
THE VILLAGE OF COAL CITY

GRUNDY & WILL COUNTIES, ILLINOIS

ORDINANCE
NUMBER 14-12

**AN ORDINANCE AUTHORIZING THE ACQUISITION OF A 5' X 10' STRIP OF
REAL PROPERTY AT THE SOUTHEASTERN TERMINUS OF A PUBLIC ALLEY
NORTH OF 90 E. CHESTNUT STREET, COAL CITY, GRUNDY COUNTY, ILLINOIS
FOR PUBLIC PURPOSES BY THE VILLAGE OF COAL CITY**

NEAL E. NELSON, President
PAMELA M. NOFFSINGER, Village Clerk

GEORGETTE VOTA
ROSS BRADLEY
TIMOTHY BRADLEY
TERRY HALLIDAY
DAVID TOGLIATTI
JUSTIN WREN
Village Trustees

Published in pamphlet form by authority of the President and Board of Trustees of the Village of
Coal City

on May 27, 2014

ORDINANCE NO. 14-12

AN ORDINANCE AUTHORIZING THE ACQUISITION OF A 5' X 10' STRIP OF REAL PROPERTY AT THE SOUTHEASTERN TERMINUS OF A PUBLIC ALLEY NORTH OF 90 E. CHESTNUT STREET, COAL CITY, GRUNDY COUNTY, ILLINOIS FOR PUBLIC PURPOSES BY THE VILLAGE OF COAL CITY

WHEREAS, the Village of Coal City (hereinafter, "the Village") is an Illinois municipal corporation organized and operated under the laws of the State of Illinois; and

WHEREAS, the Village is a non-home rule municipality and, as such, may exercise delegated statutory and Constitutional powers and such powers as are necessarily implied therefrom; and

WHEREAS, the Village is authorized and empowered by the General Assembly pursuant to 65 ILCS 5/2-3-8 to acquire and hold property for corporate purposes; and

WHEREAS, the Village is specifically authorized and empowered by the General Assembly pursuant to 65 ILCS 5/11-105-1 to accept or receive public grounds located within the corporate limits and hold and maintain such grounds or lands and supervise or regulate their use for any proper public purpose; and

WHEREAS, the Village is desirous of receiving the territory conveyed by the quitclaim deed herein accepted to be used for all public alley and right-of-way purposes, including, without limitation, above-ground and underground utilities, in order to preserve and maintain ingress and egress in and out of the east end of that certain public alley south of and parallel to Park Street and north of and parallel to Chestnut Street, immediately adjacent to and west of Kankakee Street; and

WHEREAS, the Corporate Authorities hereby find that certain real property legally described in the quitclaim deed attached hereto as Exhibit A (hereinafter, "Subject Property"), is

useful, necessary and advantageous for the Village to acquire for alley purposes and maintain under public ownership and control; and

WHEREAS, the Corporate Authorities of the Village hereby find and determine that it is in the public interest to accept a quitclaim deed to the Subject Property.

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Coal City, Counties of Will and Grundy, Illinois, as follows:

SECTION 1. Recitals. The foregoing recitals shall be and are hereby incorporated into and made a part of this Ordinance as if fully set forth in this Section 1.

SECTION 2. Acceptance.

- A. The Village of Coal City accepts the Quitclaim Deed for the Subject Property, attached hereto as Exhibit A, in order to utilize the Subject Property for public alley and right-of-way purposes, including, without limitation, above-ground and underground utilities, in order to preserve and maintain ingress and egress in and out of the east end of that certain public alley south of and parallel to Park Street and north of and parallel to Chestnut Street, immediately adjacent to and west of Kankakee Street.
- B. The Village attorney is hereby authorized and directed to execute such documents and take such steps as may be necessary and convenient to implement the provisions of this Ordinance.
- C. The Village Clerk is authorized and directed to cause the deed herein accepted to notice be recorded in the offices of the Grundy County Recorders of Deeds.

SECTION 3. Repealer. All ordinances in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 4. Saving Clause. If any section, paragraph, clause, or provision of this Ordinance shall be held invalid, the invalidity thereof shall not affect any of the other provisions of this Ordinance, which are hereby declared to be separable.

SECTION 5. Effectiveness. This Ordinance shall be in full force and effect from and after its passage, approval, and publication in the manner provided by law.

SO ORDAINED this 27 day of May, 2014, at Coal City, Grundy and Will Counties, Illinois.

AYES: 6

ABSENT:

NAYS:

ABSTAIN:

VILLAGE OF COAL CITY



Neal E. Nelson, President

Attest:



Pamela M. Noffsinger, Clerk

EXHIBIT A

Quitclaim Deed

(Attached on the following pages)

4839-2595-9963, v. 1

QUITCLAIM DEED

MAIL TO:

Mark R. Heinle
Ancel, Glink, Diamond, Bush,
DiCianni & Krafthefer, P.C.
1979 N. Mill Street, Suite 207
Naperville, IL 60563

NAME AND ADDRESS

OF TAXPAYER:

Village of Coal City
Attn: Village Administrator
515 S. Broadway
Coal City, IL 60416

THE GRANTOR, ROBERT SCHWEITZER, of the Village of Coal City, County of Grundy, State of Illinois, for and in consideration of the sum of Ten and No/100 Dollars (\$10.00) in hand paid, receipt of which is hereby acknowledged, does hereby **CONVEY AND QUIT CLAIM** to **THE GRANTEE, VILLAGE OF COAL CITY**, an Illinois municipal corporation located in the Village of Coal City, Counties of Grundy and Will, State of Illinois, all interest in the following described Real Estate situated in the County of Grundy, in the State of Illinois, to wit:

THAT PART OF WESTERLY 5.00 FEET OF KANKAKEE STREET, AS HERETOFORE VACATED BY DOCUMENT NUMBER 350158, LYING SOUTH OF THE EASTERLY EXTENSION OF THE CENTERLINE OF THE 20 FOOT WIDE EAST-WEST ALLEY IN BLOCK 1 IN THE ORIGINAL TOWN OF COAL CITY, IN SECTION 2, TOWNSHIP 32 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, AND LYING NORTH OF THE EASTERLY EXTENSION OF THE NORTH LINE OF LOT 27 IN SAID BLOCK 1, ALL IN GRUNDY COUNTY, ILLINOIS.
CONTAINING 50 SQUARE FEET MORE OR LESS.

hereby releasing and waiving all rights under and by virtue of the Homestead Exemption Laws of Illinois. To HAVE AND HOLD said premises forever.

Subject to general real estate taxes not yet due and payable at the time of closing; covenants, conditions and restrictions of record; building and easements, licenses and other encumbrances reserved to, granted to, or otherwise acquired by the GRANTOR or any public utility provider now has or might have over and upon the premises; existing subdivision, county or municipal ordinances.

Permanent Index Number: Part of 09-02-303-013

STATE OF ILLINOIS)
) SS.
COUNTY OF GRUNDY)

I, the undersigned, a Notary Public in and for said County and State aforesaid, DO HEREBY CERTIFY, that ROBERT SCHWEITZER, as personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person and each acknowledged that he signed, sealed and delivered the said instrument as his free and voluntary act, for the uses and purposes therein set forth, including the release and waiver of the right of homestead.

Given under my hand and Notarial Seal, this 27th day of May, 2014.

Commission expires April 2, 20 15

Pamela M. Noffsinger
NOTARY PUBLIC



**STATE OF ILLINOIS
DEPARTMENT OF REVENUE
STATEMENT OF EXEMPTION UNDER REAL ESTATE TRANSFER TAX**

I hereby declare that this deed represents a transaction exempt under provisions of 35 ILCS 200/31-45(b)(1) of the Real Estate Transfer Tax Law.

Dated this 30th day of May, 2014.

Neal E. Nelson

VILLAGE OF COAL CITY,
By: Neal E. Nelson
Its: Village President

PREPARED BY:

Mark R. Heinle
Ancel, Glink, Diamond, Bush,
DiCianni & Krafthefer, P.C.
1979 N. Mill Street, Suite 207
Naperville, IL 60563

Common Description of Real Estate:

5' x '10 foot strip of land at southeastern terminus of public alley, immediately north of 90 East Chestnut Street

DATED THIS 15 DAY OF MAY, 2014.



Robert Schweitzer

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STATEMENT BY GRANTOR AND GRANTEES

The Grantor or its agent affirms that, to the best of its/his knowledge, the name of the Grantors shown on the deed or assignment of beneficial interest in a land trust is either a natural person, an Illinois corporation or foreign corporation authorized to do business or acquire and hold title to real estate in Illinois, a partnership authorized to do business or acquire and hold title to real estate in Illinois, or other entity recognized as a person and authorized to do business or acquire title to real estate under the laws of the State of Illinois.

Date: 5-15-14 Signature: *[Handwritten Signature]*
Grantor or Agent

SUBSCRIBED and SWORN to before me this 15 day of May, 2014.

Pamela M. Noffsinger
Notary Public, in and for the County of Grundy, State of Illinois



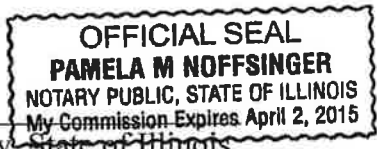
My commission expires on April 2, 2015.

The Grantees or their agent affirms that, to the best of their/his knowledge, the names of the Grantees shown on the deed or assignment of beneficial interest in a land trust are either natural persons, an Illinois corporation or foreign corporation authorized to do business or acquire and hold title to real estate in Illinois, a partnership authorized to do business or acquire and hold title to real estate in Illinois, or other entity recognized as a person and authorized to do business or acquire title to real estate under the laws of the State of Illinois.

Date: 5-30-14 Signature: *[Handwritten Signature]*
Grantee or Agent

SUBSCRIBED and SWORN to before me this 30 day of May, 2014.

Pamela M. Noffsinger
Notary Public, in and for the County of Grundy, State of Illinois



My commission expires on April 2, 2015.

