

**AUTHORIZING THE PURCHASE OF
CERTAIN REAL PROPERTY LOCATED
EAST OF PEARL STREET AND NORTH OF
GURLER STREET FOR ALLEY PURPOSES
FROM CLIFFORD AND DONNA SELDAL.**

WHEREAS, the City of DeKalb, Illinois has an alley reconstruction program to restore poor-conditioned alleys north of Gurler Street between Pearl Street and Haish Boulevard; and

WHEREAS, the present paved alley east of Pearl Street lies on property owned by Cliff and Donna Seldal; and

WHEREAS, the City wishes to reconstruct the alley on the Seldal property to continue to align with the alley drive approach at Gurler Street, and to avoid moving the alley to conflict with nearby trees and close garage; and

WHEREAS, the City wishes to acquire the Seldal property for the purpose of completing the alley reconstruction program; now

THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL of the City of DeKalb, Illinois, as follows:

Section 1. The above recitals are hereby specifically incorporated into the terms of this Ordinance.

Section 2. That it is hereby determined that it is necessary and desirable and in the public interest that the City of DeKalb shall acquire title to and possession of the following described parcel of real property which is necessary, required and needed for the purpose of completing the alley reconstruction program; to wit:

THAT PART OF THE SOUTHEAST QUARTER OF SECTION 22, TOWNSHIP 40 NORTH, RANGE 4 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHEAST CORNER OF LOT 1 IN GURLER'S ADDITION TO DEKALB; THENCE EASTERLY ALONG THE NORTH LINE OF GURLER STREET, 12.0 FEET TO THE WEST LINE OF THE ALLEY AS SHOWN ON THE PLAT OF MUNSON'S ADDITION TO THE CITY OF DEKALB; THENCE NORTHERLY ALONG SAID WEST LINE, 174.4 FEET TO THE SOUTHWEST CORNER OF LOT 1 OF SAID MUNSON'S ADDITION; THENCE WEST OF THE WESTERLY EXTENSION OF SAID LOT 1, A DISTANCE OF 12.0 FEET TO THE EAST LINE OF SAID GURLER'S ADDITION; THENCE SOUTHERLY, ALONG SAID EAST LINE, 174.8 FEET TO THE POINT OF BEGINNING, ALL IN THE CITY OF DEKALB, DEKALB COUNTY, ILLINOIS.

Hereafter described as "the Property."

Section 3. The City Attorney of DeKalb, Illinois, is authorized and directed to purchase for the City the above described real property from its owner, for Three-Thousand, One-Hundred Fifty Dollars and no/00 (\$3,150.00).

Section 4. That all actions of the City Attorney, the City Manager and other agents and employees of the City of DeKalb heretofore taken in acquiring this property are expressly ratified and accepted by the City Council.

Section 5. That the City Manager or City Attorney is authorized and directed to execute any and all documents necessary to purchase certain property, which is an alley, located north of Gurler Street between Pearl Street and Haish Boulevard, DeKalb, Illinois, including, but not limited to a Contract to Purchase Real Property.

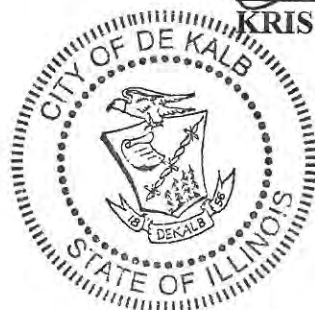
Section 6. That this Ordinance shall be in full force and effect upon its passage and approval according to law.

PASSED BY THE CITY COUNCIL of the City of DeKalb, Illinois at a regular meeting thereof held on the 12th day of June, 2012 and approved by me as Mayor on the same day. First and second reading on June 11, 2012. Roll call vote 8-0. Aye: Jacobson, Teresinski, Lash, Gallagher, Naylor, Baker, O'Leary, Povlsen.

ATTEST:


DIANE K. WRIGHT, City Clerk


KRIS POVLSSEN, Mayor



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3 pg

[Signature]
DEKALB COUNTY RECORDER

2012008402

STATE OF ILLINOIS)
COUNTY OF DEKALB) SS
CITY OF DEKALB)

I, **DIANE K. WRIGHT**, do hereby certify that I am the duly appointed and City Clerk of the City of DeKalb, DeKalb County, Illinois, and as such officer I am the keeper of the records and files of the City Council of said City.

I do further certify that the attached is a true and correct copy of:

ORDINANCE 12-46

**AUTHORIZING THE PURCHASE OF CERTAIN REAL
PROPERTY LOCATED EAST OF PEARL STREET AND NORTH
OF GURLER STREET FOR ALLEY PURPOSES FROM
CLIFFORD AND DONNA SELDAL.**

PASSED BY THE CITY COUNCIL of the City of DeKalb, Illinois at a regular meeting thereof held on the 11th day June 2012. The original is now on file in my office.

WITNESS my hand and the official seal of said City this 17th day of July 2012.



[Signature]
DIANE K. WRIGHT, City Clerk

Prepared by: *[Signature]* & return to

City Clerk
City of DeKalb
200 South Fourth Street
DeKalb, IL 60115

2012008402



2013005995

JOHN J. ACARDO

RECORDER - DEKALB COUNTY, IL

RECORDED: 5/10/2013 10:23 AM

REC FEE: 40.00 RHSPS FEE: 0.00

PAGES: 4

Prepared by and return to,

City Clerk's Office
City Of DeKalb
200 South 4th Street
DeKalb, IL 60115

DOCUMENT TYPE: WARRANTY DEED/PTAX-203 ILLINOIS REAL ESTATE
TRANSFER DECLARATION

DOCUMENT DATE: July 2, 2012/July, 2012

LEGAL DESCRIPTION (If applicable):

THAT PART OF THE SOUTHEAST QUARTER OF SECTION 22, TOWNSHIP 40 NORTH, RANGE 4 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHEAST CORNER OF LOT 1 IN GURLER'S ADDITION TO DEKALB; THENCE EASTERLY ALONG THE NORTH LINE OF GURLER STREET, 12.0 FEET TO THE WEST LINE OF THE ALLEY AS SHOWN ON THE PLAT OF MUNSON'S ADDITION TO THE CITY OF DEKALB; THENCE NORTHERLY ALONG SAID WEST LINE, 174.4 FEET TO THE SOUTHWEST CORNER OF LOT 1 OF SAID MUNSON'S ADDITION; THENCE WEST OF THE WESTERLY EXTENSION OF SAID LOT 1, A DISTANCE OF 12.0 FEET TO THE EAST LINE OF SAID GURLER'S ADDITION; THENCE SOUTHERLY, ALONG SAID EAST LINE, 174.8 FEET TO THE POINT OF BEGINNING, ALL IN THE CITY OF DEKALB, DEKALB COUNTY, ILLINOIS.

P.I.N. No. 08-22-426-016

WARRANTY DEED

THE GRANTOR, Clifford Seldal and Donna Seldal, of the County of DeKalb and State of Illinois, for and in consideration of Three Thousand One Hundred Fifty Dollars (\$3,150.00), receipt of which is hereby acknowledged, grants, conveys, and warrants to the City of DeKalb, Illinois, Grantee, of 200 South 4th Street, DeKalb, Illinois, the following described real estate:

That part of the Southeast quarter of Section 22, Township 40 North, Range 4 East of the Third Principal Meridian described as follows: Beginning at the Southeast corner of Lot 1 in Gurler's Addition to DeKalb; thence Easterly along the North line of Gurler Street, 12.0 feet to the West line of the alley as shown on the plat of Munson's Addition to the City of DeKalb; thence Northerly along said West line, 174.4 feet to the Southwest corner of Lot 1 of said Munson's Addition; thence West of the Westerly extension of said Lot 1, a distance of 12.0 feet to the East line of said Gurler's Addition; thence Southerly, along said East line, 174.8 feet to the point of beginning, all in the City of DeKalb, DeKalb County, Illinois.

situated in the County of DeKalb, State of Illinois, and hereby releases and waives all right under and by virtue of the Homestead Exemption Laws of the State of Illinois. The above-described real estate and improvements located thereon are herein referred to as the "premises."

Grantor, without limiting the interest above granted and conveyed, acknowledges that upon payment of the agreed consideration, all claims arising out of the above acquisition have been settled, including without limitation, any diminution in value to any remaining property of the Grantor caused by the opening, improving and using the premises for highway purposes. This acknowledgment does not waive any claim for trespass or negligence against the Grantee or Grantee's agents which may cause damage to the Grantor's remaining property.

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4 pages Recorded 5/10/2013

Dated this 2 day of July, 2012.

Clifford Seldal
Signature

Donna Seldal
Signature

Clifford Seldal

Donna Seldal

State of Illinois)
) ss
County of DeKalb)

This instrument was acknowledged before me on July 2, 2012
by Clifford & Donna Seldal

(SEAL)



Diane K. Wright
Notary Public

My Commission Expires: 4-10-16

Exempt under 35 ILCS 200/31-45(b), Real Estate Transfer Tax Law.

7-2-12
Date

Joel Maurer
Buyer, Seller or Representative CITY OF DEKALB

This instrument was prepared by and after recording, mail this instrument and future tax bills to:

City of DeKalb
Attn: Finance Division
200 S. 4th St
DeKalb IL 60115

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4 pages Recorded 5/10/2013

JOHN J. ACARDO
DEKALB COUNTY RECORDER
PLAT ACT AFFIDAVIT

State of Illinois

} ss

County of DeKalb

JOEL MAURER, being duly sworn on oath, states that he resides at
618 HANNA COURT, DEKALB, IL 60115.

And further states that: *(please check the appropriate box)*

A. That the attached deed is not in violation of 765 ILCS 205/1(a), in that the sale or exchange is of an entire tract of land not being a part of a larger tract of land; or

B. That the attached deed is not in violation of 765 ILCS 205/1(b) for one of the following reasons: *(please circle the appropriate number)*

1. The division or subdivision of land into parcels or tracts of 5 acres or more in size which does not involve any new streets or easements of access;
2. The division of lots or blocks of less than 1 acre in any recorded subdivision which does not involve any new streets or easements of access;
3. The sale or exchange of parcels of land between owners of adjoining and contiguous land;
4. The conveyance of parcels of land or interests therein for use as a right of way for railroads or other public utility facilities and other pipe lines which does not involve any new streets or easements of access;
5. The conveyance of land owned by a railroad or other public utility which does not involve any new streets or easements of access;
6. The conveyance of land for highway or other public purposes or grants or conveyances relating to the dedication of land for public use or instruments relating to the vacation of land impressed with a public use;
7. Conveyances made to correct descriptions in prior conveyances.
8. The sale or exchange of parcels or tracts of land following the division into no more than 2 parts of a particular parcel or tract of land existing on July 17, 1959 and not involving any new streets or easements of access.
9. The sale is of a single lot of less than 5 acres from a larger tract, and a survey has been made by an Illinois Registered Land Surveyor, and the sale is not a sale of any subsequent lot or lots from the same larger tract of land as determined by the dimensions and configuration of the larger tract on October 01, 1973; and further, local requirements applicable to the subdivision of land have been met.

Affiant further states that he makes this affidavit for the purpose of inducing the Recorder of DeKalb County, Illinois, to accept the attached deed for recording.

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Joel Maurer
Signature of Affiant

SUBSCRIBED AND SWORN TO BEFORE ME
THIS 24th DAY OF July, 2012

Laura Pisarcik
Signature of Notary Public

