

ORDINANCE 2022-071

PASSED: DECEMBER 12, 2022

VACATING A CERTAIN PORTION OF LOCUST STREET AND N. EIGHTH STREET, DEKALB, ILLINOIS (NEHRING PROPERTIES).

WHEREAS, the City of DeKalb (the "City") is a home rule unit of local government and may exercise any power and perform any function pertaining to its government and affairs pursuant to Article VII, Section 6, of the Illinois Constitution of 1970; and

WHEREAS, pursuant to City Ordinance 2022-048 entitled "Authorizing a Development Agreement with Nehring Electrical Works Company", the City agreed to vacate a certain portion of E. Locust St. and N. 8th St. and convey title to the vacated property to the owner of property abutting the vacated property for an amount that is equal to the customary closing costs charged by a title company located in DeKalb County, Illinois; and

WHEREAS, Section 11-91-1 of the Illinois Municipal Code (65 ILCS 5/11-91-1) provides that whenever the City's corporate authorities determine that the public interest will be served by vacating any street or alley, or part thereof, within their jurisdiction in any incorporated area, they may vacate that street or alley, or part thereof, by an ordinance and determine that the owner of property abutting upon the street or alley, or part thereof so vacated, shall acquire title to the entire vacated street or alley, or part thereof vacated, and

WHEREAS, the City's corporate authorities find that it is in the public interest and promotes the public health, safety, and welfare to vacate a certain portion of E. Locust St. and N. 8th St. that is legally described in Exhibit A attached hereto and incorporated herein (the "Property") and further depicted in the Plat of Vacation attached hereto and incorporated herein as Exhibit B (the "Plat of Vacation"); and

WHEREAS, Chicago Title Land Trust #31983 (the "Owner") is the owner of property abutting upon the Property; and

WHEREAS, the City's corporate authorities find that: (1) the relief to the public from the further burden and responsibility of maintaining the Property constitutes a public use and the fair market value of the Property; and, (2) Owner shall acquire title to the Property upon its vacation; and

WHEREAS, the City gave due notice of the hearing to vacate the Property in the form attached hereto and incorporated herein as Exhibit C (the "Notice of Hearing"); and

WHEREAS, on December 5, 2022, the City's Planning and Zoning Commission recommended the approval of the Plat of Vacation; and

WHEREAS, on December 12, 2022, the City Council held a public hearing on the vacation of the Property prior to the consideration of this Ordinance; and

WHEREAS, the City's corporate authorities find that approving the Plat of Vacation pursuant to the provisions of this Ordinance is in the City's best interests for the promotion of the public health, morals and welfare; and

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DEKALB, ILLINOIS::

SECTION 1: The foregoing recitals are true, material, adopted and incorporated into this Ordinance as if they were fully set forth in this Section 1.

SECTION 2: The City's corporate authorities, by the affirmative vote of at least three-fourths of those then holding office, approve of the vacation of the Property legally described in Exhibit A attached hereto and incorporated herein and the Plat of Vacation attached hereto and incorporated herein as Exhibit B. The City's corporate authorities further authorize and direct the City's officers designated on the Plat of Vacation to execute and attest the Plat of Vacation.

SECTION 3: The City's corporate authorities, by the affirmative vote of at least three-fourths of those then holding office, approve, authorize and direct that, upon vacation of the Property, title to the Property shall vest in Chicago Title Land Trust #31983, as owner of property abutting the Property and located at PINs 08-23-328-008, 08-23-328-005, 08-23-328-007, 08-23-330-005, and 08-23-401-005, subject to any rights of way and easements for public utilities.

SECTION 4: The City's corporate authorities authorize and direct the Mayor, City Attorney and City Manager to execute a deed, closing statements and all other documentation which may be necessary for the sale, conveyance and recording of the Property upon its vacation.

SECTION 5: This Ordinance and each of its terms shall be the effective legislative act of a home rule municipality without regard to whether such ordinance should (a) contain terms contrary to the provisions of current or subsequent non-preemptive state law, or (b) legislate in a manner or regarding a matter not delegated to municipalities by state law. It is the intent of the City's corporate authorities that to the extent that the terms of this Ordinance should be inconsistent with any non-preemptive state law, that this Ordinance shall supersede state law in that regard within its jurisdiction.

SECTION 6: This Ordinance shall be in full force and effect from and after its passage and approval as provided by law.

PASSED BY THE CITY COUNCIL of the City of DeKalb, Illinois at a Regular meeting thereof held on the 12th day of December 2022 and approved by me as Mayor on the same day. Passed on First Reading by an 8-0 roll call vote. Aye: Morris, Larson, Smith, Perkins, McAdams, Verbic, Faivre Barnes. Nay: None. Second Reading waived by an 8-0 roll call vote. Aye: Morris, Larson, Smith, Perkins, McAdams, Verbic, Faivre Barnes. Nay: None.




COHEN BARNES, Mayor

ATTEST:


Ruth A. Scott, Executive Assistant

EXHIBIT A
(Legal Description)

The Property is legally described as follows:

Part of Block 42 in the Original Town (Now City) of Dekalb, as shown on the Plat of Alterations of Blocks 23, 29, 30, 31 and 42 in Book A of Plats on Page 31, along with parts of Blocks 21, 22, 27 and 28 of Gilson's Addition to the City of Dekalb, according to the Plat in Book A of Plats on Page 21: Beginning at the intersection of the North line of Locust Street and the West line of Eighth Street; thence North 69 degrees 43 minutes 51 seconds West (assumed bearing), a distance of 168.70 feet to a point on the South line of the Chicago and Northwestern Railroad Right of way; thence South 87 degrees 48 minutes 53 seconds West on and along last named line, a distance of 177.87 feet to the East line of Seventh Street; thence South 21 degrees 59 minutes 29 seconds West on and along last named line, a distance of 15.30 feet to a point 60 feet North on said line from the Northwest corner of Lot 3 of said Block 42; thence South 68 degrees 04 minutes 21 seconds East parallel to the North line of said Lot 3, a distance of 20.00 feet; thence South 21 degrees 59 minutes 29 seconds West parallel to said East line of Seventh Street, a distance of 60.00 feet to a point on said North line of Lot 3; thence South 68 degrees 04 minutes 21 seconds East on and along last named line, a distance of 23.46 feet to the West corner of an un-numbered Lot in said Block 42; thence North 87 degrees 48 minutes 53 seconds East on and along the North line of said un-numbered Lot, a distance of 123.15 feet to the Northeast corner of said un-numbered Lot; thence South 22 degrees 20 minutes 18 seconds West on and along the East line of said un-numbered Lot and said Lot 3, a distance of 94.31 feet to the Southeast corner of said Lot 3; thence South 68 degrees 04 minutes 24 seconds East, a distance of 18.00 feet to the Southwest corner of Lot 10 in said Block 42; thence North 22 degrees 20 minutes 18 seconds East on and along the West line of said Lot 10 and the West lines of Lots 11 and 12 in said Block 42, a distance of 102.39 feet to a Northwest corner of said Lot 12; thence North 87 degrees 48 minutes 53 seconds East on and along the North line of said Lot 12 and the North line of Lot 13 in said Block 42, a distance of 171.81 feet to said West line of Eighth Street; thence South 22 degrees 41 minutes 28 seconds West on and along last named line, a distance of 284.59 feet to a point North 20 of the Southeast corner of Lot 7 in said Block 42; thence South 68 degrees 04 minutes 31 seconds East, a distance of 66.00 feet to a point on East line of said Eighth Street, said point also being 20 feet North of the Southwest corner of Lot 6 in said Block 28 of Gilson's Addition; thence North 22 degrees 41 minutes 28 seconds East on and along last named line, a distance of 256.72 feet to a point 6 feet North of Lot 5 in said Block 28 of Gilson's Addition; thence South 69 degrees 43 minutes 53 seconds East on a line parallel to the South line of Locust Street, a distance of 669.68 feet to a point 6 feet North of the Northeast corner of Lot 1 in said Block 27 of Gilson's Addition; thence North 20 degrees 20 minutes 07 seconds East, a distance of 54.00 feet to the Southeast corner of Lot 1 in said Block 22 of Gilson's Addition; thence North 69 degrees 43 minutes 51 seconds West on and along said North line of Locust Street, a distance of 733.51 feet to the Point of Beginning.

EXHIBIT B
(Plat of Vacation)

PLAT OF VACATION PART OF CITY OF DEKALB AND GILSON'S ADDITION TO CITY OF DEKALB DEKALB COUNTY, ILLINOIS



100 0 100 FEET
GRAPHIC SCALE IN FEET



DESCRIPTIONS:

LOCUST STREET VACATION AREA

Part of Block 42 in the Original Town (Now City) of Dekalb, as shown on the Plat of Alterations of Blocks 23, 29, 30, 31 and 42 in Book A of Plats on Page 31, along with parts of Blocks 21, 22, 27 and 28 of Gilson's Addition to the City of Dekalb, according to the Plat in Book A of Plats on Page 21: Beginning at the intersection of the North line of Locust Street and the West line of Eighth Street; thence North 69 degrees 43 minutes 51 seconds West (assumed bearing), a distance of 168.70 feet to a point on the South line of the Chicago and Northwestern Railroad Right of way; thence South 87 degrees 48 minutes 53 seconds West on and along last named line, a distance of 177.87 feet to the East line of Seventh Street; thence South 21 degrees 59 minutes 29 seconds West on and along last named line, a distance of 15.30 feet to a point 60 feet North on said line from the Northwest corner of Lot 3 of said Block 42; thence South 68 degrees 04 minutes 21 seconds East parallel to the North line of said Lot 3, a distance of 20.00 feet; thence South 21 degrees 59 minutes 29 seconds West parallel to said East line of Seventh Street, a distance of 60.00 feet to a point on said North line of Lot 3; thence South 68 degrees 04 minutes 21 seconds East on and along last named line, a distance of 23.46 feet to the West corner of an un-numbered Lot in said Block 42; thence North 87 degrees 48 minutes 53 seconds East on and along the North line of said un-numbered Lot, a distance of 123.15 feet to the Northeast corner of said un-numbered Lot; thence South 22 degrees 20 minutes 18 seconds West on and along the East line of said un-numbered Lot and said Lot 3, a distance of 94.31 feet to the Southeast corner of said Lot 3; thence South 68 degrees 04 minutes 24 seconds East, a distance of 18.00 feet to the Southwest corner of Lot 10 in said Block 42; thence North 22 degrees 20 minutes 18 seconds East on and along the West line of said Lot 10 and the West line of Lots 11 and 12 in said Block 42, a distance of 102.39 feet to a Northwest corner of said Lot 12; thence North 87 degrees 48 minutes 53 seconds East on and along the North line of said Lot 12 and the North line of Lot 13 in said Block 42, a distance of 171.81 feet to said West line of Eighth Street; thence South 22 degrees 41 minutes 28 seconds West on and along last named line, a distance of 284.59 feet to a point North 20 of the Southeast corner of Lot 7 in said Block 42; thence South 68 degrees 04 minutes 31 seconds East, a distance of 66.00 feet to a point on East line of said Eighth Street, said point also being 20 feet North of the Southwest corner of Lot 6 in said Block 28 of Gilson's Addition; thence North 22 degrees 41 minutes 28 seconds East on and along last named line, a distance of 256.72 feet to a point 6 feet North of Lot 5 in said Block 28 of Gilson's Addition; thence South 69 degrees 43 minutes 53 seconds East on a line parallel to the South line of Locust Street, a distance of 669.68 feet to a point 5 feet North of the Northeast corner of Lot 1 in said Block 27 of Gilson's Addition; thence North 20 degrees 20 minutes 07 seconds East, a distance of 54.00 feet to the Southeast corner of Lot 1 in said Block 22 of Gilson's Addition; thence North 69 degrees 43 minutes 51 seconds West on and along said North line of Locust Street, a distance of 733.51 feet to the Point of Beginning.

ACCESS EASEMENT

Part of Blocks 22 and 27 of Gilson's Addition to the City of Dekalb, according to the Plat in Book A of Plats on Page 21: Beginning at the Southeast corner of Lot 1 in said Block 22 of Gilson's Addition; thence North 69 Degrees 43 Minutes 51 Seconds West, a distance of 140.00 feet; thence South 20 Degrees 20 Minutes 07 Seconds West, a distance of 54.00 feet; thence South 69 Degrees 43 Minutes 53 Seconds East, a distance of 140.00 feet; thence North 20 Degrees 20 Minutes 07 Seconds East, a distance of 54.00 feet to the Point of Beginning.

CERTIFICATE OF CITY COUNCIL

STATE OF ILLINOIS }
COUNTY OF DEKALB }

This is to certify that the attached plat was approved by the Mayor and City Council of the City of Dekalb, Dekalb County, Illinois

on this 12th day of December, 2022

By: Cohen Barnes Attest: Scott A. Scott
Cohen Barnes Scott A. Scott
Mayor Executive Assistant
(SIGN & PRINT) (SIGN & PRINT)



SURVEYOR'S STATEMENT:

I, Scott I. Immel, an Illinois Professional Land Surveyor, state that I have prepared this plat of vacation for the portions of roads described and depicted hereon.

Signed, this 8th day of December 2022

Scott I. Immel
Scott I. Immel, Illinois Professional Land Surveyor No. 35-3462
Current expiration date: November 30, 2024



FEHR GRAHAM
ENGINEERING & ENVIRONMENTAL
ILLINOIS DESIGN FIRM NO. 181-002525

ILLINOIS
IOWA
WISCONSIN

515 LINCOLN HWY, ROCHELLE, IL 61068 P:815.562.9087

CITY OF DEKALB

JOB NUMBER:
22-1269

DATE: 12/08/2022
FIELD WORK COMPLETED:
FIELD: DRAWING TJJ QA/QC: SII

SHEET NUMBER:
1 of 1

EXHIBIT C
(Notice of Hearing)

Certificate of the Publisher

Daily Chronicle

Description: HEARING-DEC. 12
2035922
RUTH SCOTT

CITY OF DEKALB
ATTN: BETH PATRICK
164 E LINCOLN HIGHWAY
DEKALB IL 60115

Shaw Media certifies that it is the publisher of the Daily Chronicle. The Daily Chronicle is a secular newspaper, has been continuously published daily for more than fifty (50) weeks prior to the first publication of the attached notice, is published in the City of DeKalb, County of DeKalb, State of Illinois, is of general circulation throughout that county and surrounding area, and is a newspaper as defined by 715 ILCS 5/5.

A notice, a true copy of which is attached, was published 1 time(s) in the Daily Chronicle, namely one time per week for one successive week(s). Publication of the notice was made in the newspaper, dated and published on 11/23/2022

This notice was also placed on a statewide public notice website as required by 5 ILCS 5/2.1.

In witness, Shaw Media has signed this certificate by Laura Shaw, its publisher, at DeKalb, Illinois, on 23rd day of November, A.D. 2022

Shaw Media By:



Laura Shaw, Publisher

Account Number 40609

Amount \$226.30

PUBLIC NOTICE

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that on Monday, December 12, 2022, at 6:00 PM, at the DeKalb Public Library, Yusunas Meeting Room, 309 Oak Street, DeKalb, Illinois, a hearing will be held by the Mayor and City Council of the City of DeKalb to consider the proposed vacation of a portion of Locust Street and N. 8th St. as described below:

Part of Block 42 in the Original Town (Now City) of DeKalb, as shown on the Plat of Alterations of Blocks 23, 29, 30, 31 and 42 in Book A of Plats on Page 31, along with parts of Blocks 21, 22, 27 and 28 of Gilson's Addition to the City of DeKalb, according to the Plat in Book A of Plats on Page 21: Beginning at the intersection of the North line of Locust Street and the West line of Eighth Street; thence North 69 degrees 43 minutes 51 seconds West (assumed bearing), a distance of 168.70 feet to a point on the South line of the Chicago and Northwestern Railroad Right of way; thence South 87 degrees 48 minutes 53 seconds West on and along last named line, a distance of 177.87 feet to the East line of Seventh Street; thence South 21 degrees 59 minutes 29 seconds West on and along last named line, a distance of 15.30 feet to a point 60 feet North on said line from the Northwest corner of Lot 3 of said Block 42; thence South 68 degrees 04 minutes 21 seconds East parallel to the North line of said Lot 3, a distance of 20.00 feet; thence South 21 degrees 59 minutes 29 seconds West parallel to said East line of Seventh Street, a distance of 60.00 feet to a point on said North line of Lot 3; thence South 68 degrees 04 minutes 21 seconds East on and along last named line, a distance of 23.46 feet to the West corner of an un-numbered Lot in said Block 42; thence North 87 degrees 48 minutes 53 seconds East on and along the North line of said un-numbered Lot, a distance of 123.15 feet to the Northeast corner of said un-numbered Lot; thence South 22 degrees 20 minutes 18 seconds West on and along the East line of said un-numbered Lot and said Lot 3, a distance of 94.31 feet to the Southeast corner of said Lot 3; thence South 68 degrees 04 minutes 24 seconds East, a distance of 18.00 feet to the Southwest corner of Lot 10 in said Block 42; thence North 22 degrees 20 minutes 18 seconds East on and along the West line of said Lot 10 and the West lines of Lots 11 and 12 in said Block 42, a distance of 102.39 feet to a Northwest corner of said Lot 12; thence North 87 degrees 48 minutes 53 seconds East on and along the North line of said Lot 12 and the North line of Lot 13 in said Block 42, a distance of 171.81 feet to said West line of Eighth Street; thence South 22 degrees 41 minutes 28 seconds West on and along last named line, a distance of 284.59 feet to a point North 20 of the Southeast corner of Lot 7 in said Block 42; thence South 68 degrees 04 minutes 31 seconds East, a distance of 86.00 feet to a point on East line of said Eighth Street, said point also being 20 feet North of the Southwest corner of Lot 6 in said Block 28 of Gilson's Addition; thence North 22 degrees 41 minutes 28 seconds East on and along last named line, a distance of 256.72 feet to a point 6 feet North of Lot 5 in said Block 28 of Gilson's Addition; thence South 69 degrees 43 minutes 53 seconds East on a line parallel to the South line of Locust Street, a distance of 669.68 feet to a point 6 feet North of the Northeast corner of Lot 1 in said Block 27 of Gilson's Addition; thence North 20 degrees 20 minutes 07 seconds East, a distance of 54.00 feet to the Southeast corner of Lot 1 in said Block 22 of Gilson's Addition; thence North 69 degrees 43 minutes 51 seconds West on and along said North line of Locust Street, a distance of 733.51 feet to the Point of Beginning.

All interested parties will be heard on the proposed vacation and are invited to appear at the time and place listed above. Interested parties are also encouraged to submit written comments on the proposal to the City of DeKalb, 164 E. Lincoln Highway, DeKalb, Illinois, 60115 or to Executive Assistant Ruth Scott at Ruth.Scott@CITYOFDEKALB.com. Further information regarding the petition is also available from the City Manager's Office at (815) 748-2090 or on the City of DeKalb's web page at <https://www.cityofdekab.com/1103/Public-Hearings>.
Ruth Scott, Executive Assistant

(Published in the Daily Chronicle November 23, 2022)
2035922



2023002165

TASHA SIMS

RECORDER - DEKALB COUNTY, IL

RECORDED: 3/31/2023 12:38 PM
REC FEE: 56.00 RHSPS FEE: 9.00
PAGES: 8

2300444102
STATE OF ILLINOIS)
COUNTY OF DEKALB) SS
CITY OF DEKALB)

"KEEP IN FILE"

*Plat Cabinet 11
Slide # 51-A*

CERTIFICATION

I, **RUTH A. SCOTT**, am the duly qualified and appointed Executive Assistant of the City of DeKalb, DeKalb County, Illinois, as authorized by Local Ordinance 2019-059, and as such Executive Assistant, I maintain and am safe-keeper of the records and files of the Mayor and City Council of said City.

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

ORDINANCE 2022-071

VACATING A CERTAIN PORTION OF LOCUST STREET AND N. EIGHTH STREET, DEKALB ILLINOIS (NEHRING PROPERTIES).

PASSED BY THE CITY COUNCIL of the City of DeKalb, Illinois, on the 12th day of December 2022.

WITNESS my hand and the official seal of said City this 23rd day of February 2023.



RUTH A. SCOTT, Executive Assistant/Recording Secretary

Prepared by and Return to:

City of DeKalb
City Manager's Office
Attention: Ruth A. Scott
164 E. Lincoln Highway
DeKalb, Illinois 60115

230002166 282
SPECIAL WARRANTY DEED

MAIL TO:
Mark P. Doherty
The Doherty Law Firm, LLC
125 N. 1st St.
DeKalb, IL 60115

SEND FUTURE TAX BILLS TO:
Chicago Title Land Trust Co.,
Trust 31983
1005 E. Locust St.
DeKalb, IL ~~60015~~ 60115



2023002166

TASHA SIMS
RECORDER - DEKALB COUNTY, IL

RECORDED: 3/31/2023 12:38 PM
REC FEE: 76.00 RHSPS FEE: 9.00
PAGES: 5

Above space for Recorder's Use

THE GRANTOR, **CITY OF DEKALB**, an Illinois municipal corporation, with its office located at 164 E. Lincoln Highway, DeKalb, IL 60115, given under the hand of the Mayor of the City of DeKalb, and for valuable consideration, **CONVEYS and WARRANTS** to the GRANTEE, **Chicago Title Land Trust Company, as Successor Trustee under Trust Agreement dated December 17, 2004, and known as Trust Number 31983**, all interest in the following described Real Estate situated in the County of DeKalb and in the State of Illinois, to-wit:

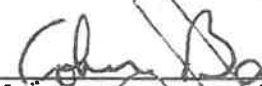
Part of Block 42 in the Original Town (Now City) of DeKalb, as shown on the Plat of Alterations of Blocks 23, 29, 30, 31 and 42 in Book A of Plats on Page 31, along with parts of Blocks 21, 22, 27 and 28 of Gilson's Addition to the City of DeKalb, according to the Plat in Book A of Plats on Page 21: Beginning at the intersection of the North line of Locust Street and the West line of Eighth Street; thence North 69 degrees 43 minutes 51 seconds West (assumed bearing), a distance of 168.70 feet to a point on the South line of the Chicago and Northwestern Railroad Right of way; thence South 87 degrees 48 minutes 53 seconds West on and along last named line, a distance of 177.87 feet to the East line of Seventh Street; thence South 21 degrees 59 minutes 29 seconds West on and along last named line, a distance of 15.30 feet to a point 60 feet North on said line from the Northwest corner of Lot 3 of said Block 42; thence South 68 degrees 04 minutes 21 seconds East parallel to the North line of said Lot 3, a distance of 20.00 feet; thence South 21 degrees 59 minutes 29 seconds West parallel to said East line of Seventh Street, a distance of 60.00 feet to a point on said North line of Lot 3; thence South 68 degrees 04 minutes 21 seconds East on and along last named line, a distance of 23.46 feet to the West corner of an un-numbered Lot in said Block 42; thence North 87 degrees 48 minutes 53 seconds East on and along the North line of said un-numbered Lot, a distance of 123.15 feet to the Northeast corner of said unnumbered Lot; thence South 22 degrees 20 minutes 18 seconds West on and along the East line of said un-numbered Lot and said Lot 3, a distance of 94.31 feet to the Southeast corner of said Lot 3; thence South 68 degrees 04 minutes 24 seconds East, a distance of 18.00 feet to the Southwest corner of Lot 10 in said Block 42; thence North 22 degrees 20 minutes 18 seconds East on and along the West line of said Lot 10 and the West lines of Lots 11 and 12 in said Block 42, a distance of 102.39 feet to a Northwest corner of said Lot 12; thence North 87 degrees 48 minutes 53 seconds East on and along the North line of said Lot 12 and the North line of Lot 13 in said Block 42, a distance of 171.81 feet to said West line of Eighth Street; thence South 22 degrees 41 minutes 28 seconds West on and along last named line, a distance of 284.59 feet to a point North 20 of the Southeast corner of Lot 7 in said Block 42; thence South 68 degrees 04 minutes 31 seconds East, a distance of 66.00 feet to a point on East line of said Eighth Street, said point also being 20 feet North of the Southwest corner of Lot 6 in said Block 28 of Gilson's Addition; thence North 22 degrees 41 minutes 28 seconds East on and along last named line, a distance of 256.72 feet to a point 6 feet North of Lot 5 in said Block 28 of Gilson's Addition; thence South 69 degrees 43 minutes 53 seconds East on a line parallel to the South line of Locust Street, a distance of 669.68 feet to a

point 6 feet North of the Northeast corner of Lot 1 in said Block 27 of Gilson's Addition; thence North 20 degrees 20 minutes 07 seconds East, a distance of 54.00 feet to the Southeast corner of Lot 1 in said Block 22 of Gilson's Addition; thence North 69 degrees 43 minutes 51 seconds West on and along said North line of Locust Street, a distance of 733.51 feet to the Point of Beginning.

subject to any and all public utility easements, public service facilities, City of DeKalb and sewer facilities and any other easements or property rights or interests burdening the property, and hereby releasing and waiving all rights under and by virtue of the Homestead Exemption Laws of the State of Illinois.

This deed is exempt from transfer taxes pursuant to 35 ILCS 200/31-45

DATED the 23rd day of February, 2023.


Cohen Barnes, Mayor of the City of DeKalb

STATE OF ILLINOIS)
) ss.
COUNTY OF DEKALB)

I, the undersigned, a Notary Public in and for said County, in the State aforesaid, certify that the City of DeKalb, under the hand of the Mayor of the City of DeKalb, personally known to me to be the same person whose name is subscribed to this instrument, appeared before me this day in person, and acknowledged that he signed, sealed and delivered this instrument as his free and voluntary act, for the uses and purposes set forth.

Given under my hand and official seal
this 23rd day of February, 2023


Notary Public

OFFICIAL SEAL
RUTH A SCOTT
NOTARY PUBLIC, STATE OF ILLINOIS
My Commission Expires July 24, 2028

Prepared by:
Donahue & Rose
Matthew Rose
9501 W. Devon Ave Ste 702
Rosemont, IL 60018

Exempt under provisions of Paragraph B
Section 31-45, Property Tax Code.

2-27-23
Date

Matthew Rose
Buyer, Seller or Representative

Matthew Rose

EXHIBIT A

Order No.: 23000444DK

For APN/Parcel ID(s): 08-23-328-005, 08-23-328-007, 08-23-328-008, 08-23-330-005, 08-23-329-004
OLD for 2021 and 08-23-401-005 NEW for 2022

PART OF BLOCK 42 IN THE ORIGINAL TOWN (NOW CITY) OF DEKALB, AS SHOWN ON THE PLAT OF ALTERATIONS OF BLOCKS 23, 29, 30, 31 AND 42 IN BOOK A OF PLATS ON PAGE 31, ALONG WITH PARTS OF BLOCKS 21, 22, 27 AND 28 OF GILSON'S ADDITION TO THE CITY OF DEKALB, ACCORDING TO THE PLAT IN BOOK A OF PLATS ON PAGE 21:

BEGINNING AT THE INTERSECTION OF THE NORTH LINE OF LOCUST STREET AND THE WEST LINE OF EIGHTH STREET; THENCE NORTH 69 DEGREES 43 MINUTES 51 SECONDS WEST (ASSUMED BEARING), A DISTANCE OF 168.70 FEET TO A POINT ON THE SOUTH LINE OF THE CHICAGO AND NORTHWESTERN RAILROAD RIGHT OF WAY; THENCE SOUTH 87 DEGREES 48 MINUTES 53 SECONDS WEST ON AND ALONG LAST NAMED LINE, A DISTANCE OF 177.87 FEET TO THE EAST LINE OF SEVENTH STREET; THENCE SOUTH 21 DEGREES 59 MINUTES 29 SECONDS WEST ON AND ALONG LAST NAMED LINE, A DISTANCE OF 15.30 FEET TO A POINT 60 FEET NORTH ON SAID LINE FROM THE NORTHWEST CORNER OF LOT 3 OF SAID BLOCK 42; THENCE SOUTH 68 DEGREES 04 MINUTES 21 SECONDS EAST PARALLEL TO THE NORTH LINE OF SAID LOT 3, A DISTANCE OF 20.00 FEET; THENCE SOUTH 21 DEGREES 59 MINUTES 29 SECONDS WEST PARALLEL TO SAID EAST LINE OF SEVENTH STREET, A DISTANCE OF 60.00 FEET TO A POINT ON SAID NORTH LINE OF LOT 3; THENCE SOUTH 68 DEGREES 04 MINUTES 21 SECONDS EAST ON AND ALONG LAST NAMED LINE, A DISTANCE OF 23.46 FEET TO THE WEST CORNER OF AN UN-NUMBERED LOT IN SAID BLOCK 42; THENCE NORTH 87 DEGREES 48 MINUTES 53 SECONDS EAST ON AND ALONG THE NORTH LINE OF SAID UN-NUMBERED LOT, A DISTANCE OF 123.15 FEET TO THE NORTHEAST CORNER OF SAID UN-NUMBERED LOT; THENCE SOUTH 22 DEGREES 20 MINUTES 18 SECONDS WEST ON AND ALONG THE EAST LINE OF SAID UN-NUMBERED LOT AND SAID LOT 3, A DISTANCE OF 94.31 FEET TO THE SOUTHEAST CORNER OF SAID LOT 3; THENCE SOUTH 68 DEGREES 04 MINUTES 24 SECONDS EAST, A DISTANCE OF 18.00 FEET TO THE SOUTHWEST CORNER OF LOT 10 IN SAID BLOCK 42; THENCE NORTH 22 DEGREES 20 MINUTES 18 SECONDS EAST ON AND ALONG THE WEST LINE OF SAID LOT 10 AND THE WEST LINES OF LOTS 11 AND 12 IN SAID BLOCK 42, A DISTANCE OF 102.38 FEET TO A NORTHWEST CORNER OF SAID LOT 12; THENCE NORTH 87 DEGREES 48 MINUTES 53 SECONDS EAST ON AND ALONG THE NORTH LINE OF SAID LOT 12 AND THE NORTH LINE OF LOT 13 IN SAID BLOCK 42, A DISTANCE OF 171.81 FEET TO SAID WEST LINE OF EIGHTH STREET; THENCE SOUTH 22 DEGREES 41 MINUTES 28 SECONDS WEST ON AND ALONG LAST NAMED LINE, A DISTANCE OF 284.60 FEET TO A POINT NORTH 20 OF THE SOUTHEAST CORNER OF LOT 7 IN SAID BLOCK 42; THENCE SOUTH 68 DEGREES 04 MINUTES 31 SECONDS EAST, A DISTANCE OF 66.00 FEET TO A POINT ON EAST LINE OF SAID EIGHTH STREET, SAID POINT ALSO BEING 20 FEET NORTH OF THE SOUTHWEST CORNER OF LOT 6 IN SAID BLOCK 28 OF GILSON'S ADDITION; THENCE NORTH 22 DEGREES 41 MINUTES 28 SECONDS EAST ON AND ALONG LAST NAMED LINE, A DISTANCE OF 256.72 FEET TO A POINT 6 FEET NORTH OF LOT 5 IN SAID BLOCK 28 OF GILSON'S ADDITION; THENCE SOUTH 69 DEGREES 43 MINUTES 53 SECONDS EAST ON A LINE PARALLEL TO THE SOUTH LINE OF LOCUST STREET, A DISTANCE OF 669.68 FEET TO A POINT 6 FEET NORTH OF THE NORTHEAST CORNER OF LOT 1 IN SAID BLOCK 27 OF GILSON'S ADDITION; THENCE NORTH 20 DEGREES 20 MINUTES 07 SECONDS EAST, A DISTANCE OF 54.00 FEET TO THE SOUTHEAST CORNER OF LOT 1 IN SAID BLOCK 22 OF GILSON'S ADDITION; THENCE NORTH 69 DEGREES

EXHIBIT A

(continued)

43 MINUTES 51 SECONDS WEST ON AND ALONG SAID NORTH LINE OF LOCUST STREET, A
DISTANCE OF 733.51 FEET TO THE POINT OF BEGINNING.

Unofficial

DOUGLAS J. JOHNSON
DEKALB COUNTY RECORDER
PLAT ACT AFFIDAVIT

State of Illinois

} ss

County of DeKalb

Matthew Rose, City Attorney
being duly sworn on oath, states that he resides at
164 E. Lincoln Hwy., 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)

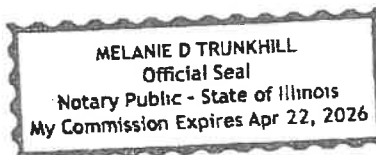
- ☒ 1. The division or subdivision of land into parcels or tracts of 5 acres or more in size which does not involve any new streets or easements of access;
2. The division of lots or blocks of less than 1 acre in any recorded subdivision which does not involve any new streets or easements of access;
- ☒ 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.

Matthew Rose, City Attorney
Signature of Affiant

SUBSCRIBED AND SWORN TO BEFORE ME
THIS 27 DAY OF February, 2023

[Signature]
Signature of Notary Public



Revised 04/2001



2023002167

TASHA SIMS

RECORDER - DEKALB COUNTY, IL

RECORDED: 3/31/2023 12:40 PM
REC FEE: 56.00 RHSPS FEE: 9.00
PAGES: 2

"KEEP IN FILE"

*Plat Cabinet 11
Slide # 51-A*

CERTIFICATE OF CORRECTION

I, Scott I. Immel, Land Surveying for Fehr Graham hereby certify that I am correcting drafting errors on the PLAT OF VACATION – PART OF CITY OF DEKALB GILSON'S ADDITION TO CITY OF DEKALB as recorded in Document 2023002165, Plat Cabinet 11 Slide # 51-A Lots 3, 4 & 5 are incorrectly marked. The following Exhibit has the incorrect lettering lined out and the correct lettering indicated.

Signed at Rochelle, Illinois this 31st day of March, 2023

Scott I. Immel, Illinois Professional Land Surveyor No. 35-3462
Current expiration date: November 30, 2024



