

RESOLUTION

DT-0042-99

Condemnation Authorization for
Right of Way Acquisition on County Farm (CH 43)
Section 94-00179-05-GS

WHEREAS, the County of DuPage through the DuPage County Division of Transportation has conducted traffic studies and has analyzed the accident experience, roadway capacity and pavement condition of County Farm Road, which is located in Section 18 in Milton Township and, County of DuPage, State of Illinois; and

WHEREAS, the DuPage County Division of Transportation has determined that in order to provide for the safety of the motoring public and the free and unrestricted flow of public traffic, it is necessary to widen, reconstruct and improve County Farm Road as described above.

NOW, THEREFORE, BE IT RESOLVED, it is hereby determined by the DuPage County Board that the public highway commonly referred to as County Farm Road and more specifically referred to as DuPage County Highway 43, be improved and widened, laid out, established, constructed and maintained on the real property described as follows:

<u>P.I.N. Number</u>	<u>Parcel Number(s)</u>	<u>As Shown on Exhibit</u>
05-18-102-002	8	A

which Exhibit is attached hereto and incorporated herein and that said improved and widened roadway be used, occupied, improved and developed for public highway purposes in a manner necessary and convenient for said use as a public highway.

BE IT FURTHER RESOLVED, that it is hereby determined by the DuPage County Board that it is necessary and desirable that the County of DuPage acquire the necessary legal interests in and possession of the real property described in the preceding paragraph and that said real property is necessary and convenient for said public highway purposes and that the real property described herein is located wholly within the corporate boundaries of the County of DuPage.

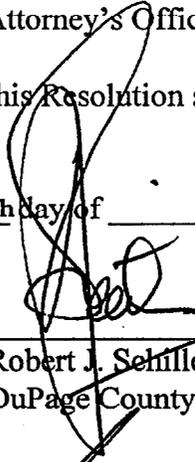
BE IT FURTHER RESOLVED, that the DuPage County Engineer, or his designee, be and is hereby authorized, empowered and directed to negotiate for and on behalf of the County of DuPage with the owner, or owners of the real property as described hereinabove for the purpose of acquisition of the necessary legal interests in said real property by the County of DuPage.

BE IT FURTHER RESOLVED, that in the event that the DuPage County Engineer, or his designee, is unable to reach an agreement with the owners of the real property described hereinabove as to the compensation to be paid therefor, then the necessary legal interests in and possession of said real property legally described hereinabove shall be acquired by the County of DuPage through condemnation and the State's Attorney of DuPage County is hereby authorized, empowered and directed to institute condemnation proceedings in a court of competent jurisdiction to acquire the necessary legal interests in and possession of said real property in the name of the County of DuPage in accordance with 605 Illinois Compiled Statutes, 5/5-801 and in accordance with the eminent domain laws of the State of Illinois.

BE IT FURTHER RESOLVED, that a certified copy of the Resolution be sent to the DuPage County Division of Transportation and one copy to the Treasurer, Auditor, Finance Department, and the DuPage County State's Attorney's Office, Attn: Nancy Carol Zimmer.

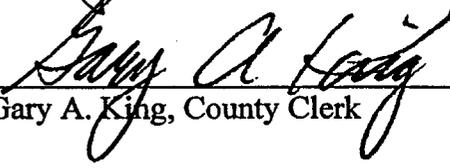
BE IT FURTHER RESOLVED, that this Resolution shall take effect and be in full force from the date of its passage.

Dated at Wheaton, Illinois, this 13th day of July, 1999.



Robert J. Schillerstrom, Chairman
DuPage County Board

ATTEST:



Gary A. King, County Clerk

Ayes: 19
Absent: 5

EXHIBIT A

PIN Number: 05-18-102-002
Parcel Number: 8
Owner's Name: John R. Tobin and Virginia E. Tobin, in Joint Tenancy

Legal Description:

A PART OF LOT 16 IN BLOCK 24 IN THIRD ADDITION TO NORTHWEST ADDITION TO WHEATON, BEING A RESUBDIVISION OF BLOCK 19 OF SECOND ADDITION TO NORTHWEST ADDITION TO WHEATON AND PART OF THE NORTH HALF OF FRACTIONAL SECTION 18, TOWNSHIP 39 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT OF SAID THIRD ADDITION TO NORTHWEST ADDITION TO WHEATON, RECORDED JULY 23, 1926 AS DOCUMENT 218111, IN DU PAGE COUNTY, ILLINOIS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE WESTERLY 4.200M (13.78') EXCEPT THE MOST WESTERLY 2.134M (7.00') OF SAID LOT 16 CONTAINING 0.0035 HECTARES (0.0086 ACRES).

STATE OF ILLINOIS)
)
COUNTY OF DU PAGE)

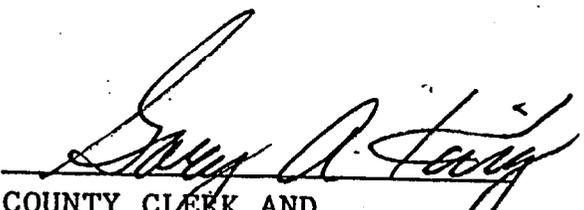
I, GARY A. KING, COUNTY CLERK AND CLERK OF THE
COUNTY BOARD IN THE COUNTY AND STATE AFORESAID, AND
KEEPER OF THE RECORDS AND FILES THEREOF, DO HEREBY
CERTIFY THE FOREGOING TO BE A TRUE AND CORRECT COPY OF

A RESOLUTION

ADOPTED BY THE COUNTY BOARD AT A MEETING HELD AT THE
DU PAGE CENTER, 421 N. COUNTY FARM ROAD, WHEATON,
ILLINOIS, ON THE 13TH DAY OF JULY
A.D. 1999.

ALL OF WHICH APPEARS FROM THE RECORDS OF THE
PROCEEDINGS OF SAID COUNTY BOARD NOW IN MY OFFICE
REMAINING.

GIVEN UNDER MY HAND AND OFFICIAL SEAL AT
WHEATON, ILLINOIS, THIS 14TH DAY OF JULY,
A.D. 1999.


COUNTY CLERK AND
CLERK OF THE COUNTY BOARD
OF DU PAGE COUNTY, ILLINOIS

RESOLUTION

DT-0043-99

Condemnation Authorization for
Right of Way Acquisition on County Farm (CH 43)
Section 94-00179-05-GS

WHEREAS, the County of DuPage through the DuPage County Division of Transportation has conducted traffic studies and has analyzed the accident experience, roadway capacity and pavement condition of County Farm Road, which is located in Section 18 in Milton Township and, County of DuPage, State of Illinois; and

WHEREAS, the DuPage County Division of Transportation has determined that in order to provide for the safety of the motoring public and the free and unrestricted flow of public traffic, it is necessary to widen, reconstruct and improve County Farm Road as described above.

NOW, THEREFORE, BE IT RESOLVED, it is hereby determined by the DuPage County Board that the public highway commonly referred to as County Farm Road and more specifically referred to as DuPage County Highway 43, be improved and widened, laid out, established, constructed and maintained on the real property described as follows:

<u>P.I.N. Number</u>	<u>Parcel Number(s)</u>	<u>As Shown on Exhibit</u>
05-18-106-021	1	A

which Exhibit is attached hereto and incorporated herein and that said improved and widened roadway be used, occupied, improved and developed for public highway purposes in a manner necessary and convenient for said use as a public highway.

BE IT FURTHER RESOLVED, that it is hereby determined by the DuPage County Board that it is necessary and desirable that the County of DuPage acquire the necessary legal interests in and possession of the real property described in the preceding paragraph and that said real property is necessary and convenient for said public highway purposes and that the real property described herein is located wholly within the corporate boundaries of the County of DuPage.

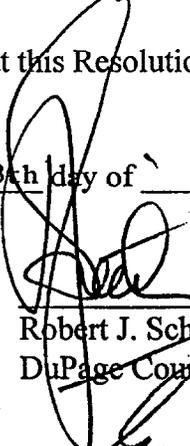
BE IT FURTHER RESOLVED, that the DuPage County Engineer, or his designee, be and is hereby authorized, empowered and directed to negotiate for and on behalf of the County of DuPage with the owner, or owners of the real property as described hereinabove for the purpose of acquisition of the necessary legal interests in said real property by the County of DuPage.

BE IT FURTHER RESOLVED, that in the event that the DuPage County Engineer, or his designee, is unable to reach an agreement with the owners of the real property described hereinabove as to the compensation to be paid therefor, then the necessary legal interests in and possession of said real property legally described hereinabove shall be acquired by the County of DuPage through condemnation and the State's Attorney of DuPage County is hereby authorized, empowered and directed to institute condemnation proceedings in a court of competent jurisdiction to acquire the necessary legal interests in and possession of said real property in the name of the County of DuPage in accordance with 605 Illinois Compiled Statutes, 5/5-801 and in accordance with the eminent domain laws of the State of Illinois.

BE IT FURTHER RESOLVED, that a certified copy of the Resolution be sent to the DuPage County Division of Transportation and one copy to the Treasurer, Auditor, Finance Department, and the DuPage County State's Attorney's Office, Attn: Nancy Carol Zimmer.

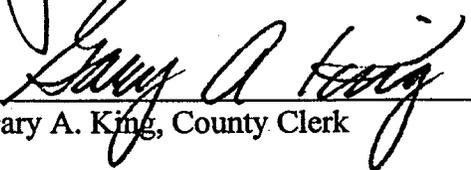
BE IT FURTHER RESOLVED, that this Resolution shall take effect and be in full force from the date of its passage.

Dated at Wheaton, Illinois, this 13th day of July, 1999.



Robert J. Schillerstrom, Chairman
DuPage County Board

ATTEST:



Gary A. King, County Clerk

Ayes: 19
Absent: 5

EXHIBIT A

PIN Number: 05-18-106-021
Parcel Number: 1
Owner's Name: Richard H. McKay, Jr., as to an Undivided 50% Interest,
Richard H. McKay, Jr., as Trustee for the Sarah S. Horan Trust,
dated June 1, 1986, as to an Undivided 25% Interest,
Richard H. McKay, Jr., as Trustee for the Matthew M. Horan Trust,
dated June 1, 1986, as to an Undivided 25% Interest

Legal Description:

A PART OF THE NORTHWEST ¼ OF SECTION 18, TOWNSHIP 39 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE WEST LINE OF SECTION 18, TOWNSHIP 39 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, WITH THE NORTHERLY LINE OF THE CHICAGO AND NORTHWESTERN RAILROAD AND RUNNING THENCE NORTH 85 DEGREES 54 MINUTES 00 SECONDS EAST, ON THE NORTHERLY LINE OF SAID RAILROAD 248.4 FEET FOR A POINT OF BEGINNING; THENCE NORTH 03 DEGREES 45 MINUTES 00 SECONDS WEST, 150 FEET; THENCE NORTH 85 DEGREES 54 MINUTES 00 SECONDS EAST, 161 FEET TO THE CENTER LINE OF THE ROAD; THENCE NORTH 14 DEGREES 41 MINUTES 00 SECONDS WEST ON THE CENTER LINE OF THE ROAD, 101.31 FEET; THENCE NORTH 85 DEGREES 54 MINUTES 00 SECONDS EAST, 429.73 FEET; THENCE NORTH 03 DEGREES 45 MINUTES 00 SECONDS EAST, 103 FEET; THENCE NORTH 85 DEGREES 54 MINUTES 00 SECONDS EAST, 330 FEET; THENCE SOUTH 03 DEGREES 45 MINUTES 00 SECONDS EAST, 147 FEET TO THE NORTHERLY LINE OF THE CHICAGO AND NORTHWESTERN RAILROAD; THENCE SOUTH 85 DEGREES 54 MINUTES 00 SECONDS WEST, ALONG THE NORTHERLY LINE OF THE CHICAGO AND NORTHWESTERN RAILROAD, 902.79 FEET TO THE POINT OF BEGINNING (EXCEPTING FROM THE ABOVE DESCRIBED PREMISES THAT PART THEREOF LYING WEST OF THE EAST LINE OF A STRIP OF LAND 7 FEET WIDE CONVEYED TO THE COUNTY OF DUPAGE BY WARRANTY DEED RECORDED MARCH 10, 1988 AS DOCUMENT R88-23926) IN DUPAGE COUNTY, ILLINOIS.

STATE OF ILLINOIS)
COUNTY OF DU PAGE)

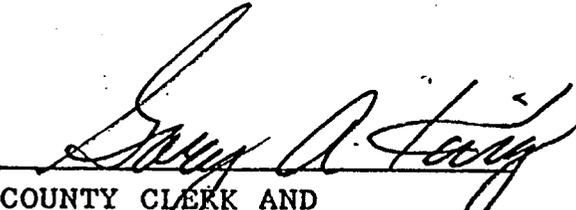
I, GARY A. KING, COUNTY CLERK AND CLERK OF THE COUNTY BOARD IN THE COUNTY AND STATE AFORESAID, AND KEEPER OF THE RECORDS AND FILES THEREOF, DO HEREBY CERTIFY THE FOREGOING TO BE A TRUE AND CORRECT COPY OF

A RESOLUTION

ADOPTED BY THE COUNTY BOARD AT A MEETING HELD AT THE DU PAGE CENTER, 421 N. COUNTY FARM ROAD, WHEATON, ILLINOIS, ON THE 13TH DAY OF JULY A.D. 19 99.

ALL OF WHICH APPEARS FROM THE RECORDS OF THE PROCEEDINGS OF SAID COUNTY BOARD NOW IN MY OFFICE REMAINING.

GIVEN UNDER MY HAND AND OFFICIAL SEAL AT WHEATON, ILLINOIS, THIS 14TH DAY OF JULY, A.D. 19 99.


COUNTY CLERK AND
CLERK OF THE COUNTY BOARD
OF DU PAGE COUNTY, ILLINOIS

RESOLUTION

DT-0054-99

Condemnation Authorization for
Right of Way Acquisition on County Farm Road (CH 43)
Section 94-00179-05-GS

WHEREAS, the County of DuPage through the DuPage County Division of Transportation has conducted traffic studies and has analyzed the accident experience, roadway capacity and pavement condition of County Farm Road, which is located in Section 18 in Milton Township and, County of DuPage, State of Illinois; and

WHEREAS, the DuPage County Division of Transportation has determined that in order to provide for the safety of the motoring public and the free and unrestricted flow of public traffic, it is necessary to widen, reconstruct and improve County Farm Road as described above.

NOW, THEREFORE, BE IT RESOLVED, it is hereby determined by the DuPage County Board that the public highway commonly referred to as County Farm Road and more specifically referred to as DuPage County Highway 43, be improved and widened, laid out, established, constructed and maintained on the real property described as follows:

<u>P.I.N. Number</u>	<u>Parcel Number(s)</u>	<u>As Shown on Exhibit</u>
05-18-102-003	7 PE	A
05-18-102-003	7 TE	A

which Exhibit is attached hereto and incorporated herein and that said improved and widened roadway be used, occupied, improved and developed for public highway purposes in a manner necessary and convenient for said use as a public highway.

BE IT FURTHER RESOLVED, that it is hereby determined by the DuPage County Board that it is necessary and desirable that the County of DuPage acquire the necessary legal interests in and possession of the real property described in the preceding paragraph and that said real property is necessary and convenient for said public highway purposes and that the real property described herein is located wholly within the corporate boundaries of the County of DuPage.

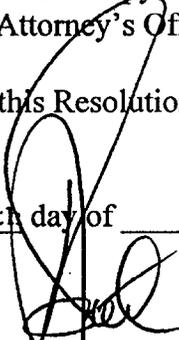
BE IT FURTHER RESOLVED, that the DuPage County Engineer, or his designee, be and is hereby authorized, empowered and directed to negotiate for and on behalf of the County of DuPage with the owner, or owners of the real property as described hereinabove for the purpose of acquisition of the necessary legal interests in said real property by the County of DuPage.

BE IT FURTHER RESOLVED, that in the event that the DuPage County Engineer, or his designee, is unable to reach an agreement with the owners of the real property described hereinabove as to the compensation to be paid therefor, then the necessary legal interests in and possession of said real property legally described hereinabove shall be acquired by the County of DuPage through condemnation and the State's Attorney of DuPage County is hereby authorized, empowered and directed to institute condemnation proceedings in a court of competent jurisdiction to acquire the necessary legal interests in and possession of said real property in the name of the County of DuPage in accordance with 605 Illinois Compiled Statutes, 5/5-801 and in accordance with the eminent domain laws of the State of Illinois.

BE IT FURTHER RESOLVED, that a certified copy of the Resolution be sent to the DuPage County Division of Transportation and one copy to the Treasurer, Auditor, Finance Department, and the DuPage County State's Attorney's Office, Attn: Nancy Carol Zimmer.

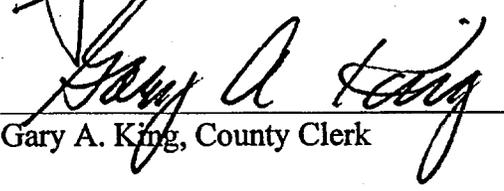
BE IT FURTHER RESOLVED, that this Resolution shall take effect and be in full force from the date of its passage.

Dated at Wheaton, Illinois, this 24th day of August, 1999.



Robert J. Schillerstrom, Chairman
DuPage County Board

ATTEST:



Gary A. King, County Clerk

Ayes: 23
Absent: 1

EXHIBIT A

PIN NUMBER: 05-18-102-003

PARCEL NUMBER: 7 PE, 7 TE

OWNER'S NAME: Robert G. Lillie and Lillie M. Lillie, his wife, in Joint Tenancy

LEGAL DESCRIPTION 0007PE:

LOT 15 IN BLOCK 23 IN THIRD ADDITION TO NORTHWEST ADDITION TO WHEATON, BEING A RESUBDIVISION OF BLOCK 19 OF SECOND ADDITION TO NORTHWEST ADDITION TO WHEATON AND PART OF THE NORTH HALF OF FRACTIONAL SECTION 18, TOWNSHIP 39 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT OF SAID THIRD ADDITION TO NORTHWEST ADDITION TO WHEATON, RECORDED JULY 23, 1926 AS DOCUMENT 218111, IN DUPAGE COUNTY, ILLINOIS MORE PARTICULARLY DESCRIBED AS FOLLOWS: THE EASTERLY 0.914M (3.00 FT) OF THE WESTERLY 3.048M (10.00 FT) OF THE SOUTHERLY 11.026M (36.18 FT) OF SAID LOT 15 CONTAINING 0.0010 HECTARES (0.0025 AC.).

LEGAL DESCRIPTION 0007TE:

THAT PART OF LOT 15 IN BLOCK 23 IN THIRD ADDITION TO NORTHWEST ADDITION TO WHEATON, BEING A RESUBDIVISION OF BLOCK 19 OF SECOND ADDITION THE NORTHWEST ADDITION TO WHEATON AND PART OF THE NORTH HALF OF FRACTIONAL SECTION 18, TOWNSHIP 39 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT OF SAID THIRD ADDITION TO NORTHWEST ADDITION TO WHEATON, RECORDED JULY 23, 1926 AS DOCUMENT 218111, IN DUPAGE COUNTY, ILLINOIS DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF SAID LOT 15; THENCE N84°03'28"E, 2.168M (7.11 FT) ALONG THE NORTH LINE OF SAID LOT 15 TO THE POINT OF BEGINNING; THENCE CONTINUING N84°03'28"E ALONG SAID NORTH LINE, 12.623M (41.41 FT); THENCE S05°56'32"E, 5.000M (16.40 FT); THENCE S84°03'28"W 11.727M (38.47 FT); THENCE N16°05'55"W, 5.080M (16.67 FT) TO THE POINT OF BEGINNING CONTAINING 0.0061 HECTARES (0.0150 AC.), MORE OR LESS.

