



# Kane County

1996 S. Kirk Rd. Suite 320  
Geneva, IL 60134

## Forest Preserve District, Land Acquisition Committee

### Agenda

Chairman, Jarett Sanchez, President, Christopher Kious, President Pro Tem Mavis Bates,  
Executive Director Benjamin Haberthur  
Deborah Allan, Ron Ford, Mike Linder, Bill Roth, Cherryl Strathmann, Rick Williams

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**Thursday, March 30, 2023**

**8:30 AM**

**3rd Floor Board Room**

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**I. Call To Order**

**II. Approval of Minutes from February 23, 2023**

**III. Public Comment (Each Speaker is limited to three minutes)**

**IV. Closed Session to Discuss Land Acquisition, License Agreements, Potential Litigation and Personnel**

**V. New or Unfinished Business**

**TMP-23-414 Resolution Authorizing Permanent Construction Easements with the Illinois Department of Transportation (IDOT) for Bridge Improvements at Illinois Route 20 and the Fox River Trail**

**VI. Communications**

**VII. Chairman's Comments**

**VIII. Adjournment**

**Adjournment until: Thursday, April 27, 2023 at 8:30 a.m. in person at the Forest Preserve District Administration Offices 1996 S. Kirk Road, Suite 320 Geneva, Illinois and via zoom <https://zoom.us/j/6302325980?pwd=aURTSGJoRIVJNDRCcHJXd3dvaVVrUT09> Meeting ID: 630 232 5980 Password: 24680 The Request to Speak Form on our website must still be completed for guests to speak at the meeting.**





# AGENDA MEMORANDUM

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**DATE:** March 30, 2023

**TO:** Forest Preserve District Land Acquisition Committee

**FROM:** Jennifer Rooks-Lopez, Chief of Planning and Land Management  
Benjamin Haberthur, Executive Director

**SUBJECT:** Presentation and Approval of Permanent Construction Easements with the Illinois Department of Transportation (IDOT) for Bridge Improvements at Illinois Route 20 and the Fox River Trail.

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**PURPOSE:**

The purpose of this memorandum is to provide the Committee with information to consider approval of permanent construction easements with the Illinois Department of Transportation (IDOT) for bridge improvements at Illinois Route 20 and the Fox River Trail in Elgin.

**BACKGROUND:**

IDOT is requesting to acquire permanent construction easements for the removal and replacement of the existing bridge at Route 20 at the Fox River crossing. These easements are required to allow IDOT access during construction and for future maintenance of the bridge.

In total IDOT, will be acquiring permanent construction easements of 0.342 acres for a price of \$4,125.00. The existing Fox River Trail will remain intact during the construction. However, because the work by IDOT will involve the removal and replacement of the existing Route 20 Bridge over the Fox River, the trail will need to be detoured during construction. Construction is expected to begin in 2024.

**FINANCIAL IMPACT:**

There is no financial impact to the District.

**RECOMMENDATION:**

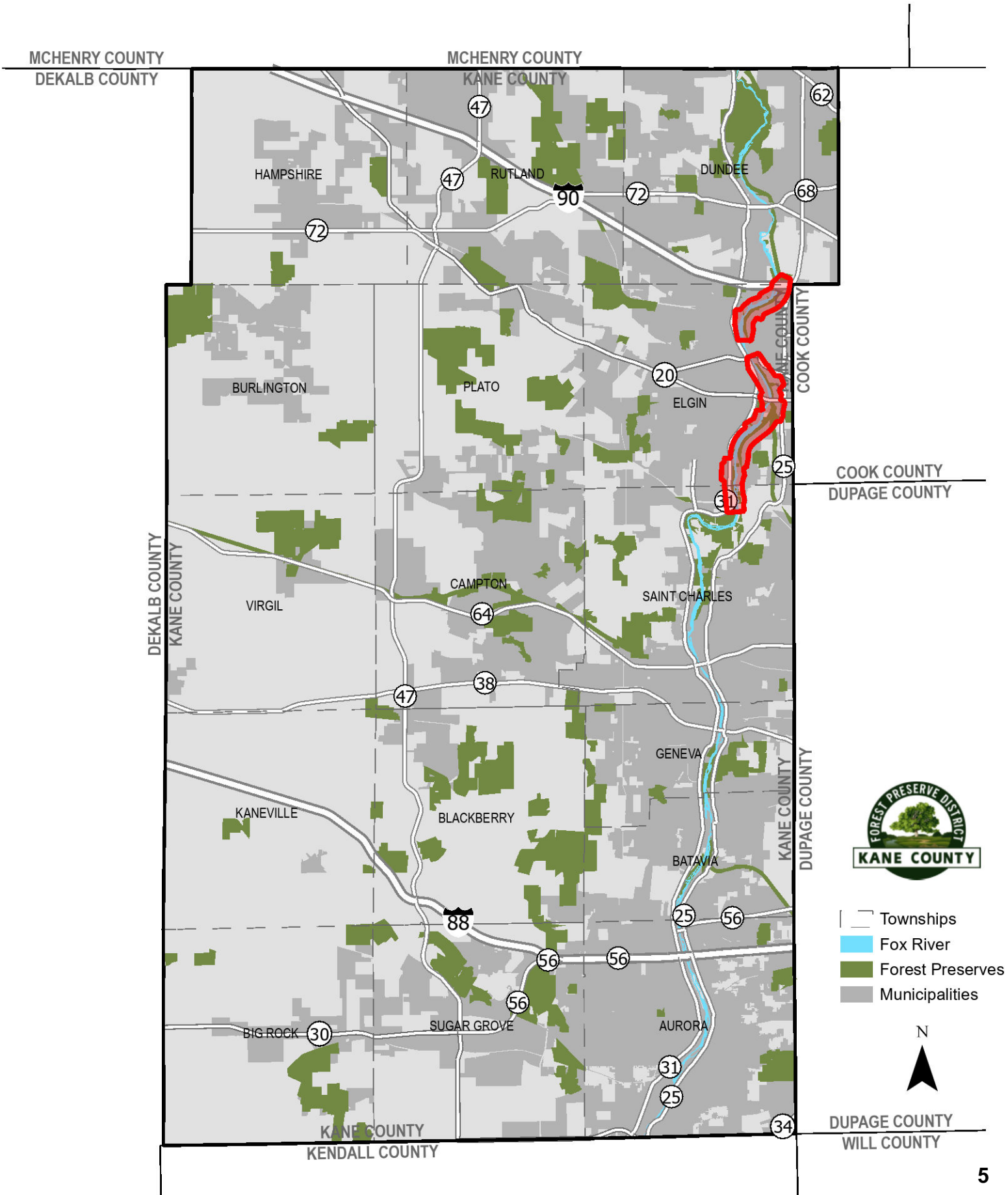
Staff recommends the Commission approve the permanent construction easement as presented with the Illinois Department of Transportation for bridge improvements at Illinois Route 20 and the Fox River Trail.

**ATTACHMENTS:** *County Location Map*  
*Easement Plats (2)*  
*Offer Letters (2)*  
*A.L.T.A Commitments (2)*  
*Legal Descriptions (2)*

# Fox River Trail-Elgin Twp.

County Location Map

Elgin, IL





# IDOT Easement Exhibit

## Fox River Trail- Elgin Township (Route 20)



6

3/21/2028

PART OF THE SOUTHWEST QUARTER OF SECTION 24, TOWNSHIP 41 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, COOK COUNTY, ILLINOIS.

ELGIN SANITARY DISTRICT

FOX RIVER

EAST LINE OF PROPERTY OWNED BY THE KANE COUNTY FOREST PRESERVE

WEST LINE OF THE UNION PACIFIC RAILROAD RIGHT OF WAY

UNION PACIFIC RAILROAD

SOUTH PARK ADDITION RECORDED MAY 26, 1887 AS DOC NO. 12074

DWIGHT ST.

FOREST PRESERVE DISTRICT OF KANE COUNTY. SEE SHEET 6 FOR TOTAL HOLDINGS

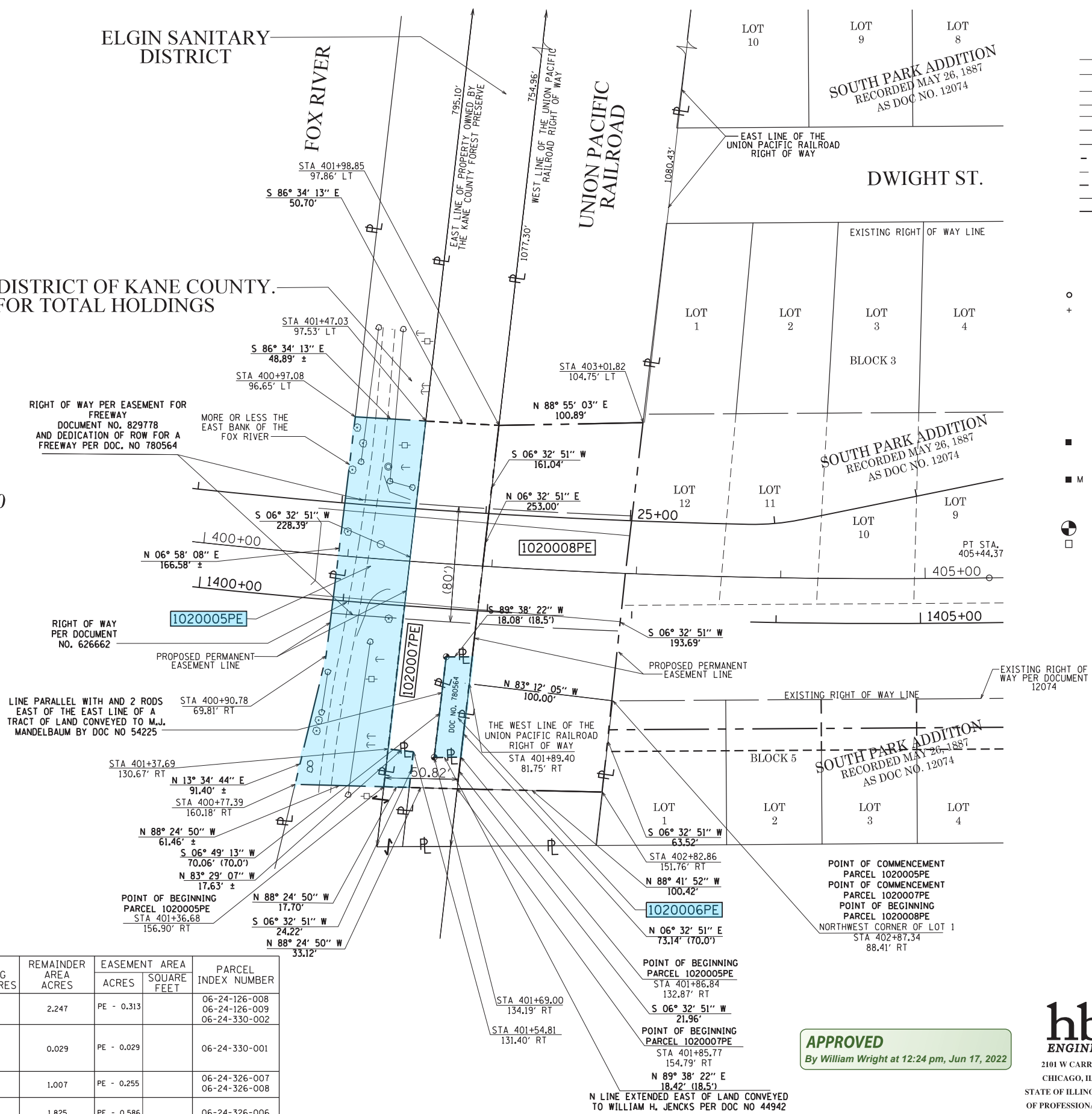
US ROUTE 20

TOTAL HOLDINGS FOR PARCELS 102005, 102006, 102007, 102008. SEE SHEET 6

COORDINATES ARE BASED ON THE ILLINOIS STATE PLANE COORDINATE SYSTEM, EAST ZONE, NAD '83 (2011), THE C OF PROPOSED CONSTRUCTION OF US ROUTE 20 PT STA. 405+44.37 HAS A VALUE OF 1,949,946.207 NORTH & 1,000,623.193 EAST

STATION	OFFSET	NORTH	EAST
400+77.39	160.18' RT	1,949,803.441	1,000,142.703
400+90.78	69.81' RT	1,949,892.290	1,000,164.163
400+97.08	96.65' LT	1,950,057.641	1,000,184.375
401+36.68	156.90' RT	1,949,801.740	1,000,204.142
401+47.03	97.53' LT	1,950,054.716	1,000,233.177
401+85.77	154.79' RT	1,949,800.333	1,000,254.943
401+89.40	81.75' RT	1,949,872.997	1,000,263.283
401+98.85	97.86' LT	1,950,051.683	1,000,283.791
402+82.86	151.76' RT	1,949,798.051	1,000,355.337
402+87.34	88.41' RT	1,949,861.159	1,000,362.580
403+01.82	104.75' LT	1,950,053.589	1,000,384.666
405+44.37	0.00' RT	1,949,946.207	1,000,623.193

PARCEL NUMBER	TOTAL HOLDINGS ACRES	PART TAKEN		AREA IN EXISTING R.O.W. ACRES	REMAINDER AREA ACRES	EASEMENT AREA		PARCEL INDEX NUMBER
		ACRES	SQUARE FEET			ACRES	SQUARE FEET	
1020005	2.247			0.091	2.247	PE - 0.313		06-24-126-008 06-24-126-009 06-24-330-002
1020006	0.029				0.029	PE - 0.029		06-24-330-001
1020007	1.007			0.093	1.007	PE - 0.255		06-24-326-007 06-24-326-008
1020008	1.825			0.182	1.825	PE - 0.586		06-24-326-006



**LEGEND**

- SECTION - QUARTER SECTION LINE
- PLATTED LOT LINES
- PROPERTY (DEED) LINE
- APL APPARENT PROPERTY LINE
- EXISTING CENTERLINE
- PROPOSED CENTERLINE
- EXISTING RIGHT OF WAY LINE
- PROPOSED RIGHT OF WAY LINE
- EXISTING EASEMENT
- PROPOSED EASEMENT
- EXISTING ACCESS CONTROL LINE
- PROPOSED ACCESS CONTROL LINE
- MEASURED DIMENSION
- COMPUTED DIMENSION
- RECORDED DIMENSION
- EXISTING BUILDING

IRON PIPE OR ROD FOUND  
CUT CROSS FOUND OR SET

"MAG" NAIL SET  
5/8" REBAR SET

**SURVEY NOTES:**

- ALL DIMENSIONS ARE MEASURED UNLESS OTHERWISE SPECIFIED.
- BEARING, DISTANCES, AND COORDINATES SHOWN HEREON REFERENCE THE ILLINOIS STATE PLANE COORDINATE SYSTEM, EAST ZONE, NORTH AMERICAN DATUM OF 1983 (2011 ADJUSTMENT) "GRID".
- ALL MEASURED AND CALCULATED DISTANCES ARE "GRID" NOT "GROUND". TO OBTAIN GROUND DISTANCES, DIVIDE GRID DISTANCES SHOWN BY THE COMBINATION FACTOR OF 0.99995674.
- AREAS SHOWN ON THIS PLAT ARE "GROUND".
- FIELD SURVEY COMPLETED ON SEPTEMBER 21, 2021.

STAKING OF PROPOSED RIGHT OF WAY. SET DIVISION OF HIGHWAYS SURVEY MARKER TO MONUMENT THE POSITION SHOWN, IDENTIFIED BY INSCRIPTION DATA AND SURVEYORS REGISTRATION NUMBER.

STAKING OF PROPOSED RIGHT OF WAY IN CULTIVATED AREAS. BURIED 5/8 INCH METAL ROD 20 INCHES BELOW GROUND TO MARK FUTURE SURVEY MARKER POSITION IDENTIFIED BY COLORED PLASTIC CAP BEARING SURVEYORS REGISTRATION NUMBER.

PERMANENT SURVEY MARKER, I.D.O.T. STANDARD 2135 (TO BE SET BY OTHERS)

RIGHT OF WAY STAKING PROPOSED TO BE SET

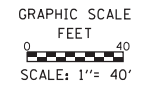
STATE OF ILLINOIS )  
COUNTY OF COOK ) SS

THIS IS TO CERTIFY THAT I, MARK D. MARTIN, AN ILLINOIS PROFESSIONAL LAND SURVEYOR, (WE, Hbk ENGINEERING, LCC AN ILLINOIS PROFESSIONAL DESIGN FIRM LAND SURVEYING CORPORATION, NUMBER 184-002308-0014, HAVE SURVEYED THE PLAT OF HIGHWAYS SHOWN HEREON IN SECTION 24, TOWNSHIP 41 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, KANE COUNTY, THAT THE SURVEY IS TRUE AND COMPLETE AS SHOWN TO THE BEST OF MY KNOWLEDGE AND BELIEF, THAT THE PLAT CORRECTLY REPRESENTS SAID SURVEY, THAT ALL MONUMENTS FOUND AND ESTABLISHED ARE OF PERMANENT QUALITY AND OCCUPY THE POSITIONS SHOWN THEREON AND THAT THE MONUMENTS ARE SUFFICIENT TO ENABLE THE SURVEY TO BE RETRACED, MADE FOR THE DEPARTMENT OF TRANSPORTATION, STATE OF ILLINOIS.

DATED AT OAKBROOK, ILLINOIS THIS 14TH DAY OF APRIL, 2022 A.D.

MARK D. MARTIN  
ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 3163  
LICENSE EXPIRATION DATE: 11/21/2022

THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY.



BEARINGS ARE REFERENCED TO THE ILLINOIS STATE PLANE COORDINATE SYSTEM, NAD83 (2011 ADJUSTMENT), EAST ZONE AND THE C OF PROPOSED US ROUTE 20 BETWEEN STA 405+44.37 AND STA 470+00.00 BEARS N 89° 06' 17" E

**APPROVED**  
By William Wright at 12:24 pm, Jun 17, 2022

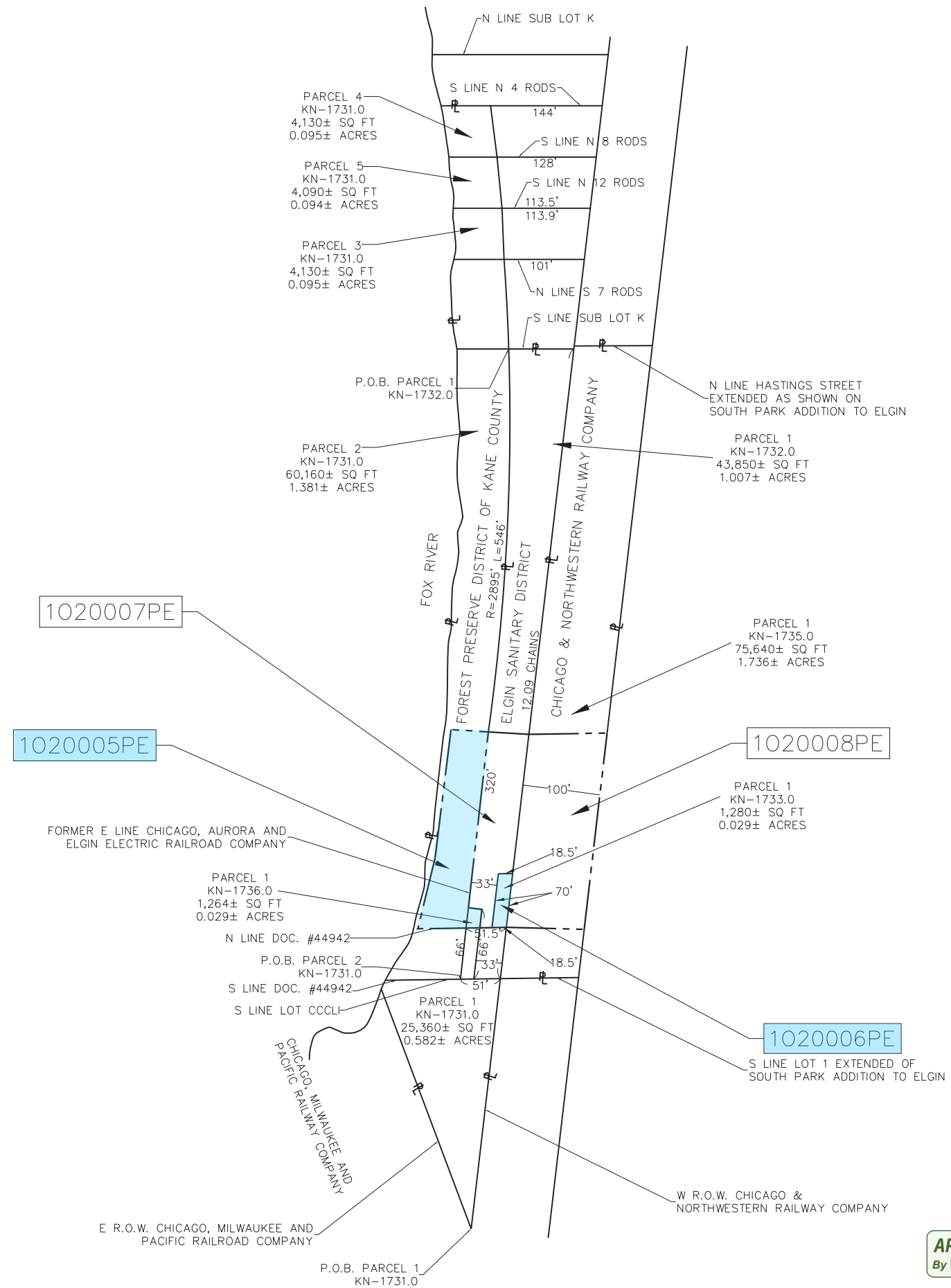
**hbk ENGINEERING**  
2101 W CARROLL AVENUE  
CHICAGO, ILLINOIS 60612  
STATE OF ILLINOIS DEPARTMENT OF PROFESSIONAL REGULATION.  
LICENSE NO. 184-002308

**PLAT OF HIGHWAYS**  
STATE OF ILLINOIS  
DEPARTMENT OF TRANSPORTATION  
U.S. 20

LIMITS: RANDALL RD TO SHALES PKWY COUNTY: KANE  
SECTION: STATION 400+77.38 TO 401+98.85 JOB NO.: R-91-007-20  
SCALE: 1" = 40' SHEET 5 OF 8 SHEETS

**BUREAU OF LAND ACQUISITION**  
201 WEST CENTER COURT  
SCHAMBURG, ILLINOIS 60196

REVISION DATE: / / REVISION MADE BY:



**LEGEND**

	SECTION CORNER		QUARTER SECTION CORNER
	SECTION - QUARTER SECTION LINE		PLATTED LOT LINE
	PROPERTY (DEED) LINE		APPARENT PROPERTY LINE
	EXISTING CENTERLINE		PROPOSED CENTERLINE
	EXISTING RIGHT OF WAY LINE		PROPOSED RIGHT OF WAY LINE
	EXISTING EASEMENT		PROPOSED EASEMENT
	EXISTING ACCESS CONTROL LINE		PROPOSED ACCESS CONTROL LINE
	MEASURED DIMENSION		COMPUTED DIMENSION
	RECORDED DIMENSION		EXISTING BUILDING
	IRON PIPE OR ROD FOUND		"MAG" NAIL SET
	CUT CROSS FOUND OR SET		5/8" REBAR SET

GRAPHIC SCALE  
0 60  
FEET  
SCALE: 1" = 60'

BEARINGS ARE REFERENCED TO THE ILLINOIS STATE PLANE COORDINATE SYSTEM, NAD83 (2011 ADJUSTMENT), EAST ZONE AND THE C. OF PROPOSED US ROUTE 20 BETWEEN STA 405+44.37 AND STA 470+00.00 BEARS N 89° 06' 17" E

**SURVEY NOTES:**

- ALL DIMENSIONS ARE MEASURED UNLESS OTHERWISE SPECIFIED.
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STATE OF ILLINOIS )  
                                  )SS  
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DATED AT OAKBROOK, ILLINOIS THIS 14TH DAY OF APRIL, 2022 A.D.

MARK D. MARTIN  
ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 3163  
LICENSE EXPIRATION DATE: 11/21/2022

THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY.

**APPROVED**  
By William Wright at 12:24 pm, Jun 17, 2022

**hbk**  
ENGINEERING  
2101 W CARROLL AVENUE  
CHICAGO, ILLINOIS 60612  
STATE OF ILLINOIS DEPARTMENT  
OF PROFESSIONAL REGULATION.  
LICENSE NO. 184-002308

**PLAT OF HIGHWAYS**  
**STATE OF ILLINOIS**  
**DEPARTMENT OF TRANSPORTATION**  
**U.S. 20**

LIMITS: RANDALL RD TO SHALES PKWY COUNTY: KANE  
SECTION: JOB NO.: R-91-007-20  
STATION 400+77.38 TO 401+98.85  
SCALE: N.T.S. SHEET 6 OF 8 SHEETS

**BUREAU OF LAND ACQUISITION**  
**201 WEST CENTER COURT**  
**SCHAUMBURG, ILLINOIS 60196**



Basis for Computing Total Approved Compensation and Offer to Purchase

Route: US 20
Section: Randall Road to Shales Parkway
County: Kane

Project:
Job No. R-91-007-20
Parcel 1O20005PE

Owner(s) of Real Property: Kane County Forest Preserve District of Kane County

Location of Property: East of the Fox River, under US Route 20, Elgin, Illinois

Pursuant to 735 ILCS 30/10-5-15, the following has been prepared in order to fully inform you of the details of the acquisition of a portion of your property as right of way for the proposed improvement of US 20 from Randall Road to Shales Parkway in Kane County, Illinois. The legal description of the parcel to be acquired is found in the attached instrument of conveyance.

The amounts shown below are the full amounts of the approved values and are based on fair market value of the property. The fair market value of the part to be acquired is estimated without regard for any decrease or increase in the fair market value caused by the project for which the property is being acquired; however, the damage to the remaining property, if any, is estimated with full consideration of the effect of the proposed improvement.

1. Existing Property:

Total area 2.247 acres, more or less

Highest and best use: Bike Path

2. Land to be Acquired in Fee Simple:

New right of way 0.000 acres

Existing right of way (when applicable) 0.091 acres

Total right of way acres

3. Improvements and/or Fixtures to be Acquired:

Wild Growth



4. Compensation for Land Acquired in Fee Simple:

Fair market value of the 0.091 acres to be acquired including all improvements as part of the whole property, based on an analysis of market data in the vicinity of the acquisition.

Damage to the remaining property as a result of the acquisition (if any).

Total compensation for permanent right of way acquired in fee simple.

Less cost of construction to be offset against total compensation.

\$0.00

Net compensation

Benefits in the amount of N/A have been estimated to the remaining property. These benefits have been offset against any possible damages but have not been offset against any part of the compensation of the part acquired.

5. Compensation for Easements Including Any Damages or Benefits:

Permanent Easements- 0.313 acres for \_\_\_\_\_ (state purpose) \$3,500.00

Temporary Easements- 0.000 acres for \_\_\_\_\_ years (state purpose) \_\_\_\_\_

Total compensation for easements (when applicable) \$3,500.00

6. Total Compensation for Entire Acquisition, which includes all interests in the land required for the highway improvement and damages to the remainder property, if any. (sum of 4+5)

\$3,500.00

7. Personal Property (Not Being Acquired) located on the Proposed Right of Way:

None.

You may want to retain and remove from the right of way some, or all, of the improvements included in the acquisition. If so, the following owner-retention values have been established for the improvements listed above in Item 3, and the total of the owner-retention values for the improvements retained will be deducted from the total compensation.

Improvement	Owner-Retention Value
_____	\$ _____
_____	\$ _____

Any agreement to retain such improvements does not convey with it a permit to move the improvements on, or over, any state highway. Mr. Dylan Santacruz will be happy to furnish information for your use in applying for a permit if one is needed.

*Jose Rios, P.E.*

\_\_\_\_\_  
Jose Rios, P.E.  
Region One Engineer

On behalf of the Illinois Department of Transportation, Division of Highways, and as outlined in the above summary, I hereby offer you the sum of \$3,500.00 for the property described on the attached instruments free and clear of all claims of other parties, liens, taxes and encumbrances.

If the above offer is over \$250,000.00, it is contingent on the Illinois Department of Transportation adhering to 30 ILCS 105/9.02 which requires specific contracting authority for all procurement contracts in the amount of \$250,000.00 or more.

Dylan Santoro  
Realty Specialist

02-15-2023  
Date



**Basis for Computing  
Total Approved Compensation  
and Offer to Purchase**

Route: US 20  
 Section Randall Road to Shales Parkway  
 County: Kane

Project: \_\_\_\_\_  
 Job No. R-91-007-20  
 Parcel 1O20006PE

Owner(s) of Real Property: Forest Preserve District of Kane County

Location of Property: West of the former Union Pacific Railroad tracks, south of US Route 20, Elgin, Illinois

Pursuant to 735 ILCS 30/10-5-15, the following has been prepared in order to fully inform you of the details of the acquisition of a portion of your property as right of way for the proposed improvement of US 20 from Randall Road to Shales Parkway in Kane County, Illinois. The legal description of the parcel to be acquired is found in the attached instrument of conveyance.

The amounts shown below are the full amounts of the approved values and are based on fair market value of the property. The fair market value of the part to be acquired is estimated without regard for any decrease or increase in the fair market value caused by the project for which the property is being acquired; however, the damage to the remaining property, if any, is estimated with full consideration of the effect of the proposed improvement.

1. Existing Property:

Total area 0.029 acres, more or less

Highest and best use: Assemblage

2. Land to be Acquired in Fee Simple:

New right of way 0.000 acres

Existing right of way (when applicable) 0.000 acres

Total right of way 0.000 acres

3. Improvements and/or Fixtures to be Acquired:

Wild Growth

4. Compensation for Land Acquired in Fee Simple:

Fair market value of the 0.000 acres to be acquired including all improvements as part of the whole property, based on an analysis of market data in the vicinity of the acquisition. \_\_\_\_\_

Damage to the remaining property as a result of the acquisition (if any). \_\_\_\_\_

Total compensation for permanent right of way acquired in fee simple. \_\_\_\_\_

Less cost of construction to be offset against total compensation. \$0.00

Net compensation \_\_\_\_\_

Benefits in the amount of N/A have been estimated to the remaining property. These benefits have been offset against any possible damages but have not been offset against any part of the compensation of the part acquired.

5. Compensation for Easements Including Any Damages or Benefits:

Permanent Easements- 0.029 for \_\_\_\_\_ \$625.00  
  acres  (state purpose)

Temporary Easements- 0.000 for years  
  acres  (state purpose)

Total compensation for easements (when applicable) \$625.00

6. Total Compensation for Entire Acquisition, which includes all interests in the land required for the highway improvement and damages to the remainder property, if any. (sum of 4+5) \$625.00

7. Personal Property (Not Being Acquired) located on the Proposed Right of Way:

None.

You may want to retain and remove from the right of way some, or all, of the improvements included in the acquisition. If so, the following owner-retention values have been established for the improvements listed above in Item 3, and the total of the owner-retention values for the improvements retained will be deducted from the total compensation.

Improvement	Owner-Retention Value
_____	\$ _____
_____	\$ _____

Any agreement to retain such improvements does not convey with it a permit to move the improvements on, or over, any state highway. Mr. Dylan Santacruz will be happy to furnish information for your use in applying for a permit if one is needed.

*Jose Rios, P.E.*  
\_\_\_\_\_  
Jose Rios, P.E.  
Region One Engineer

On behalf of the Illinois Department of Transportation, Division of Highways, and as outlined in the above summary, I hereby offer you the sum of \$625.00 for the property described on the attached instruments free and clear of all claims of other parties, liens, taxes and encumbrances.

If the above offer is over \$250,000.00, it is contingent on the Illinois Department of Transportation adhering to 30 ILCS 105/9.02 which requires specific contracting authority for all procurement contracts in the amount of \$250,000.00 or more.

*Dylan Santay*

Realty Specialist

02-15-2023

Date

# **Fidelity National Title Insurance Company**

## **A.L.T.A. Commitment**

### **Issuing Agent**

Wheatland Title Company  
105 W. Veterans Parkway  
Yorkville, IL 60560

### **Prepared for**

Illinois Department of Transportation 1  
201 West Center Court  
Schaumburg, IL 60196-1096

### **Customer Reference:**

IDOT Parcel Number: 1O20005

### **NOTICE**

IMPORTANT—READ CAREFULLY: THIS COMMITMENT IS AN OFFER TO ISSUE ONE OR MORE TITLE INSURANCE POLICIES. ALL CLAIMS OR REMEDIES SOUGHT AGAINST THE COMPANY INVOLVING THE CONTENT OF THIS COMMITMENT OR THE POLICY MUST BE BASED SOLELY IN CONTRACT.

THIS COMMITMENT IS NOT AN ABSTRACT OF TITLE, REPORT OF THE CONDITION OF TITLE, LEGAL OPINION, OPINION OF TITLE, OR OTHER REPRESENTATION OF THE STATUS OF TITLE. THE PROCEDURES USED BY THE COMPANY TO DETERMINE INSURABILITY OF THE TITLE, INCLUDING ANY SEARCH AND EXAMINATION, ARE PROPRIETARY TO THE COMPANY, WERE PERFORMED SOLELY FOR THE BENEFIT OF THE COMPANY, AND CREATE NO EXTRACTIONAL LIABILITY TO ANY PERSON, INCLUDING A PROPOSED INSURED.

THE COMPANY'S OBLIGATION UNDER THIS COMMITMENT IS TO ISSUE A POLICY TO A PROPOSED INSURED IDENTIFIED IN SCHEDULE A IN ACCORDANCE WITH THE TERMS AND PROVISIONS OF THIS COMMITMENT. THE COMPANY HAS NO LIABILITY OR OBLIGATION INVOLVING THE CONTENT OF THIS COMMITMENT TO ANY OTHER PERSON.

Prepared For:

Illinois Department of Transportation 1  
201 West Center Court  
Schaumburg, IL 60196-1096

Effective Date of Commitment: December 17, 2021  
Effective Date of Later Date: January 05, 2023

Job	R-91-007-20	WTC#	I1-2021KN-1731.0
	US 20	Effective Date	January 05, 2023
County	Kane	Section	24
Section		Township	41N
Parcel	1O20005	Range	8E

Tax Parcel Number(s):  
06-24-126-008; 06-24-126-009; 06-24-330-002

ISSUED BY:  
Wheatland Title Company  
105 W. Veterans Parkway  
Yorkville, Illinois 60560

Agent for:  
Fidelity National Title Insurance Company

Job R-91-007-20  
US 20  
County Kane  
Section  
Parcel 1O20005

**A.L.T.A. COMMITMENT FORM**  
**Schedule A**

WTC Number: I1-2021KN-1731.0  
Effective Date: January 05, 2023


- 1. Policy or Policies to be issued: 2006 ALTA Owner's  
Proposed Amount of Insurance: \$1,000.00  
Proposed Insured: The People of the State of Illinois  
Department of Transportation
- 2. The estate or interest in the land described or referred to in this commitment is a Fee Simple and title hereto is at the effective date hereof vested in:  
  
Kane County Forest Preserve District of Kane County
- 3. The land referred to in this commitment is described as follows:

See Attached Page 2 of Schedule A

ISSUED BY:  
Wheatland Title Company  
105 W. Veterans Parkway  
Yorkville, Illinois 60560

Agent for:  
Fidelity National Title Insurance Company

Authorized Signatory

By   
John D. Ammons



Job R-91-007-20  
US 20  
County Kane  
Section  
Parcel 1O20005

WTC Number: I1-2021KN-1731.0

**A.L.T.A. COMMITMENT FORM**  
**Schedule A Continued**

LEGAL DESCRIPTION

THAT PART OF THE SOUTHWEST QUARTER OF SECTION 24, TOWNSHIP 41 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: BEGINNING AT THE POINT OF INTERSECTION OF THE WESTERLY LINE OF THE RIGHT OF WAY OF THE CHICAGO AND NORTHWESTERN RAILWAY COMPANY WITH THE EASTERLY LINE OF THE RIGHT OF WAY OF THE CHICAGO, MILWAUKEE AND PACIFIC RAILROAD COMPANY; THENCE NORTHWESTERLY ALONG SAID EASTERLY RIGHT OF WAY LINE TO THE SOUTH LINE OF A TRACT OF LAND CONVEYED TO WILLIAM H. JENCKS BY WARRANTY DEED DATED APRIL 21, 1900 AND RECORDED MAY 18, 1900 IN BOOK 400, PAGE 274, AS DOCUMENT 44942; THENCE EAST ALONG SAID JENCKS' SOUTH LINE AND SOUTH LINE EXTENDED TO THE WESTERLY RIGHT OF WAY LINE OF SAID CHICAGO AND NORTHWESTERN RAILWAY COMPANY; THENCE SOUTHERLY ALONG SAID WESTERLY RIGHT OF WAY LINE TO THE POINT OF BEGINNING, IN THE CITY OF ELGIN, KANE COUNTY, ILLINOIS.

THAT PART OF THE EAST FRACTION OF THE SOUTHWEST QUARTER OF SECTION 24, TOWNSHIP 43 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, AND OF THE SOUTH 7 RODS OF SUB LOT K OF LOT 7 IN WILLIAM E. BENT'S ADDITION TO ELGIN AS SHOWN ON THE MAP OF THE COUNTY CLERK'S SUBDIVISION OF THE CITY OF ELGIN FOR THE YEAR OF 1883, DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE SOUTH LINE OF LOT CCCLI OF SAID COUNTY CLERK'S SUBDIVISION, 51 FEET WEST OF THE WEST LINE, OF THE RIGHT OF WAY OF THE CHICAGO AND NORTHWESTERN RAILWAY; THENCE NORTH TO A POINT 66 FEET NORTH AND 51.5 FEET WEST OF THE WEST LINE OF SAID RIGHT OF WAY OF THE CHICAGO AND

ISSUED BY:  
Wheatland Title Company  
105 W. Veterans Parkway  
Yorkville, Illinois 60560

Agent for:  
Fidelity National Title Insurance Company

Job R-91-007-20  
US 20  
County Kane  
Section  
Parcel 1O20005

NORTHWESTERN RAILWAY; THENCE NORTHERLY PARALLEL WITH SAID WEST LINE OF SAID RIGHT OF WAY 320 FEET; THENCE NORTHWESTERLY 546 FEET ON A CURVE TO THE LEFT WITH A RADIUS OF 2895 FEET TO THE NORTH LINE OF THE SOUTH 7 RODS OF SAID SUB LOT K AT A POINT 101 FEET WEST OF THE WEST LINE OF THE RIGHT OF WAY OF SAID CHICAGO AND NORTHWESTERN RAILWAY; THENCE WEST ALONG SAID NORTH LINE TO FOX RIVER; THENCE SOUTHERLY ALONG SAID FOX RIVER TO THE SOUTH LINE OF SAID LOT CCCLI; THENCE EAST ALONG SAID SOUTH LINE TO THE POINT OF BEGINNING, IN THE CITY OF ELGIN, KANE COUNTY, ILLINOIS.

THAT PART OF SOUTH 4 RODS OF NORTH 16 RODS OF SUB LOT K OF LOT 7, WILLIAM E. BENT'S ADDITION TO ELGIN IN SECTION 24, TOWNSHIP 41 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, AS SHOWN ON MAP OF COUNTY CLERK'S SUBDIVISION OF CITY OF ELGIN, FOR YEAR 1893 LYING WEST OF FOLLOWING DESCRIBED LINE: COMMENCING IN SOUTH LINE OF SAID SOUTH 4 RODS AT POINT 101 FEET WEST OF WEST LINE OF RIGHT OF WAY OF CHICAGO AND NORTHWESTERN RAILWAY; THENCE NORTHWESTERLY TO POINT IN NORTH LINE OF SAID SOUTH 4 RODS 113.9 FEET WEST OF WEST LINE OF RIGHT OF WAY OF CHICAGO AND NORTHWESTERN RAILWAY, IN KANE COUNTY, ILLINOIS.

THAT PART OF SOUTH 4 RODS OF NORTH 8 RODS OF SUB LOT K OF LOT 7, WILLIAM E. BENT'S ADDITION TO ELGIN, IN SECTION 24, TOWNSHIP 41 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, AS SHOWN ON MAP OF COUNTY CLERK'S SUBDIVISION OF CITY OF ELGIN, FOR YEAR 1883 LYING WEST OF FOLLOWING DESCRIBED LINE; COMMENCING IN SOUTH LINE OF SAID SOUTH 4 RODS AT POINT 128 FEET WEST OF WEST LINE OF RIGHT OF WAY OF CHICAGO AND NORTHWESTERN RAILWAY; THENCE NORTHWESTERLY TO POINT IN NORTH LINE OF SAID SOUTH 4 RODS 144 FEET WEST OF WEST LINE OF RIGHT OF WAY OF CHICAGO AND NORTHWESTERN RAILWAY, IN KANE COUNTY, ILLINOIS.

THAT PART OF THE SOUTH 4 RODS OF THE NORTH 12 RODS OF SUB LOT K OF LOT 7 OF WILLIAM E. BENT'S ADDITION TO ELGIN, IN SECTION 24, TOWNSHIP 41 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, AS SHOWN ON THE MAP OF COUNTY CLERK'S

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Section  
Parcel 1O20005

SUBDIVISION OF CITY OF ELGIN FOR THE YEAR 1883 LYING WEST OF THE FOLLOWING DESCRIBED LINE: COMMENCING IN THE SOUTH LINE OF SAID SOUTH 4 RODS AT A POINT 113.5 FEET WEST OF THE WEST LINE OF THE RIGHT OF WAY OF THE CHICAGO AND NORTHWESTERN RAILWAY; THENCE NORTHWESTERLY TO A POINT IN THE NORTH LINE OF SAID SOUTH 4 RODS TO A POINT 128 FEET WEST OF THE WEST LINE OF THE RIGHT OF WAY LINE OF THE CHICAGO AND NORTHWESTERN RAILWAY, IN THE CITY OF ELGIN, KANE COUNTY, ILLINOIS.

ALL OF THE ABOVE IS SITUATED IN THE COUNTY OF KANE, IN THE STATE OF ILLINOIS.

AND ALSO

THAT PART OF THE SOUTHWEST 1/4 OF SECTION 24, TOWNSHIP 41 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, BEING THAT PART OF LOT CCCLI OF THE COUNTY CLERK'S SUBDIVISION, DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE SOUTH LINE OF LOT CCCLI WHICH IS 33 FEET WEST OF THE WEST RIGHT OF WAY LINE OF THE CHICAGO AND NORTHWESTERN RAILROAD; THENCE NORTH PARALLEL WITH SAID WEST RIGHT OF WAY LINE 66 FEET; THENCE WEST PERPENDICULAR TO SAID WEST RIGHT OF WAY LINE TO THE FORMER EAST RIGHT OF WAY LINE OF THE CHICAGO AURORA AND ELGIN ELECTRIC RAILROAD COMPANY; THENCE SOUTH ALONG SAID EAST RIGHT OF WAY LINE TO THE SOUTH LINE OF SAID LOT CCCLI; THENCE EAST ALONG SAID SOUTH LINE TO THE POINT OF BEGINNING, IN THE TOWNSHIP OF ELGIN, KANE COUNTY, ILLINOIS.

PERMANENT TAX NUMBER(S): 06-24-126-008; 06-24-126-009; 06-24-330-002

ISSUED BY:  
Wheatland Title Company  
105 W. Veterans Parkway  
Yorkville, Illinois 60560

Agent for:  
Fidelity National Title Insurance Company

**A.L.T.A. COMMITMENT FORM**  
**- SCHEDULE B Section 1 -**  
**Requirements**

All of the following Requirements must be met:

1. The Proposed Insured must notify the Company in writing of the name of any party not referred to in this Commitment who will obtain an interest in the Land or who will make a loan on the Land. The Company may then make additional Requirements or Exceptions.
2. Pay the agreed amount for the estate or interest to be insured.
3. Pay the premiums, fees, and charges for the Policy to the Company.
4. Documents satisfactory to the Company that convey the Title or create the Mortgage to be insured, or both, must be properly authorized, executed, delivered, and recorded in the Public Records.

**- SCHEDULE B Section 2 -**  
**Exceptions**

THIS COMMITMENT DOES NOT REPUBLISH ANY COVENANT, CONDITION, RESTRICTION, OR LIMITATION CONTAINED IN ANY DOCUMENT REFERRED TO IN THIS COMMITMENT TO THE EXTENT THAT THE SPECIFIC COVENANT, CONDITION, RESTRICTION, OR LIMITATION VIOLATES STATE OR FEDERAL LAW BASED ON RACE, COLOR, RELIGION, SEX, SEXUAL ORIENTATION, GENDER IDENTITY, HANDICAP, FAMILIAL STATUS, OR NATIONAL ORIGIN.

The Policy will not insure against loss or damage resulting from the terms and provisions of any lease or easement identified in Schedule A, and will include the following Exceptions unless cleared to the satisfaction of the Company:

Any defect, lien, encumbrance, adverse claim, or other matter that appears for the first time in the Public Records or is created, attaches, or is disclosed between the Commitment Date and the date on which all of the Schedule B, Part I—Requirements are met.

ISSUED BY:  
Wheatland Title Company  
105 W. Veterans Parkway  
Yorkville, Illinois 60560

Agent for:  
Fidelity National Title Insurance Company

**A.L.T.A. COMMITMENT FORM**  
**- SCHEDULE B -**  
**- Exceptions -**

The policy or policies to be issued will contain exceptions to the following unless the same are disposed of to the satisfaction of the Company:

**GENERAL EXCEPTIONS:**

1. Rights or claims of parties in possession not shown by the public records.
2. Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land.
3. Easements, or claims of easements, not shown by the public records.
4. Any lien, or right to a lien, for services, labor, or material heretofore or hereafter furnished, imposed by law and not shown by the public records.
5. Taxes or special assessments which are not shown as existing liens by the public records.
6. Loss or damage by reason of there being recorded in the public records, any deeds, mortgages, lis pendens, liens or other title encumbrances subsequent to the Commitment date and prior to the effective date of the final Policy.
7. All rights and easements in favor of the holder of any mineral estate and/or coal and/or oil and gas lease, and any party claiming by, through, or under said holder of the mineral estate or coal and/or oil and gas lease.

ISSUED BY:  
Wheatland Title Company  
105 W. Veterans Parkway  
Yorkville, Illinois 60560

Agent for:  
Fidelity National Title Insurance Company

SPECIAL EXCEPTIONS:

1. The lien of taxes for the year 2022 and thereafter.

Taxes for the property in question are EXEMPT.

PERMANENT TAX NUMBER: 06-24-126-008

Taxes for the property in question are EXEMPT.

PERMANENT TAX NUMBER: 06-24-126-009

Taxes for the property in question are EXEMPT.

PERMANENT TAX NUMBER: 06-24-330-002

2. Defects, liens, encumbrances, adverse claims or other matters, if any, created, first appearing in the public records or attached subsequent to the effective date hereof but prior to the date the proposed insured acquires for value of the record the estate or interest thereon covered by this commitment.
3. Rights of parties in possession, encroachments, overlaps, overhangs, unrecorded easements, deficiency in quantity of ground, farm drainage systems, tile systems or irrigation systems which would be disclosed by an accurate survey and inspection of the premises.
4. Rights of the Public, the State and the Municipality in and to that part of the land, if any, taken or used for road purposes.
5. Confirmed Special Assessments, if any, not certified to by the Company.
6. Financing Statements, if any, not certified to by the Company.
7. For information purposes only, the taxes are assessed to the following:

For Parcel(s): 06-24-126-008; 06-24-126-009; 06-24-330-002  
Forest Preserve District of Kane County  
1996 S. Kirk Rd., Ste 320  
Geneva, IL 60134

ISSUED BY:  
Wheatland Title Company  
105 W. Veterans Parkway  
Yorkville, Illinois 60560

Agent for:  
Fidelity National Title Insurance Company

8. Conveyances within the past five years: None.
9. Contiguous property owned by record title holder: None.

PLEASE CONTACT OUR OFFICE REGARDING CONTIGUOUS PROPERTY AS THE SUBJECT PROPERTY IS OWNED BY A MUNICIPAL ENTITY.

10. An Easement dated March 1, 1946 and recorded October 17, 1946 in Book 1318 Page 420 made by The Chicago Aurora and Elgin Railway Company to Public Service Company of Northern Illinois recorded in the Kane County Recorder's Office.
11. A Conveyance of Transmission and Distribution Lines dated March 1, 1946 and recorded October 17, 1946 in Book 1318 Page 407 made by The Chicago Aurora and Elgin Railway Company to Public Service Company of Northern Illinois recorded in the Kane County Recorder's Office.
12. An Easement dated September 23, 1971 and recorded December 10, 1971 in Book 2718 Page 173 made by Chicago Title and Trust Company as Trustee under Trust No. 55940 to Commonwealth Edison Company recorded in the Kane County Recorder's Office.
13. Grant of Easement dated June 12, 2008 and recorded October 18, 2008 as Document No. 2018K051006 made by Kane County Forest Preserve District of Kane County to Fox River Water Reclamation District recorded in the Kane County Recorder's Office.
14. Conditions and restrictions set forth in Quit Claim Deed recorded as document 1879636.
15. Upon a conveyance or grant of easement affecting the subject property, we should be furnished with the proper documentation, including, if applicable, properly executed resolutions, authorizing the execution of the documents of transfer or easement grant.
16. Existing unrecorded leases, if any, and all rights thereof and all acts done or suffered thereunder by any lessee or by any party claiming by, through or under said lease or lessees.

- End Schedule B -

Please refer all inquiries to T.J. Hiles 630-892-2323 Ext. 249 or John Ammons 630-892-2323 Ext. 224.

ISSUED BY:  
Wheatland Title Company  
105 W. Veterans Parkway  
Yorkville, Illinois 60560

Agent for:  
Fidelity National Title Insurance Company

ISSUED BY:  
Wheatland Title Company  
105 W. Veterans Parkway  
Yorkville, Illinois 60560

Agent for:  
Fidelity National Title Insurance Company



## MINUTES OF CONDEMNATION

In order that we may guarantee title after completion of any proceedings for condemnation in exercise of the proposed insured's right of eminent domain, we note the following.

- I. Upon the filing of complaint a proper Lis Pendens Notice should be recorded in the appropriate Recorder's office.
- II. Our Policy, when issued, will be subject to direct attack upon any decrees and or judgments entered in the proceedings.
- III. The following persons are necessary parties to any such proceedings.
  - A. All parties acquiring rights in the premises subsequent to the date of the report and prior to a complete Lis Pendens.
  - B. Any person other than those herein named known to the Plaintiff or the Plaintiff's attorney to have or claim an interest in the premises.
  - C. If it is known that any of the necessary parties named herein are deceased, their heirs or devisees should be made parties by name, if known, and if unknown, then by the name and description of Unknown Heirs and Devisees of such deceased person or persons.
  - D. If it is not known or cannot be ascertained whether any of said necessary parties be living or dead, then such parties should be made parties by name, also such parties should be their heirs or devisees, should be made parties to the proceedings as UNKNOWN OWNERS.
  - E. All persons in possession of any part of the premises in question and all persons whose rights would be disclosed by an inspection of the premises.
  - F. All parties claiming by through or under lease agreements whether oral or written, for premises.
  - G. All parties claiming by or through or under installment contracts for deed or like agreements.
  - H. Unknown Owners and Non-Record claimants.

MINUTES OF CONDEMNATION CONTINUED

IV. The following persons are noted of record and are necessary parties to any proceedings:

A. The Plaintiff is:

The People of the State of Illinois, Department of Transportation

B. The Defendants are:

1. Kane County Forest Preserve District of Kane County

C. Any parties named above who have executed all necessary documents for the Grant of Easement and Right of Way after payment of agreed consideration theretofore need not be joined as party defendants for our policy to be issued.

END MINUTES OF CONDEMNATION

# **Fidelity National Title Insurance Company**

## **A.L.T.A. Commitment**

### **Issuing Agent**

Wheatland Title Company  
105 W. Veterans Parkway  
Yorkville, IL 60560

### **Prepared for**

Illinois Department of Transportation 1  
201 West Center Court  
Schaumburg, IL 60196-1096

### **Customer Reference:**

IDOT Parcel Number:

### **NOTICE**

IMPORTANT—READ CAREFULLY: THIS COMMITMENT IS AN OFFER TO ISSUE ONE OR MORE TITLE INSURANCE POLICIES. ALL CLAIMS OR REMEDIES SOUGHT AGAINST THE COMPANY INVOLVING THE CONTENT OF THIS COMMITMENT OR THE POLICY MUST BE BASED SOLELY IN CONTRACT.

THIS COMMITMENT IS NOT AN ABSTRACT OF TITLE, REPORT OF THE CONDITION OF TITLE, LEGAL OPINION, OPINION OF TITLE, OR OTHER REPRESENTATION OF THE STATUS OF TITLE. THE PROCEDURES USED BY THE COMPANY TO DETERMINE INSURABILITY OF THE TITLE, INCLUDING ANY SEARCH AND EXAMINATION, ARE PROPRIETARY TO THE COMPANY, WERE PERFORMED SOLELY FOR THE BENEFIT OF THE COMPANY, AND CREATE NO EXTRACTIONAL LIABILITY TO ANY PERSON, INCLUDING A PROPOSED INSURED.

THE COMPANY'S OBLIGATION UNDER THIS COMMITMENT IS TO ISSUE A POLICY TO A PROPOSED INSURED IDENTIFIED IN SCHEDULE A IN ACCORDANCE WITH THE TERMS AND PROVISIONS OF THIS COMMITMENT. THE COMPANY HAS NO LIABILITY OR OBLIGATION INVOLVING THE CONTENT OF THIS COMMITMENT TO ANY OTHER PERSON.

Prepared For:

Illinois Department of Transportation 1  
201 West Center Court  
Schaumburg, IL 60196-1096

Effective Date of Commitment: December 20, 2021

Job	R-91-007-20	WTC#	I1-2021KN-1733.0
	US 20	Effective Date	December 20, 2021
County	Kane	Section	24
Section		Township	41N
Parcel		Range	8E

Tax Parcel Number(s):  
06-24-330-001

ISSUED BY:  
Wheatland Title Company  
105 W. Veterans Parkway  
Yorkville, Illinois 60560

Agent for:  
Fidelity National Title Insurance Company

Job R-91-007-20  
US 20  
County Kane  
Section  
Parcel

**A.L.T.A. COMMITMENT FORM**  
**Schedule A**

WTC Number: I1-2021KN-1733.0  
Effective Date: December 20, 2021

1. Policy or Policies to be issued: 2006 ALTA Owner's  
Proposed Amount of Insurance: \$1,000.00  
Proposed Insured: The People of the State of Illinois  
Department of Transportation
  
2. The estate or interest in the land described or referred to in this commitment is a Fee Simple and title hereto is at the effective date hereof vested in:  
  
Forest Preserve District of Kane County
  
3. The land referred to in this commitment is described as follows:

See Attached Page 2 of Schedule A

ISSUED BY:  
Wheatland Title Company  
105 W. Veterans Parkway  
Yorkville, Illinois 60560

Agent for:  
Fidelity National Title Insurance Company

Authorized Signatory

By   
John D. Ammons

Job R-91-007-20  
US 20  
County Kane  
Section  
Parcel

WTC Number: I1-2021KN-1733.0

**A.L.T.A. COMMITMENT FORM**  
**Schedule A Continued**

LEGAL DESCRIPTION

THAT PART OF THE EAST FRACTION OF THE SOUTHWEST 1/4 OF SECTION 24, TOWNSHIP 41 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: BEGINNING AT THE POINT OF INTERSECTION OF THE WESTERLY LINE OF THE RIGHT OF WAY OF THE CHICAGO AND NORTHWESTERN RAILWAY COMPANY WITH THE NORTH LINE EXTENDED EAST OF THE LAND CONVEYED TO WILLIAM H. JENCKS BY WARRANTY DEED DATED APRIL 21, 1900, AND RECORDED MAY 18, 1900, AS DOCUMENT 44942 IN BOOK 400, PAGE 274; THENCE NORTHERLY ALONG THE WESTERLY LINE OF SAID RIGHT OF WAY 70 FEET; THENCE WEST PARALLEL WITH THE NORTH LINE OF SAID JENCK'S TRACT 18.5 FEET TO THE POINT 2 RODS EASTERLY OF THE EASTERLY LINE OF THE TRACT OF LAND CONVEYED TO M.J. MANDELBAUM BY WARRANTY DEED DATED DECEMBER 14, 1901 AND RECORDED DECEMBER 17, 1901 AS DOCUMENT 54225 IN BOOK 410, PAGE 509; THENCE SOUTHERLY PARALLEL WITH AND 2 RODS EASTERLY FROM THE EASTERLY LINE OF SAID MANDELBAUM TRACT 70 FEET TO THE NORTH LINE EXTENDED EAST OF JENCK'S TRACT AFORESAID; THENCE EAST ALONG THE NORTH LINE EXTENDED EAST OF SAID WILLIAM H. JENCK'S LAND 18.5 FEET TO THE POINT OF BEGINNING, IN THE CITY OF ELGIN, KANE COUNTY, ILLINOIS.

SITUATED IN THE COUNTY OF KANE AND STATE OF ILLINOIS.

PERMANENT TAX NUMBER(S): 06-24-330-001

ISSUED BY:  
Wheatland Title Company  
105 W. Veterans Parkway  
Yorkville, Illinois 60560

Agent for:  
Fidelity National Title Insurance Company

**A.L.T.A. COMMITMENT FORM**  
**- SCHEDULE B Section 1 -**  
**Requirements**

All of the following Requirements must be met:

1. The Proposed Insured must notify the Company in writing of the name of any party not referred to in this Commitment who will obtain an interest in the Land or who will make a loan on the Land. The Company may then make additional Requirements or Exceptions.
2. Pay the agreed amount for the estate or interest to be insured.
3. Pay the premiums, fees, and charges for the Policy to the Company.
4. Documents satisfactory to the Company that convey the Title or create the Mortgage to be insured, or both, must be properly authorized, executed, delivered, and recorded in the Public Records.

**- SCHEDULE B Section 2 -**  
**Exceptions**

THIS COMMITMENT DOES NOT REPUBLISH ANY COVENANT, CONDITION, RESTRICTION, OR LIMITATION CONTAINED IN ANY DOCUMENT REFERRED TO IN THIS COMMITMENT TO THE EXTENT THAT THE SPECIFIC COVENANT, CONDITION, RESTRICTION, OR LIMITATION VIOLATES STATE OR FEDERAL LAW BASED ON RACE, COLOR, RELIGION, SEX, SEXUAL ORIENTATION, GENDER IDENTITY, HANDICAP, FAMILIAL STATUS, OR NATIONAL ORIGIN.

The Policy will not insure against loss or damage resulting from the terms and provisions of any lease or easement identified in Schedule A, and will include the following Exceptions unless cleared to the satisfaction of the Company:

Any defect, lien, encumbrance, adverse claim, or other matter that appears for the first time in the Public Records or is created, attaches, or is disclosed between the Commitment Date and the date on which all of the Schedule B, Part I—Requirements are met.

ISSUED BY:  
Wheatland Title Company  
105 W. Veterans Parkway  
Yorkville, Illinois 60560

Agent for:  
Fidelity National Title Insurance Company

**A.L.T.A. COMMITMENT FORM**  
**- SCHEDULE B -**  
**- Exceptions -**

The policy or policies to be issued will contain exceptions to the following unless the same are disposed of to the satisfaction of the Company:

**GENERAL EXCEPTIONS:**

1. Rights or claims of parties in possession not shown by the public records.
2. Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land.
3. Easements, or claims of easements, not shown by the public records.
4. Any lien, or right to a lien, for services, labor, or material heretofore or hereafter furnished, imposed by law and not shown by the public records.
5. Taxes or special assessments which are not shown as existing liens by the public records.
6. Loss or damage by reason of there being recorded in the public records, any deeds, mortgages, lis pendens, liens or other title encumbrances subsequent to the Commitment date and prior to the effective date of the final Policy.
7. All rights and easements in favor of the holder of any mineral estate and/or coal and/or oil and gas lease, and any party claiming by, through, or under said holder of the mineral estate or coal and/or oil and gas lease.

ISSUED BY:  
Wheatland Title Company  
105 W. Veterans Parkway  
Yorkville, Illinois 60560

Agent for:  
Fidelity National Title Insurance Company



SPECIAL EXCEPTIONS:

1. The lien of taxes for the year 2021 and thereafter.

Taxes for the property in question are EXEMPT.

PERMANENT TAX NUMBER: 06-24-330-001

2. Defects, liens, encumbrances, adverse claims or other matters, if any, created, first appearing in the public records or attached subsequent to the effective date hereof but prior to the date the proposed insured acquires for value of the record the estate or interest thereon covered by this commitment.
3. Rights of parties in possession, encroachments, overlaps, overhangs, unrecorded easements, deficiency in quantity of ground, farm drainage systems, tile systems or irrigation systems which would be disclosed by an accurate survey and inspection of the premises.
4. Rights of the Public, the State and the Municipality in and to that part of the land, if any, taken or used for road purposes.
5. Confirmed Special Assessments, if any, not certified to by the Company.
6. Financing Statements, if any, not certified to by the Company.
7. For information purposes only, the taxes are assessed to the following:

For Parcel(s): 06-24-330-001  
Forest Preserve District of Kane County  
1996 S. Kirk Rd., Ste. 320  
Geneva, IL 60134

8. Conveyances within the past five years: None.
9. Contiguous property owned by record title holder: None.

PLEASE CONTACT OUR OFFICE REGARDING CONTIGUOUS PROPERTY AS THE SUBJECT PROPERTY IS OWNED BY A MUNICIPAL ENTITY.

10. Grant of Easement dated June 12, 2018 and recorded October 18, 2018 as Document No. 2018K051006 made by Forest Preserve District of Kane County to

ISSUED BY:  
Wheatland Title Company  
105 W. Veterans Parkway  
Yorkville, Illinois 60560

Agent for:  
Fidelity National Title Insurance Company

Fox River Water Reclamation District recorded in the Kane County Recorder's Office.

11. Upon a conveyance or grant of easement affecting the subject property, we should be furnished with the proper documentation, including, if applicable, properly executed resolutions, authorizing the execution of the documents of transfer or easement grant.

- End Schedule B -

Please refer all inquiries to T.J. Hiles 630-892-2323 Ext. 249 or John Ammons 630-892-2323 Ext. 224.

ISSUED BY:  
Wheatland Title Company  
105 W. Veterans Parkway  
Yorkville, Illinois 60560

Agent for:  
Fidelity National Title Insurance Company

### MINUTES OF CONDEMNATION

In order that we may guarantee title after completion of any proceedings for condemnation in exercise of the proposed insured's right of eminent domain, we note the following.

- I. Upon the filing of complaint a proper Lis Pendens Notice should be recorded in the appropriate Recorder's office.
- II. Our Policy, when issued, will be subject to direct attack upon any decrees and or judgments entered in the proceedings.
- III. The following persons are necessary parties to any such proceedings.
  - A. All parties acquiring rights in the premises subsequent to the date of the report and prior to a complete Lis Pendens.
  - B. Any person other than those herein named known to the Plaintiff or the Plaintiff's attorney to have or claim an interest in the premises.
  - C. If it is known that any of the necessary parties named herein are deceased, their heirs or devisees should be made parties by name, if known, and if unknown, then by the name and description of Unknown Heirs and Devisees of such deceased person or persons.
  - D. If it is not known or cannot be ascertained whether any of said necessary parties be living or dead, then such parties should be made parties by name, also such parties should be their heirs or devisees, should be made parties to the proceedings as UNKNOWN OWNERS.
  - E. All persons in possession of any part of the premises in question and all persons whose rights would be disclosed by an inspection of the premises.
  - F. All parties claiming by through or under lease agreements whether oral or written, for premises.
  - G. All parties claiming by or through or under installment contracts for deed or like agreements.
  - H. Unknown Owners and Non-Record claimants.

MINUTES OF CONDEMNATION CONTINUED

IV. The following persons are noted of record and are necessary parties to any proceedings:

A. The Plaintiff is:

The People of the State of Illinois, Department of Transportation

B. The Defendants are:

1. Forest Preserve District of Kane County

C. Any parties named above who have executed all necessary documents for the Grant of Easement and Right of Way after payment of agreed consideration theretofore need not be joined as party defendants for our policy to be issued.

END MINUTES OF CONDEMNATION

TRANSMITTAL FORM

Wheatland Title Company  
105 W. Veterans Parkway  
Yorkville, Illinois 60560

12/28/2021

Illinois Department of Transportation 1  
201 West Center Court  
Schaumburg, IL 60196-1096

WTC File Number: I1-2021KN-1733.0

Customer Reference:

US 20

Section

County Kane

Job R-91-007-20

IDOT Parcel Number:

Title Is Vested In:

Forest Preserve District of Kane County

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**Accompanied with this transmittal are the following documents:**

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Title Document (s)

90K39039

Plat (s)

None

Other Document (s)

None

Route:	US 20
Section:	Randall Rd. to Shales Pkwy.
County:	Kane
Job No.:	R-91-007-20
Parcel No.:	1O20005PE
Station:	400+77.39 to 401+54.81 (Route 20)
Index No.:	06-24-330-002; 06-24- 126-008; -009

That part of the Southwest Quarter of Section 24, Township 41 North, Range 8 East of the Third Principal Meridian, in Elgin Township, Kane County, Illinois, bearings and distances are based on the Illinois State Place Coordinate System, East Zone, NAD83 (2011 Adjustment) with a combined factor of 0.99995674; described as follows:

Commencing at the northwest corner of Lot 1 Block 5 of South Park Addition, being a Subdivision in the Southwest and Southeast Quarters of Section 24, Township 41 North, Range 8 East of the Third Principal Meridian according to the Plat thereof recorded May 26, 1887, as Doc. #12074; thence North 83 degrees 12 minutes 05 seconds West, 100.00 feet to the west line of the Union Pacific Rail Road Right of Way; thence South 06 degrees 32 minutes 51 seconds West along said west Right of Way, 73.14 feet; thence North 88 degrees 24 minutes 50 seconds West, 50.82 feet to the Point of Beginning; thence North 88 degrees 24 minutes 50 seconds West, 61.46 feet more or less to the east bank of the Fox River; thence North 13 degrees 34 minutes 44 seconds East along said east bank, 91.40 feet more or less; thence continuing North 06 degrees 58 minutes 08 seconds East along said east bank, 166.58 feet more or less; thence South 86 degrees 34 minutes 13 seconds East, 48.89 feet more or less to said east line of property owned by the Kane County Forest Preserve; thence South 06 degrees 32 minutes 51 seconds West along said east line, 228.39 feet; thence South 83 degrees 29 minutes 07 seconds East, 17.63 feet; thence South 06 degrees 32 minutes 51 seconds West 24.22 feet; thence North 88 degrees 24 minutes 50 seconds West, 17.69 feet to the Point of Beginning.

Said parcel containing 0.313 Acres, more or less, of which 0.068 acres has been previously used or dedicated for roadway purposes.

**APPROVED**  
By *William Wright* at 12:35 pm, Jun 17, 2022

Route: US 20  
Section: Randall Rd. to  
Shales Pkwy.  
County: Kane  
Job No.: R-91-007-20  
Parcel No.: 1O20006PE  
Station: 401+69.00 to  
401+86.84 (Route 20)  
Index No.: 06-24-330-001

That part of the Southwest Quarter of Section 24, Township 41 North, Range 8 East of the Third Principal Meridian, in Elgin Township, Kane County, Illinois, bearings and distances are based on the Illinois State Place Coordinate System, East Zone, NAD83 (2011 Adjustment) with a combined factor of 0.99995674; described as follows:

Beginning at the point of intersection of the Westerly line of the Chicago and Northwestern Railway Company (Union Pacific Railroad) with the North line extended East of the land conveyed to William H. Jencks by warranty deed dated April 21, 1900, and recorded May 18, 1900, as document 44920 in Book 400, Page 274; thence Northerly along the Westerly line of said right of way 70 feet; thence West parallel with the North line of said Jenck's tract 18.5 feet to the point 2 rods Easterly of the Easterly line of the tract of land conveyed to M.J. Mandelbaum by warranty deed dated December 14, 1901 and recorded December 17, 1901 as document 54225 in Book 410, Page 509; thence Southerly parallel with the 2 rods Easterly for the Easterly line of said Mandelbaum tract 70 feet to the North line extended East of Jenck's tract aforesaid; thence East along the North line extended East of said William H. Jenck's land 18.5 feet to the Point of Beginning, in the City of Elgin, Kane County, Illinois.

More particularly described as follows:

Beginning at the point of intersection of the Westerly line of the Chicago and Northwestern Railway Company (Union Pacific Railroad) with the North line extended East of the land conveyed to William H. Jencks by warranty deed dated April 21, 1900, and recorded May 18, 1900, as document 44920 in Book 400, Page 274; thence Northerly along the Westerly line of said right of way North 06 degrees 32 minutes 51 seconds East, 73.14 feet; thence West parallel with the North line of said Jenck's tract South 89 degrees 38 minutes 22 seconds West, 18.08 feet to the point 2 rods Easterly of the Easterly line of the tract of land conveyed to M.J. Mandelbaum by warranty deed dated December 14, 1901 and recorded December 17, 1901 as document 54225 in Book 410, Page 509; thence Southerly parallel with the 2 rods Easterly for the Easterly line of said Mandelbaum tract South 06 degrees 49 minutes 13 seconds West, 70.06 feet to the North line extended East of Jenck's tract aforesaid; thence East along the North line extended East of said

William H. Jenck's land North 89 degrees 38 minutes 22 seconds East, 18.42 feet to the Point of Beginning, in the City of Elgin, Kane County, Illinois.

Said parcel containing 0.029 Acres, more or less.

**APPROVED**

*By William Wright at 12:36 pm, Jun 17, 2022*