

ORDINANCE NO. 1985-M- 35

REFER TO:
MINUTES 5-30-85
PAGE 2096

AN ORDINANCE AUTHORIZING THE
EXECUTION OF A DEED

DATE OF PUBLICATION NOT
NEWSPAPER published

TO COMMUNITY SCHOOL DISTRICT 303 FOR A PORTION
OF OPEN SPACE B OF FOX CHASE

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ST.
CHARLES, KANE AND DU PAGE COUNTIES, ILLINOIS, AS FOLLOWS:

1. That the Mayor and City Clerk are authorized to
execute a Deed, a copy of which is attached hereto and made
a part hereof, subject to the terms set forth in said Deed.

2. That this Ordinance shall be in full force and
effect from and after its passage and approval in accordance
with law.

PRESENTED to the City Council of the City of St. Charles,
Kane and Du Page Counties, Illinois, this 20th day of
May, 1985.

PASSED by the City Council of the City of St. Charles,
Kane and Du Page Counties, Illinois, this 20th day of
May, 1985.

APPROVED by the Mayor of the City of St. Charles,
Kane and Du Page Counties, Illinois, this 20th day of
May, 1985.


Mayor

ATTEST:

City Clerk

COUNCIL VOTE:
Ayes: 10
Nays: 0
Absent: 0

QUIT CLAIM DEED

Statutory (ILLINOIS)

(Corporation to Corporation)

(The Above Space For Recorder's Use Only)

THE GRANTOR THE CITY OF ST. CHARLES, Kane and DuPage Counties, Illinois
 municipal
 a/corporation created and existing under and by virtue of the laws of the State of Illinois
 and duly authorized to transact business in the State of Illinois, for the consideration
 of TEN and No/100 (\$10.00) DOLLARS,
 and other good and valuable considerations
 in hand paid, and pursuant to authority given by the ~~Board of~~ City Council ~~of said corporation~~
 CONVEYS and QUIT CLAIMS unto KANE COUNTY BOARD OF SCHOOL TRUSTEES FOR
COMMUNITY UNIT SCHOOL DISTRICT 303
 unit of State Government
 a/corporation organized and existing under and by virtue of the laws of the State of Illinois
 having its principal office at the following address 1020 Dunham Road, St. Charles,
Illinois all interest in the following described Real Estate situated in the County of
Kane and State of Illinois, to wit:

See Exhibit "A" attached hereto and made a part hereof.

SUBJECT TO: An easement which is hereby reserved for and unto the City
 of St. Charles, Kane and Du Page Counties, Illinois, a municipal corpora-
 tion, and its successors and assigns, over, under and upon all of the
 aforescribed real estate for the installation, maintenance, reloca-
 tion, renewal and removal of sanitary and storm sewers, drainage ways,
 detention and retention ponds and swales, water mains, manholes,
 vaults, electrical and communication conduits, cables, wires,
 pedestals, transformers, gas mains, and all other equipment and
 appurtenances for serving property with drainage facilities, sewers,
 water, electrical, telephone and gas service, together with the
 right of access thereto.

In Witness Whereof, said Grantor has caused its corporate seal to be hereto affixed, and has caused its name
 to be signed to these presents by its Mayor ~~President~~ and attested by its
City Clerk ~~Secretary~~, this _____ day of _____, 19____.

THE CITY OF ST. CHARLES
 (NAME OF CORPORATION)

IMPRESS
CORPORATE SEAL
HERE

BY [Signature] Mayor ~~President~~
 ATTEST: [Signature] City Clerk ~~Secretary~~

State of Illinois, County of Kane ss. I, the undersigned, a Notary Public, in and for the
 County and State aforesaid, DO HEREBY CERTIFY, that Fred T. L. Norris
 personally known to me to be the Mayor ~~President~~ of the City of St. Charles, Kane
and Du Page Counties, Illinois, an Illinois municipal corporation,

IMPRESS
NOTARIAL SEAL
HERE

~~corporation~~ and Jean M. Connors personally known to me to be
 the City Clerk ~~Secretary~~ of said municipal
 to me to be the same persons whose names are subscribed to the foregoing instru-
 ment, appeared before me this day in person and severally acknowledged that as
 such Mayor ~~President~~ and City Clerk ~~Secretary~~ they signed
 and delivered the said instrument as Mayor ~~President~~ and City Clerk
~~Secretary~~ of said municipal
 to be affixed thereto, pursuant to authority, given by the ~~Board of~~ City Council
 of said municipal corporation as their free and voluntary act, and as the free and voluntary
 act and deed of said corporation, for the uses and purposes therein set forth.

Given under my hand and official seal, this 23rd day of May, 1985

Commission expires June 17, 1988 Janice R. Pope
 NOTARY PUBLIC

This instrument was prepared by Allen L. Landmeier, 15 N. Second Street,
P.O. Box 127, Geneva, IL 60134 (NAME AND ADDRESS)

AFFIX "RIDERS" OR REVENUE STAMPS HERE

EXEMPT UNDER PROVISIONS OF PARAGRAPH
B SECTION 4, REAL ESTATE TRANSFER ACT.
 DATE _____ BUYER, SELLER, OR REPRESENTATIVE

DOCUMENT NUMBER

ADDRESS OF PROPERTY:

MAIL TO: { City of St. Charles
 (Name)
2 East Main Street
 (Address)
St. Charles, Illinois 60174
 (City, State and Zip)

THE ABOVE ADDRESS IS FOR STATISTICAL PURPOSES ONLY AND IS NOT A PART OF THIS DEED.

SEND SUBSEQUENT TAX BILLS TO:

 (Name)

OR RECORDER'S OFFICE BOX NO. _____

(Address)

EXHIBIT "A"

That part of the South half of Section 23, Township 40 North, Range 8 East of the Third Principal Meridian in Kane County, Illinois, and more particularly described as follows: Commencing at the center of said Section 23; thence along the North and South center line of said Section 23, South 3° 04' 28" West 1629.68 feet; thence at right angles to aforesaid quarter section line, South 86° 55' 32" East 65.35 feet to the point of beginning, being a point in the proposed Easterly right of way line of Fox Chase Boulevard as proposed to be extended West of Aintree Subdivision; thence South 26° 53' 53" East 210 feet; thence South 76° 53' 53" East 282 feet; thence

South 70° 23' 53" East 250 feet; thence North 47° 06' 07" East 420 feet; thence South 53° 08' 53" East 224 feet; thence South 4° 08' 53" East 110 feet; thence South 21° 06' 07" West 250 feet; thence South 0° 06' 07" West 144 feet; thence South 81° 53' 53" East 312 feet; thence North 60° 06' 07" East 100 feet; thence South 32° 53' 53" East 62 feet; thence South 40° 51' 07" West 206 feet; thence South 52° 21' 07" West 135 feet; thence North 61° 08' 53" West 78 feet; thence North 89° 38' 53" West 285 feet; thence South 88° 36' 07" West 178 feet; thence North 81° 23' 53" West 240 feet; thence South 63° 06' 07" West 136 feet; thence North 86° 23' 53" West 170 feet; thence North 34° 23' 53" West 92 feet; thence North 89° 23' 53" West 245.92 feet to a point in the proposed Easterly right of way line of Fox Chase Boulevard extended; thence along aforesaid right of way line North 13° 06' 07" East 902.46 feet to the point of beginning, in the City of St. Charles, Kane County, Illinois.

AFFIDAVIT - PLAT ACT

STATE OF ILLINOIS)
) SS.
COUNTY OF KANE)

_____, being duly sworn on oath, states that he resides at _____ . That the attached deed is

not in violation of Section 1 of Chapter 109 of the Illinois Revised Statutes for one of the following reasons:

1. The sale or exchange is of an entire tract of land not being a part of a larger tract of land.
2. The division or subdivision of land is into parcels or tracts of 5 acres or more in size which does not involve any new streets or easements of access.
3. The division is of lots or blocks of less than 1 acre in any recorded subdivision which does not involve any new streets or easements of access.
4. The sale or exchange of parcels of land is between owners of adjoining and contiguous land.
5. The conveyance is of parcels of land or interests therein for use as right-of-way for railroads or other public utility facilities, which does not involve any new streets or easements of access.
6. The conveyance is of land owned by a railroad or other public utility which does not involve any new streets or easements of access.
7. The conveyance is of land for highway or other public purpose or grants or conveyances relating to the dedication of land for public use or instruments relating to the vacation of land impressed with a public use.
8. The conveyance is made to correct descriptions in prior conveyances.
9. The sale or exchange is of parcels or tracts of land following the division into no more than two parts of a particular parcel or tract of land existing on July 17, 1959, and not involving any new streets or easements of access.
10. The sale is of a single lot of less than 5 acres from a larger tract, the dimensions and configurations of said larger tract having been determined by the dimensions and configuration of said larger tract on October 1, 1973, and no sale prior to this sale, of any lot or lots from said larger tract having taken place since October 1, 1973, and a survey of said single lot having been made by a registered land surveyor.

CIRCLE NUMBER ABOVE WHICH IS APPLICABLE TO ATTACHED DEED.

AFFIANT further states that he makes this affidavit for the purpose of inducing the Recorder of Deeds of Kane County, Illinois, to accept the attached deed for recording, and that all local requirements applicable to the subdivision of land are met by the attached deed and the tract described therein.

SUBSCRIBED and SWORN to before me this _____ day of _____, A.D. 19____.

Notary Public

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SCHEDULE A

Applicable General Exceptions and Schedule B Exceptions (1) and (2) appear on the inside of the Commitment Jacket (Form No. 2606)

Number	Effective Date	Refer inquiries to
334281	August 4, 1982	Barbara O'Connell

1. Owners policy to be issued: ALTA Single Form Policy 1970 Amount: \$316,000.00

Proposed Insured:

KANE COUNTY BOARD OF SCHOOL TRUSTEES FOR COMMUNITY UNIT SCHOOL DISTRICT 303

Loan policy to be issued:	ALTA Single Form	Amount: -----
NONE	Policy 1970	

Proposed Insured:

2. The estate or interest in the land described or referred to in this commitment and covered herein is a fee simple and title thereto is at the effective date hereof vested in:

CITY OF ST. CHARLES

3. The mortgage and assignments, if any, covered by this commitment are described as follows:

NONE

4. The land referred to in this commitment is described as follows:

That part of the South half of Section 23, Township 40 North, Range 8 East of the Third Principal Meridian in Kane County, Illinois, and more particularly described as follows: Commencing at the center of said Section 23; thence along the North and South center line of said Section 23, South 3° 04' 28" West 1629.68 feet; thence at right angles to aforesaid quarter section line, South 86° 55' 32" East 65.35 feet to the point of beginning, being a point in the proposed Easterly right of way line of Fox Chase Boulevard as proposed to be extended West of Aintree Subdivision; thence South 26° 53' 53" East 210 feet; thence South 76° 53' 53" East 282 feet; thence

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South 70° 23' 53" East 250 feet; thence North 47° 06' 07" East 420 feet; thence South 53° 08' 53" East 224 feet; thence South 4° 08' 53" East 110 feet; thence South 21° 06' 07" West 250 feet; thence South 0° 06' 07" West 144 feet; thence South 81° 53' 53" East 312 feet; thence North 60° 06' 07" East 100 feet; thence South 32° 53' 53" East 62 feet; thence South 40° 51' 07" West 206 feet; thence South 52° 21' 07" West 135 feet; thence North 61° 08' 53" West 78 feet; thence North 89° 38' 53" West 285 feet; thence South 88° 36' 07" West 178 feet; thence North 81° 23' 53" West 240 feet; thence South 63° 06' 07" West 136 feet; thence North 86° 23' 53" West 170 feet; thence North 34° 23' 53" West 92 feet; thence North 89° 23' 53" West 245.92 feet to a point in the proposed Easterly right of way line of Fox Chase Boulevard extended; thence along aforesaid right of way line North 13° 06' 07" East 902.46 feet to the point of beginning, in the City of St. Charles, Kane County, Illinois.

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3. Should our Owner's Policy with an Extended Coverage Endorsement deleting the General Exceptions enumerated in the Commitment Jacket be desired, we should be so advised and our Commitment will be made subject to further requirements. In the absence of such a request the policy will be issued subject to said General Exceptions.
4. Taxes for the year 1982.

NOTE: General taxes for the year 1981 levied on 9-23-400-008, first and second installments are exempt. (City of St. Charles)

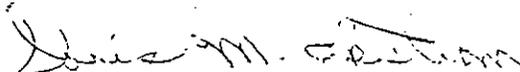
NOTE: General taxes for the year 1981 levied on 9-23-400-009, first and second installments are exempt. (City of St. Charles)
5. Rights of the adjoining and contiguous owners to have maintained the uninterrupted flow of waters of any stream which may flow on or through the land.
6. Rights of way for drain tiles, drainage ditches, feeders and laterals.
7. NOTE: Drainage assessments, drainage taxes, water rentals are included in exception No. 5 hereinbefore shown relating to special assessments and special taxes, if any, not confirmed by a court of record and should be considered when dealing with the property covered by this commitment.
8. NOTE: Any deed attempting to convey the land must be accompanied with a properly executed and acknowledged Plat Act Affidavit in accordance with the provisions of Chapter 109 of Illinois Revised Statutes.
9. Grant dated July 26, 1965 and recorded August 17, 1965 and again on October 1, 1965 respectively as documents 1052058 and 1055164, made by Lester J. Norris and Dellora A. Norris, to the City of St. Charles, Illinois, of the right, privilege and easement to construct and maintain a sanitary sewer upon, under and along a strip of land 10 feet wide, the center line of which is described as follows: Commencing at a point on the center line of Wing Avenue extended in the City of St. Charles, Illinois said point being 308 feet Easterly from the East line of North Thirteenth Avenue measured on said center line of Wing Avenue extended; thence Southwesterly on a straight line making an angle of 50° 00' measured counterclockwise from said center line extended to the adjacent Westerly line of premises in question.
10. Premises in question has no apparent means of access of record.

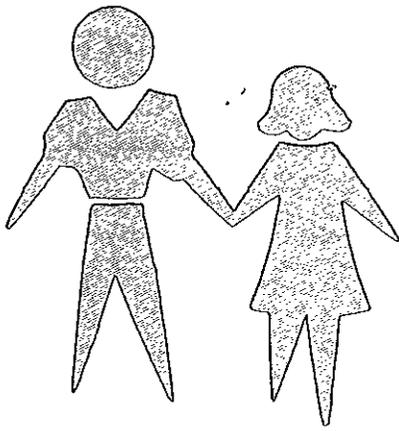
CHICAGO TITLE INSURANCE COMPANY

Three pages

8-11-82

jd





Community Unit School District No. 303

DR. DONALD J. D'AMICO
Superintendent of Schools

DR. JOHN G. VANKO
Associate Superintendent

RAY E. REYNOLDS
Assistant Superintendent
for Business

MAX D. BIDDLE
Director, Elementary Curriculum
and Transportation

May 14, 1985

RECEIVED

MAY 16 1985

Mr. Robert A. Hupp
City of St. Charles
2 East Main Street
St. Charles, Illinois 60174

**PLANNING OFFICE
ST. CHARLES, ILL.**

Dear Mr. Hupp:

Enclosed is the Land Management Agreement adopted by the Board of Education at their regular meeting of May 10, 1985.

Please proceed with deeding the property.

Sincerely yours,

A large, stylized handwritten signature in black ink, appearing to read "Donald J. D'Amico".

Donald J. D'Amico
Superintendent of Schools

DJD/st

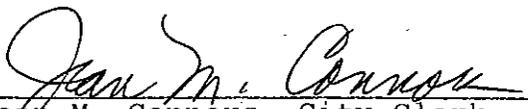
Enclosure

STATE OF ILLINOIS)
COUNTIES OF KANE AND DUPAGE) SS.
CITY OF ST. CHARLES)

This is to certify that the foregoing is a true and correct copy of Ordinance No. 1985-M-35 entitled AN ORDINANCE AUTHORIZING THE EXECUTION OF A DEED TO COMMUNITY SCHOOL DISTRICT 303 FOR A PORTION OF OPEN SPACE B OF FOX CHASE

passed by the City Council of the City of St. Charles on the 20th day of May, 1985 A.D., as morefully appears from the records and files of said City in my custody.

Given under my hand and the official seal of said City of St. Charles, this 21st day of May, 1985 A.D.


Jean M. Connors, City Clerk