



Legislation Text

File #: 19-0352, **Version:** 1

PROPOSED ORDINANCE

AUTHORIZING THE ACQUISITION OF LAND VIA DONATION FROM THE CITY OF ELGIN AND CREATING A FOREST PRESERVE ON THE ACQUIRED LAND NEAR BLUFF SPRINGS FEN NATURE PRESERVE

AN ORDINANCE CREATING A FOREST PRESERVE in parts of Fractional Sections 19 and 30, Township 41 North, Range 9 East of the Third Principal Meridian, all in Cook County, Illinois near Bluff Springs Fen Nature Preserve in District 15.

WHEREAS, the Forest Preserve District of Cook County, Illinois believes passage of this ordinance is necessary to ensure compliance with the Local Government Property Transfer Act, 50 ILCS 605/0.01 *et seq.*, which provides statutory authority for one municipality to convey title to real estate to another municipality when the territory of transferor municipality is at least partly within the corporate limits of the transferee municipality and it is necessary or convenient to use, occupy or improve real estate held by the transferor municipality in the making of any public improvement or for any public purpose; and

WHEREAS, the Forest Preserve District of Cook County, Illinois recently reached an agreement with the City of Elgin to acquire five parcels of land located adjacent to Bluff Springs Fen Nature Preserve, consisting of approximately 20.5 acres ("Property") as described in Exhibit A attached hereto and incorporated herein by reference; and

WHEREAS, The Board of Forest Preserve Commissioners of the Forest Preserve District of Cook County, Illinois, pursuant to the statutes in such case made and provided, has from time to time acquired by purchase, condemnation, gift, grant, or devise, lands necessary and desirable for Forest Preserve purposes containing one or more natural forests or parts thereof, or lands connecting such forests or parts thereof, or lands capable of being reforested for the purpose of protecting and preserving the flora, fauna, and scenic beauties within the Forest Preserve District of Cook County, Illinois, and to restore, restock, protect, and preserve the natural forests and said lands together with their flora and fauna, as nearly as may be, in their natural state and condition, for the purpose of the education, pleasure, and recreation of the public; and

WHEREAS, the said Board of Forest Preserve Commissioners of the Forest Preserve District of Cook County, Illinois also has acquired in like manner lands for the consolidation of such preserves into unit areas of a size and form convenient and desirable for public use and economical maintenance and improvement, and lands for the purpose of connecting such preserves with forested ways or links in order to increase their accessibility, use, and enjoyment, and lands for improvement by forestation, roads, and pathways; and

WHEREAS, the Board of Commissioners of the Forest Preserve District of Cook County, Illinois has in a like manner acquired lands along water courses or elsewhere which, in their judgment, were required to control drainage and water conditions and necessary for the preservation of forested areas acquired or to be acquired as preserves and lands for the purpose of extension of roads and forested ways around and by such preserves and for parking space for automobiles

and other facilities not requiring forested areas but incidental to the use and protection thereof; and

WHEREAS, the lands hereinafter described, all of which are adjacent to the boundaries of the Forest Preserve District of Cook County, Illinois, which are necessary and desirable for the lawful uses and purposes of the Forest Preserve District of Cook County, Illinois, as hereinabove set forth, and also are of the character and nature of the lands which the statutes of the State of Illinois authorizes and empowers it to acquire.

NOW, THEREFORE, BE IT ORDAINED by the Board of Forest Preserve Commissioners of the Forest Preserve District of Cook County, Illinois as follows:

Section 1. The Board hereby authorizes the President or her designee to execute any and all documents necessary to effectuate the acquisitions described herein in accordance with customary terms and conditions, subject to this Ordinance.

Section 2. The Board hereby determines that the acquisition of the Property from the City of Elgin (“Elgin”) is in the public interest. The Board hereby authorizes the Acquisition of the Property from Elgin by quit claim deed, for nominal consideration, for the public purposes of preserving the existing land in an appropriate manner and as required by applicable laws and protecting and preserving the flora, fauna and scenic beauties, in accordance with the authority of the Forest Preserve District of Cook County, Illinois (“District”). Such acquisition shall be subject only to restrictions, covenants and easements shown of record and shall be “as is” without warranties of any sort.

Section 3. That a unified Forest Preserve be and the same is hereby created within the District, which shall contain and connect lands now owned and lands to be acquired in substantial accordance with the plat now on file in the office of the General Superintendent of the District, which by reference is hereby made part thereof, and for the purposes of said Forest Preserve and for the carrying out of the statutory purposes more particularly set out in the preamble of this ordinance, it is necessary and desirable for the District to own and it shall acquire property hereinafter described in Section 4 of this ordinance, for the purpose of creating a Forest Preserve and for Forest Preserve uses.

Section 4. That the Property referred to in Section 3 of this ordinance is more particularly described as follows:

06-19-321-057

That part of the Southwest Quarter of Section 19, Township 41 North, Range 9 East of the Third Principal Meridian, being a part of Bluff Fen Subdivision, described as follows:

Commencing at the intersection of the East line of Cookane Avenue with the South line of Dixon Avenue extended, said point being 453.16 feet South of the South line of Bluff City Boulevard; thence South along said East line of Cookane Avenue, 99.0 feet, then East parallel with the South line of Dixon Avenue extended, 424.45 feet for a Place of Beginning; thence South parallel with the East line of Cookane Avenue, 480.85 feet; thence East at right angles to said East line of Cookane Avenue, 63.95 feet; thence South parallel with the East line of Cookane Avenue, 264.0 feet; thence North 89 degrees 07 minutes 40 seconds West 488.41 feet to the East line of Cookane Avenue; thence North along said East line of Cookane Avenue 25.0 feet; thence North 89 degrees 07 minutes 40 seconds East, 173 feet; thence North 31 degrees 25 minutes 09 seconds East, 70.97 feet; thence North 39 degrees 26 minutes 51 seconds East, 78.68 feet; thence North 23 degrees 17 minutes 08 seconds East, 65.75 feet; thence North 5 degrees 43 minutes 07 seconds West 60.21 feet; thence North 15 degrees 45 minutes 10 seconds East 62.61 feet; thence North 13 degrees 01 minutes 02 seconds East, 51.87 feet; Thence North 0 degrees 00 minutes 00 seconds East 40 feet; thence North 56 degrees 18 minutes 36 seconds West, 36.06 feet; thence North 35 degrees 33 minutes 59 seconds West, 52.77 feet; thence North 18 degrees 26 minutes 25 seconds East, 126.50 feet; thence North 0 degrees 00 minutes 00 seconds East, 124.44 feet; thence North 89 degrees 08 minutes

17 seconds East along the said East line parallel with the South line of Dixon Avenue extended, 129.42 feet to the Point of Beginning, being situated in the City of Elgin, Cook County, Illinois and, containing 136,406.2 square feet, more or less.

06-19-321-007 East

That part of Lot 17 of the County Clerk's Subdivision of part of Section 19, Township 41 North, Range 9 East of the Third Principal Meridian, in the City of Elgin, Cook County, Illinois, described as follows:

Commencing at the Southwest corner of said Lot 17; thence North 89 degrees 23 minutes 35 seconds East, 595.00 feet along the South line of said Lot 17 to the Point of Beginning; thence North 28 degrees 26 minutes 35 seconds East, 343.75 feet; thence North 85 degrees 13 minutes 35 seconds East, 204.17 feet; thence South 69 degrees 17 minutes 27 seconds East, 267.36 feet; thence South 79 degrees 15 minutes 30 seconds East, 555.05 feet; thence South 89 degrees 18 minutes 19 seconds East, 389.68 feet; thence South 0 degrees 51 minutes 25 seconds East, 98.26 feet to the South line of said Lot 17; thence South 89 degrees 08 minutes 35 seconds West, 415.26 feet along the South line of said Lot 17 to the Southeast corner of the Southwest Quarter of Section 19, Township 41 North, Range 9 East of the Third Principal Meridian; thence South 89 degrees 23 minutes 35 seconds West, 1,138.58 feet to the Point of Beginning, containing 6.510 acres, more or less.

06-19-321-007 West

That part of Lot 17 of the County Clerk's Subdivision of part of Section 19, Township 41 North, Range 9 East of the Third Principal Meridian, in the City of Elgin, Cook County, Illinois, described as follows:

Beginning at the Southwest corner of said Lot 17; thence North 21 degrees 11 minutes 59 seconds West, 1,384.82 feet to the South Right of Way line of Bluff City Boulevard; thence North 89 degrees 44 minutes 02 seconds East, 120.00 feet along the South Right of Way line of Bluff City Boulevard; thence South 81 degrees 21 minutes 25 seconds East, 301.26 feet; thence South 21 degrees 54 minutes 22 seconds East, 631.97 feet; thence South 6 degrees 08 minutes 20 seconds West 147.70 feet; thence South 9 degrees 46 minutes 05 seconds East, 518.34 feet to the South line of said Lot 17; thence South 89 degrees 23 minutes 35 seconds West, 225.00 feet to the Point of Beginning, containing 10.274 acres, more or less.

06-30-100-004 & 005

Parcel 1

Of that part of Section 30, Township 41 North, Range 9 East of the Third Principal Meridian, in the Hanover Township, described as follows: Township and Range aforesaid, a distance of 1003.00 feet East of the Northwest corner of said Section; thence East a distance of 263.00 feet; thence Southeast at an angle of 50 degrees 18 minutes 00 seconds to the right, a distance of 83.00 feet; thence Southwest at an angle of 89 degrees 45 minutes 00 seconds to the right, a distance of 297.00 feet; thence Westerly at an angle of 37 degrees 10 minutes 00 seconds to the right, a distance of 53.00 feet; thence Northerly 259.57 feet, (Deed being 245.00 feet) to the Point of Beginning (except that part of said Section; beginning at a point on North line of said Section 30, a distance of 1003.00 feet East of the Northwest corner of said Section; thence East along said North line, a distance of 263.00 feet; thence Southeast at an angle of 50 degrees 18 minutes 00 seconds to the right, a distance of 78.00 feet; thence West parallel with said North Section line, a distance of 304.56 feet [Deed being 313.00 feet]; thence Northerly, a distance of 60.58 feet, [Deed being 60.00 feet] to the Point of beginning), being situated in the City of Elgin, Cook County, Illinois, and containing 35,622.46 square feet more or less.

Parcel 2

Of that part of Section 30, Township 41 North, Range 9 East of the Third Principal Meridian, in Hanover Township, described as follows; Beginning at a point on the North line of said Section 30, Township and Range aforesaid, a distance of 1003.00 feet East of the Northwest corner of said Section; thence East along said North line, a distance of 263.00 feet; thence Southeast at an angle of 50 degrees 18 minutes 00 seconds to the right, a distance of 78.00 feet; thence West parallel with the said North Section line, a distance of 304.56 feet, (Deed being 313.00 feet); thence Northerly a distance of 60.58 feet, (Deed being 60.00 feet) to the Point of Beginning, being situated in the City of Elgin, Cook County, Illinois and containing 17,030.60 square feet more or less.

Section 5. This Ordinance shall be in full force and effect from and after its passage and approval.

Effective date: This ordinance shall be in effect immediately upon adoption.