



100TH GENERAL ASSEMBLY

State of Illinois

2017 and 2018

HB4319

by Rep. Michael D. Unes

SYNOPSIS AS INTRODUCED:

P.A. 95-982, Sec. 5

Amends "An Act concerning land", Public Act 95-982. Provides that the conveyance of certain real property 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 (instead of "a public purpose"). Effective immediately.

LRB100 16704 HEP 31842 b

1 AN ACT concerning property.

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

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

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

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

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

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

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

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

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

12 Excepting from the above described 40.00 Acre Tract the
13 following:

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

17 Commencing at the approximate Southeast corner of the SE 1/4 of
18 the SW 1/4 of said Section 4, and being at the centerline of
19 the pavement of Illinois Highway #116 (S.B.I. Rt. #8), Thence S
20 88° 16' W along the centerline of the pavement off said
21 Illinois Highway #116, a distance of 733.7 feet; Thence N 1°
22 35' W, 156.0 feet; Thence N 28° 20' E, 122.3 feet; Thence N 1°

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

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

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

17 3. ALSO: an easement 15 feet in width for a 4"
18 watermain, being 7 1/2' on each side of the following
19 described centerline: Commencing at the Point of Beginning
20 in the above described tract (0.514 Acres), Thence East 11
21 feet to the Point of Beginning for the centerline to be
22 described; Thence S 13° 20' W, 218 feet; Thence S 83° 33'
23 E, 241 feet; Thence S 4° 40' E, 53 feet, more or less, to
24 the Northerly right-of-way line of said Illinois Highway
25 #116.

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

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

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

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

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

1 From the South 1/4 corner of said Section 4, go S 89° 46' W,
2 17.5 feet along centerline Illinois State Highway #116, which
3 is the South line of Section 4; Thence North 0° 14' E, 41.4
4 feet to SE corner of existing fenced plot; thence N 0° 14' E,
5 733.65 feet along existing fence line to a point; thence N 89°
6 58' W, 316.85 feet to a point hereinafter known as the point of
7 beginning; thence N 89° 58' W, 330 feet to a point; thence N 0°
8 2' E, 136.4 feet to a point; thence S 89° 58' E, 330 feet to a
9 point; thence S 0° 2' W, 136.4 feet to the point of beginning.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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