



94TH GENERAL ASSEMBLY

State of Illinois

2005 and 2006

SB2119

Introduced 5/25/2005, by Sen. John J. Cullerton

SYNOPSIS AS INTRODUCED:

New Act
30 ILCS 605/1.02

from Ch. 127, par. 133b3

Authorizes the Illinois Department of Human Services to grant and convey a permanent conservation easement to the Illinois Department of Natural Resources on certain real property in Cook County near the Chicago Read Mental Health Center for the purpose of preserving and protecting the wetlands and forested area for the benefit of certain facility patients, the community, and the general public. Authorizes the Adjutant General, on behalf of the State of Illinois and the Department of Military Affairs, to convey, by quit claim deed, all right, title, and interest of the State of Illinois and the Department of Military Affairs in and to certain real property to the City of Chicago if the City of Chicago conveys, by quit claim deed, to the State of Illinois the fee simple title in and to certain real property. Requires the Board of Trustees of the University of Illinois to convey to Gene Michael Vanderport, of Vermilion County, in exchange for fair market value, certain real property located in Vermilion County. Provides that the provisions of this Act of the 94th General Assembly are judicially enforceable and that the State Property Control Act does not apply to the transfer of the described property. Amends the State Property Control Act to exclude the described property from the definition of "property". Effective immediately.

LRB094 12525 BDD 47047 b

FISCAL NOTE ACT
MAY APPLY

1 AN ACT concerning State government.

2 WHEREAS, The State of Illinois owns certain real property
3 in the City of Chicago in the Dunning Community Area in Cook
4 County, located in Township 40 North, Range 13 East, Section
5 18, that is under the jurisdiction of the Department of Human
6 Services for the operation of the Chicago Read Mental Health
7 Center; and

8 WHEREAS, Approximately 30 acres of the Chicago Read Mental
9 Health Center property contain 2 wetlands, an emergent wetland,
10 and other open space that benefit the protection of the Des
11 Plaines watershed; and

12 Whereas, State-owned wetlands are governed by and must be
13 managed according to the Interagency Wetlands Policy Act of
14 1989 and provisions of Part 1090 of Title 17 of the Illinois
15 Administrative Code; and

16 Whereas, The mission of the Illinois Department of Human
17 Services is to improve the health, well-being, and quality of
18 life of Illinois citizens; and

19 Whereas, Parks, open spaces, and forests are important
20 components for the health and well-being of urban residents,
21 contributing to the prevention and amelioration of illness not
22 only by facilitating improvements in physical fitness through
23 exercise, but also by facilitating positive emotional,
24 intellectual, and social experiences; and

25 Whereas, The Dunning Community Area, in which the property
26 is located, has been identified as underserved by open space
27 and parks in the Land Policies Plans completed by the City and
28 the Chicago Park District, that note that 2 large segments of
29 the Dunning Community have no open space or parkland
30 whatsoever; and

31 Whereas, The Dunning property was originally donated to
32 Cook County in 1868 by the Dunning family for health and social
33 purposes and was operated by the County as a "poor farm" and a
34 facility for the mentally ill until 1912; and

35 Whereas, In 1912 Cook County conveyed the 235-acre Dunning

1 property to the State of Illinois to be used for health and
2 social purposes as stated in the original land covenant;
3 therefore

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

6 Section 5. The Illinois Department of Human Services is
7 hereby authorized to grant and convey a permanent conservation
8 easement to the Illinois Department of Natural Resources on a
9 parcel containing 30 acres, more or less, that is located in
10 Section 18, Township 40 North, Range 13 East of the third
11 principal meridian, Cook County, Illinois, situated to the West
12 and South of the Chicago Read Mental Health Center, for the
13 purpose of preserving and protecting the wetlands and forested
14 area for the benefit of the patients of the facility, the
15 community, and the general public, this 30-acre parcel being
16 more particularly described under Section 10 of this Act.

17 Section 10. A parcel containing 30 acres, more or less,
18 located in Section 18, Township 40 North, Range 13 East of the
19 third principal meridian, Cook County, Illinois, situated to
20 the West and South of the Chicago Read Mental Health Center, a
21 more accurate description to be made by an Illinois
22 professional land surveyor, the cost of the survey to be paid
23 for by Friends of the Parks.

24 Section 15. Exchange of real estate between the State and
25 the City of Chicago.

26 (a) The City of Chicago owns, or will own, the following
27 described real estate:

28 PARCEL 3: THAT PART OF THE LANDS OF THE ILLINOIS
29 CENTRAL RAILROAD COMPANY IN FRACTIONAL SECTION 22,
30 TOWNSHIP 39 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL
31 MERIDIAN, BOUNDED AND DESCRIBED AS FOLLOWS: COMMENCING ON

1 THE WESTERLY RIGHT OF WAY LINE OF SAID RAILROAD AT THE
2 INTERSECTION OF SAID LINE WITH THE NORTHERLY LINE OF THE
3 23RD STREET VIADUCT, SAID NORTHERLY LINE BEING 60 FEET
4 (MEASURED PERPENDICULARLY) NORTHERLY OF AND PARALLEL WITH
5 THE CENTER LINE OF THE EXISTING STRUCTURE; THENCE NORTH
6 $16^{\circ}37'38''$ WEST ALONG SAID WESTERLY RIGHT OF WAY LINE,
7 1500.00 FEET TO THE POINT OF BEGINNING; THENCE NORTH
8 $73^{\circ}22'22''$ EAST PARALLEL WITH SAID NORTHERLY LINE OF THE
9 23RD STREET VIADUCT, A DISTANCE OF 34.35 FEET; THENCE
10 NORTHEASTERLY 119.35 FEET ALONG THE ARC OF A CIRCLE CONVEX
11 TO THE NORTHWEST, HAVING A RADIUS OF 333.31 FEET AND WHOSE
12 CHORD BEARS NORTH $21^{\circ}58'42''$ EAST 118.71 FEET; THENCE NORTH
13 $32^{\circ}14'12''$ EAST 54.17 FEET; THENCE NORTHWESTERLY 111.71
14 FEET ALONG THE ARC OF A CIRCLE CONVEX TO THE EAST, HAVING A
15 RADIUS OF 5738.60 FEET AND WHOSE CHORD BEARS NORTH
16 $18^{\circ}37'46''$ WEST 111.71 FEET; THENCE NORTH $19^{\circ}11'14''$ WEST,
17 42.93 FEET; THENCE NORTH $90^{\circ}00'00''$ WEST, 50.32 FEET; THENCE
18 SOUTH $00^{\circ}00'00''$ WEST, 176.86 FEET; THENCE NORTH $90^{\circ}00'00''$
19 WEST, 46.64 FEET TO THE WESTERLY RIGHT OF WAY LINE OF THE
20 LANDS OF THE ILLINOIS CENTRAL RAILROAD COMPANY; THENCE
21 SOUTH $16^{\circ}42'49''$ EAST, ALONG THE WESTERLY RIGHT OF WAY LINE
22 OF THE LANDS OF THE ILLINOIS CENTRAL RAILROAD COMPANY,
23 76.91 FEET TO THE NORTH LINE OF VACATED EAST CULLERTON
24 STREET; THENCE SOUTH $16^{\circ}37'38''$ EAST, ALONG THE WESTERLY
25 RIGHT OF WAY LINE OF THE LANDS OF THE ILLINOIS CENTRAL
26 RAILROAD COMPANY, AFORESAID, 64.31 FEET TO THE POINT OF
27 BEGINNING, IN COOK COUNTY, ILLINOIS. CONTAINING 23,621
28 SQUARE FEET OR 0.5423 ACRES MORE OR LESS.

29 (b) The State of Illinois owns the following described real
30 estate, which is under the control of the Department of
31 Military Affairs:

32 PARCEL 1: LOTS 15, 16 AND 17 AND THAT PART OF LOT 18 IN
33 BLOCK 11 OF CULVER AND OTHERS SUBDIVISION OF THE SOUTHWEST
34 QUARTER OF SECTION 22, TOWNSHIP 39 NORTH, RANGE 14, EAST OF
35 THE THIRD PRINCIPAL MERIDIAN, ALL TAKEN AS A TRACT AND
36 BOUNDED AND DESCRIBED AS FOLLOWS: COMMENCING ON THE

1 WESTERLY LINE OF SAID LOT 18 AT A POINT 42.01 FEET NORTH OF
2 THE NORTH LINE OF VACATED EAST CULLERTON STREET, AS
3 MEASURED ALONG THE EAST LINE OF SOUTH CALUMET AVENUE;
4 THENCE NORTH 00°04'52" WEST, ALONG THE EAST LINE OF SOUTH
5 CALUMET AVENUE, 31.64 FEET TO THE POINT OF BEGINNING;
6 THENCE NORTH 00°04'52" EAST, ALONG THE EAST LINE OF SOUTH
7 CALUMET AVENUE, 175.27 FEET TO THE NORTHWEST CORNER OF LOT
8 15, AFORESAID; THENCE SOUTH 89°59'54" EAST, ALONG THE NORTH
9 LINE OF LOT 15, AFORESAID, 53.61 FEET TO THE WESTERLY RIGHT
10 OF WAY LINE OF THE LANDS OF THE ILLINOIS CENTRAL RAILROAD
11 COMPANY; THENCE SOUTH 16°42'49" EAST, ALONG THE WESTERLY
12 RIGHT OF WAY LINE OF THE LANDS OF THE ILLINOIS CENTRAL
13 RAILROAD COMPANY, 182.99 FEET; THENCE NORTH 90°00'00"
14 WEST, 106.49 FEET TO THE POINT OF BEGINNING, IN COOK
15 COUNTY, ILLINOIS. CONTAINING 14,030 SQUARE FEET OR 0.3221
16 ACRES, MORE OR LESS.

17 (c) The Adjutant General, on behalf of the State of
18 Illinois and the Department of Military Affairs, is authorized
19 to convey by quit claim deed all right, title, and interest of
20 the State of Illinois and the Department of Military Affairs in
21 and to the real estate described in subsection (b) to the City
22 of Chicago upon the City of Chicago conveying by quit claim
23 deed to the State of Illinois the fee simple title in and to
24 the real estate described in subsection (a).

25 (d) The Adjutant General shall obtain a certified copy of
26 Section 15 of this Act from the Secretary of State within 60
27 days after its effective date and, upon the exchange of real
28 estate described in this Section being made, shall cause the
29 certified document to be recorded in the office of the Recorder
30 of Cook County, Illinois.

31 Section 20. The Board of Trustees of The University of
32 Illinois must convey to Gene Michael Vanderport, of Vermilion
33 County, Illinois, in exchange for fair market value, based on
34 the average of 3 certified appraisals, certain real property
35 located in Vermilion County, Illinois and described as follows:

1 A tract of land in the Southwest Fractional Quarter of
2 Section 1, Township 18 North, Range 11 West of the 2nd
3 Principal Meridian, bounded and described as follows:
4 Beginning at the Northwest corner of the Southwest
5 Fractional Quarter of Section 1, Township 18 North, Range
6 11 West of the 2nd Principal Meridian; thence down the
7 Vermilion River following the meanders thereof 58 poles to
8 a stone; thence in a Northeasterly direction or course to a
9 point so as to strike the North line of said Southwest
10 Fractional Quarter of said Section 1, 17 poles West of the
11 Northeast corner of said Southwest Fractional Quarter of
12 said Section 1; thence West to the place of beginning,
13 EXCEPT 4.5 acres in a triangular shape off the Northeast
14 corner of said described tract, situated in Vermilion
15 County, Illinois.

16 Section 25. (a) The State Property Control Act does not
17 apply to the transfer of the real property described in Section
18 15 of this Act.

19 (b) The provisions of this Act are judicially enforceable.

20 Section 90. The State Property Control Act is amended by
21 changing Section 1.02 as follows:

22 (30 ILCS 605/1.02) (from Ch. 127, par. 133b3)

23 Sec. 1.02. "Property" means State owned property and
24 includes all real estate, with the exception of rights of way
25 for State water resource and highway improvements, traffic
26 signs and traffic signals, and with the exception of common
27 school property; and all tangible personal property with the
28 exception of properties specifically exempted by the
29 administrator, provided that any property originally
30 classified as real property which has been detached from its
31 structure shall be classified as personal property.

32 "Property" does not include property owned by the Illinois
33 Medical District Commission and leased or occupied by others

1 for purposes permitted under the Illinois Medical District Act.
2 "Property" also does not include property owned and held by the
3 Illinois Medical District Commission for redevelopment.

4 "Property" does not include property described under
5 Section 5 of Public Act 92-371 with respect to depositing the
6 net proceeds from the sale or exchange of the property as
7 provided in Section 10 of that Act.

8 "Property" does not include that property described under
9 Section 20 of this amendatory Act of the 94th General Assembly.

10 (Source: P.A. 92-371, eff. 8-15-01; 92-651, eff. 7-11-02.)

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