feet to the point of beginning; thence continuing North  
23 46 degrees 56 minutes 58 seconds West along the northeasterly  
24 right of way line of Chapel Hill Road recorded as document  
25 number 100421, a distance of 14.94 feet to the east right of

1 way line of Chapel Hill Road recorded January 26, 1932 as  
2 document number 100420; thence North 2 degrees 09 minutes 50  
3 seconds East along the said east right of way line of Chapel  
4 Hill Road and the Northerly extension thereof, a distance of  
5 64.92 feet (64.91 feet, more or less, recorded) to the center  
6 line of Johnsburg Road; thence North 87 degrees 42 minutes 53  
7 seconds East along the said center line of Johnsburg Road, a  
8 distance of 123.08 feet; thence South 2 degrees 17 minutes 07  
9 seconds East, a distance of 30.00 feet to the south right of  
10 way line of Johnsburg Road according to a Plat of Survey by the  
11 County Surveyor dated October 21, 1952 in Surveyor Book Number  
12 5, page 204; thence South 2 degrees 48 minutes 02 seconds East,  
13 a distance of 1.05 feet; thence westerly 59.83 feet along a  
14 curve to the left having a radius of 987.47 feet, the chord of  
15 said curve bears South 85 degrees 27 minutes 49 seconds West,  
16 59.82 feet; thence South 70 degrees 14 minutes 11 seconds West,  
17 a distance of 47.08 feet; thence South 22 degrees 40 minutes 19  
18 seconds West, a distance of 30.69 feet to the point of  
19 beginning.

20 Said parcel containing 0.117 acre, more or less, of which 0.086  
21 acre, more or less, was previously dedicated or used for  
22 highway purposes.

23 (735 ILCS 30/25-5-50 new)

24 Sec. 25-5-50. Quick-take; Madison County. Quick-take

1 proceedings under Article 20 may be used for a period of no  
2 longer than one year from the effective date of this amendatory  
3 Act of the 98th General Assembly by Madison County for the  
4 acquisition of the following described property for the purpose  
5 of public improvements to County Highway 52 in Madison County:

6 PPN 24-1-01-24-00-000-001

7 A strip of land 50 feet wide located in the Northeast  
8 Quarter of the Northwest Quarter of Section 24, Township 6  
9 North, Range 10 West of the Third Principal Meridian, in the  
10 Village of Godfrey, Madison County, Illinois, as shown on  
11 Exhibit "A" attached hereto and more fully described as  
12 follows:

13 Commencing at the northwest corner of the Northeast Quarter  
14 of the Northwest Quarter of said Section 24; thence easterly  
15 along the north line of said Section 24 for a distance of  
16 696.49 feet; thence southerly at right angles for a distance of  
17 45 feet to the Point of Beginning of the tract of land  
18 described herein; thence continuing southerly along the  
19 previous course for a distance of 50 feet; thence easterly at  
20 right angles along a line parallel to and 95 feet south of the  
21 north line of said Section 24 for a distance of 50 feet; thence  
22 northerly at right angles for a distance of 50 feet; thence  
23 westerly at right angles along a line parallel to and 45 feet  
24 south of the north line of said Section 24 for a distance of 50  
25 feet to the Point of Beginning, containing 2,500 square feet.

1 PPN 24-1-01-24-00-000-001

2 A strip of land 40 feet wide located in the Northeast  
3 Quarter of the Northwest Quarter of Section 24, Township 6  
4 North, Range 10 West of the Third Principal Meridian, in the  
5 Village of Godfrey, Madison County, Illinois, as shown on  
6 Exhibit "A" attached hereto and more fully described as  
7 follows:

8 Commencing at the northwest corner of the Northeast Quarter  
9 of the Northwest Quarter of said Section 24; thence easterly  
10 along the north line of said Section 24 for a distance of 412.5  
11 feet to the northwest corner of a tract of land conveyed to  
12 Thomas K. Hutchinson by deed recorded in Book 3076, Page 1922  
13 in the Recorder's Office of Madison County, Illinois, which is  
14 the Point of Beginning of the tract of land described herein;  
15 thence continuing easterly along the north line of said Section  
16 24 for a distance of 556.65 feet to the northeast corner of  
17 said Hutchinson tract, which is located 412.5 feet west of the  
18 northeast corner of the Northeast Quarter of the Northwest  
19 Quarter of said Section 24; thence southerly along the east  
20 line of said Hutchinson tract, which is parallel to the east  
21 line of said quarter-quarter section, for a distance of 40.03  
22 feet; thence westerly along a line parallel to and 40 feet  
23 south of the north line of said Section 24 for a distance of  
24 556.04 feet to the west line of said Hutchinson tract; thence  
25 northerly along said west line, which is parallel to the west

1 line of said quarter-quarter section, for a distance of 40.01  
2 feet to the northwest corner of said Hutchinson tract and the  
3 Point of Beginning, containing 22,254 square feet.

4 PPN 24-1-01-24-00-000-001

5 A strip of land 5 feet wide located in the Northeast  
6 Quarter of the Northwest Quarter of Section 24, Township 6  
7 North, Range 10 West of the Third Principal Meridian, in the  
8 Village of Godfrey, Madison County, Illinois, as shown on  
9 Exhibit "A" attached hereto and more fully described as  
10 follows:

11 Commencing at the northwest corner of the Northeast Quarter  
12 of the Northwest Quarter of said Section 24; thence easterly  
13 along the north line of said Section 24 for a distance of  
14 596.49 feet; thence southerly at right angles for a distance of  
15 40 feet to the Point of Beginning of the tract of land  
16 described herein; thence continuing southerly along the  
17 previous course for a distance of 5 feet; thence easterly at  
18 right angles along a line parallel to and 45 feet south of the  
19 north line of said Section 24 for a distance of 200 feet;  
20 thence northerly at right angles for a distance of 5 feet;  
21 thence westerly at right angles along a line parallel to and 40  
22 feet south of the north line of said Section 24 for a distance  
23 of 200 feet to the Point of Beginning, containing 1,000 square  
24 feet.

1 PPN 24-1-01-24-00-000-001.001

2 A strip of land located in the Northeast Quarter of the  
3 Northwest Quarter of Section 24, Township 6 North, Range 10  
4 West of the Third Principal Meridian, in the Village of  
5 Godfrey, Madison County, Illinois, as shown on Exhibit "A"  
6 attached hereto and more fully described as follows:

7 Beginning at the northwest corner of the Northeast Quarter  
8 of the Northwest Quarter of said Section 24; thence easterly  
9 along the north line of said Section 24 for a distance of 412.5  
10 feet to the northeast corner of a tract of land conveyed to  
11 Mark E. Springman by deed recorded in Book 4065, Page 1952 in  
12 the Recorder's Office of Madison County, Illinois; thence  
13 southerly along the east line of said Springman tract, which is  
14 parallel to the west line of said quarter-quarter section for a  
15 distance of 40.01 feet; thence westerly along a line parallel  
16 to and 40 feet south of the north line of said Section 24 for a  
17 distance of 115.20 feet; thence southerly at right angles for a  
18 distance of 10 feet; thence westerly at right angles along a  
19 line parallel to and 50 feet south of the north line of said  
20 Section 24 for a distance of 100.00 feet; thence northerly at  
21 right angles for a distance of 10 feet; thence westerly at  
22 right angles along a line parallel to and 40 feet south of the  
23 north line of said Section 24 for a distance of 197.28 feet to  
24 the west line of the Northeast Quarter of the Northwest Quarter  
25 of said Section 24; thence northerly along said west line for a  
26 distance of 40.01 feet to the northwest corner of the Northeast



1 Quarter of the Northwest Quarter of said Section 24 and the  
2 Point of Beginning, containing 17,500 square feet.

3 PPN 24-1-01-24-00-000-001.001

4 Two strips of land each 10 feet wide located in the  
5 Northeast Quarter of the Northwest Quarter of Section 24,  
6 Township 6 North, Range 10 West of the Third Principal  
7 Meridian, in the Village of Godfrey, Madison County, Illinois,  
8 as shown on Exhibit "A" attached hereto and more fully  
9 described as follows:

10 Parcel 1

11 Commencing at the northwest corner of the Northeast Quarter  
12 of the Northwest Quarter of said Section 24; thence  
13 easterly along the north line of said Section 24 for a  
14 distance of 146.49 feet; thence southerly at right angles  
15 for a distance of 40 feet to the Point of Beginning of the  
16 tract of land described herein; thence continuing  
17 southerly along the previous course for a distance of 10  
18 feet; thence easterly at right angles along a line parallel  
19 to and 50 feet south of the north line of said Section 24  
20 for a distance of 50 feet; thence northerly at right angles  
21 for a distance of 10 feet; thence westerly at right angles  
22 along a line parallel to and 40 feet south of the north  
23 line of said Section 24 for a distance of 50 feet to the  
24 Point of Beginning, containing 500 square feet.

1 Parcel 2

2 Commencing at the northwest corner of the Northeast Quarter  
3 of the Northwest Quarter of said Section 24; thence  
4 easterly along the north line of said Section 24 for a  
5 distance of 296.49 feet; thence southerly at right angles  
6 for a distance of 40 feet to the Point of Beginning of the  
7 tract of land described herein; thence continuing  
8 southerly along the previous course for a distance of 10  
9 feet; thence easterly at right angles along a line parallel  
10 to and 50 feet south of the north line of said Section 24  
11 for a distance of 115.00 feet to the east line of a tract  
12 of land conveyed to Mark E. Springman by deed recorded in  
13 Book 4065, Page 1952 in the Recorder's Office of Madison  
14 County, Illinois; thence northerly along the east line of  
15 said Springman tract, which is parallel to the west line of  
16 said quarter-quarter section, for a distance of 10.00 feet;  
17 thence westerly along a line parallel to and 40 feet south  
18 of the north line of said Section 24 for a distance of  
19 115.20 feet to the Point of Beginning, containing 1,151  
20 square feet.

21 PPN 24-1-01-24-00-000-001.001

22 A strip of land located in the Northeast Quarter of the  
23 Northwest Quarter of Section 24, Township 6 North, Range 10  
24 West of the Third Principal Meridian, in the Village of

1 Godfrey, Madison County, Illinois, as shown on Exhibit "A"  
2 attached hereto and more fully described as follows:

3 Commencing at the northwest corner of the Northeast Quarter  
4 of the Northwest Quarter of said Section 24; thence easterly  
5 along the north line of said Section 24 for a distance of  
6 285.99 feet; thence southerly at right angles for a distance of  
7 50 feet to the Point of Beginning of the tract of land  
8 described herein; thence deflecting to the right at an angle of  
9 9 degrees 38 minutes 48 seconds for a distance of 20.87 feet;  
10 thence northwesterly at right angles for a distance of 22.00  
11 feet; thence northeasterly at right angles for a distance of  
12 17.13 feet to a point located 50 feet south of the north line  
13 of said Section 24; thence easterly along a line parallel to  
14 and 50 feet south of the north line of said Section 24 for a  
15 distance of 22.32 feet to the Point of Beginning, containing  
16 418 square feet.

17 PPN 24-1-01-24-00-000-001.002

18 A strip of land 15 feet wide located in the Northeast  
19 Quarter of the Northwest Quarter of Section 24, Township 6  
20 North, Range 10 West of the Third Principal Meridian, in the  
21 Village of Godfrey, Madison County, Illinois, as shown on  
22 Exhibit "A" attached hereto and more fully described as  
23 follows:

24 Commencing at the northeast corner of the Northeast Quarter  
25 of the Northwest Quarter of said Section 24; thence westerly

1 along the north line of said Section 24 for a distance of  
2 285.16 feet; thence southerly at right angles for a distance of  
3 50 feet to the Point of Beginning of the tract of land  
4 described herein; thence continuing southerly along the  
5 previous course for a distance of 15 feet; thence easterly at  
6 right angles along a line parallel to and 65 feet south of the  
7 north line of said Section 24 for a distance of 40 feet; thence  
8 northerly at right angles for a distance of 15 feet; thence  
9 westerly at right angles along a line parallel to and 50 feet  
10 south of the north line of said Section 24 for a distance of 40  
11 feet to the Point of Beginning, containing 600 square feet.

12 PPN 24-1-01-24-00-000-001.002

13 A strip of land 10 feet wide located in the Northeast  
14 Quarter of the Northwest Quarter of Section 24, Township 6  
15 North, Range 10 West of the Third Principal Meridian, in the  
16 Village of Godfrey, Madison County, Illinois, as shown on  
17 Exhibit "A" attached hereto and more fully described as  
18 follows:

19 Commencing at the northeast corner of the Northeast Quarter  
20 of the Northwest Quarter of said Section 24; thence westerly  
21 along the north line of said Section 24 for a distance of 412.5  
22 feet to the northwest corner of a tract of land conveyed to  
23 Carolyn D. Schmidt by deed recorded in Book 4236, Page 793 in  
24 the Recorder's Office of Madison County, Illinois; thence  
25 southerly along said west line, which is parallel to the east

1 line of said quarter-quarter section, for a distance of 40.03  
2 feet to the Point of Beginning of the tract of land described  
3 herein; thence continuing southerly along said west line for a  
4 distance of 10.01 feet; thence easterly along a line parallel  
5 to and 50 feet south of the north line of said Section 24 for a  
6 distance of 129.12 feet; thence northerly at right angles for a  
7 distance of 10 feet; thence westerly at right angles along a  
8 line parallel to and 40 feet south of the north line of said  
9 Section 24 for a distance of 128.76 feet to the Point of  
10 Beginning, containing 1,290 square feet.

11 PPN 24-1-01-24-00-000-001.002

12 A strip of land located in the Northeast Quarter of the  
13 Northwest Quarter of Section 24, Township 6 North, Range 10  
14 West of the Third Principal Meridian, in the Village of  
15 Godfrey, Madison County, Illinois, as shown on Exhibit "A"  
16 attached hereto and more fully described as follows:

17 Beginning at the northeast corner of the Northeast Quarter  
18 of the Northwest Quarter of said Section 24; thence westerly  
19 along the north line of said Section 24 for a distance of 412.5  
20 feet to the northwest corner of a tract of land conveyed to  
21 Carolyn D. Schmidt by deed recorded in Book 4236, Page 793 in  
22 the Recorder's Office of Madison County, Illinois; thence  
23 southerly along the west line of said Schmidt tract, which is  
24 parallel to the east line of said quarter-quarter section for a  
25 distance of 40.03 feet; thence easterly along a line parallel

1 to and 40 feet south of the north line of said Section 24 for a  
2 distance of 128.76 feet; thence southerly at right angles for a  
3 distance of 10 feet; thence easterly at right angles along a  
4 line parallel to and 50 feet south of the north line of said  
5 Section 24 for a distance of 250.00 feet; thence northerly at  
6 right angles for a distance of 10 feet; thence easterly at  
7 right angles along a line parallel to and 40 feet south of the  
8 north line of said Section 24 for a distance of 33.74 feet to  
9 the east line of the Northeast Quarter of the Northwest Quarter  
10 of said Section 24; thence northerly along said east line for a  
11 distance of 40.03 feet to the northeast corner of the Northeast  
12 Quarter of the Northwest Quarter of said Section 24 and the  
13 Point of Beginning, containing 19,000 square feet.

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