RESOLUTION 2017-091       PASSED: JULY 24, 2017

AUTHORIZING THE EXECUTION OF A HIGHWAY
PERMIT FROM THE ILLINOIS DEPARTMENT OF
TRANSPORTATION FOR IMPROVEMENTS TO THE
INTERSECTION OF HOLLISTER AVENUE AND
SYCAMORE ROAD BY THE KISHWAKEE WATER
RECLAMATION DISTRICT AS PART OF THE PHASE
1B IMPROVEMENTS PROJECTS.

WHEREAS, City of DeKalb, located in the county of DeKalb, State of Illinois, wishes to
allow improvements to the intersection of Hollister Avenue and Sycamore Road, which
is under the jurisdiction of the Illinois Department of Transportation; and

WHEREAS, a permit from said Department is required before said work can be
legally undertaken by said City and the Kishwaukee Water Reclamation District.

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

Section 1: That the City does hereby request from the Illinois Department of
Transportation, a permit authorizing the City of DeKalb to proceed with work herein
described, subject to the Kishwaukee Water Reclamation District’s acknowledgment that
it shall bear all costs and expenses in any way associated with the contemplated
reconstruction of the intersection and indemnify and hold harmless the City from any
claims or expenses associated therewith.

Section 2: That the proper officers of the City of DeKalb are hereby instructed and
authorized to sign said permit on behalf of the City of DeKalb, and to execute any and all
documentation required with relation to said permit and permission, including
amendments and modifications to the proposed permit.

PASSED BY THE CITY COUNCIL of the City of DeKalb, Illinois, at a Regular meeting
thereof held on the 24th day of July, 2017, and approved by me as Mayor on the same
day. Passed by an 8-0 Omnibus roll call vote under the Consent Agenda. Aye:

ATTEST:

SUSANNA HERRMANN, City Clerk

JERRY SMITH, Mayor
July 26, 2017

Honorable Jerry Smith
Mayor
200 South Fourth
DeKalb, IL 60115

LETTER OF UNDERSTANDING
Permit Application: L-15419
Illinois 23 and Hollister Road
DeKalb County

Dear Mayor Smith:

This letter of understanding serves as a supplement to IDOT’s issuance of a highway permit to the City of DeKalb relevant to the proposed traffic signals to serve Illinois 23 and Hollister Road. For location map, see Exhibit A.

It is mutually agreed that the City of DeKalb will assume responsibility for 100% of road construction, related traffic signal installation, emergency vehicle preemption and lighting installation. All work will be done in accordance with the specifications of the permit.

The City of DeKalb will continue its maintenance of watermain, sanitary storm sewer, sidewalk, highway lighting and appurtenances located behind the curb. The commercial entrances shall remain the jurisdiction of the respective property owners. The cost and responsibility of providing electrical energy and maintenance of the said signal, emergency vehicle preemption and lighting on Illinois 23 will be as indicated below.

<table>
<thead>
<tr>
<th>Intersection</th>
<th>Maintenance</th>
<th>Energy</th>
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<tbody>
<tr>
<td></td>
<td>State %</td>
<td>City %</td>
</tr>
<tr>
<td>Traffic Signals at IL 23 &amp; Hollister Road</td>
<td>50%</td>
<td>50%</td>
</tr>
<tr>
<td>Lighting at IL 23 &amp; Hollister Road</td>
<td>0%</td>
<td>100%</td>
</tr>
<tr>
<td>Emergency Vehicle at IL 23 &amp; Hollister Road</td>
<td>0%</td>
<td>100%</td>
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</tbody>
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It is mutually agreed that the actual signal maintenance will be performed by the City of DeKalb, either with its own forces or through an ongoing contractual agreement.
Mayor Smith  
Page Two  
July 26, 2017

Upon acceptance by IDOT of the new traffic signal installation(s) included herein, the responsibility for maintenance and energy outlines above shall become part of the Master Agreement executed by IDOT and the City of DeKalb on April 27, 2011.

IDOT retains the right to control the sequence of timing of the traffic control signals installed at the said intersection.

All current city ordinances regulating parking, encroachments, sanitary/storm water drainage along Illinois 23 shall remain in effect.

Upon completion of the intersection, IDOT will assume responsibility of maintaining all through and turning lanes and all curb and gutter adjoining the traffic lanes of Illinois 23. The city will assume maintenance of the stop bar and crosswalk markings on Illinois 23.

You will note four copies of this letter of understanding are enclosed for your review. If you are in agreement with these proposals, please affix your original signature in the space provided on all four copies, retain one for your files and return three copies to the IDOT District 3 office in Ottawa.

If you have any comments or questions concerning this project, please feel free to contact Dan Devine at 815-434-8505. Your cooperation is appreciated.

Sincerely,

Kevin Marchek, P.E.  
Region Two Engineer

By: Tom Humagel, P.E.  
District Operations Engineer

DD:ac  
s:\op\letter of understanding DeKalb

Approved:
QUITCLAIM DEED

Pursuant to and in compliance with the authority set forth in Public Act 100-1158, which was approved by Governor Bruce Rauner, the State of Illinois, acting by and through its Department of Transportation, Grantor, for and in consideration of the sum of Four Thousand and 00/100 Dollars ($4,000.00) in hand paid, conveys and quites claims to Kishwaukee Water Reclamation District, Grantee, all right, title and interest in the following described real estate, no longer needed for highway purposes in the County of DeKalb, State of Illinois, to-wit:

Parcel No. 3EX0106

Tract 1: A triangular piece of land in Lot 3 in Block 1 in Prospect Place Subdivision, in Section 14, Township 40 North, Range 4 East of the Third Principal Meridian, DeKalb County, Illinois, described as follows: Beginning at the most easterly corner of said Lot 3; thence Southwesterly on the southeasterly line of said Lot 3, said line having a bearing of South 40 degrees 04 minutes 07 seconds West, a distance of 23.29 feet to a point; thence Northwesterly on a line having a bearing of North 34 degrees 02 minutes 21 seconds West, a distance of 72.70 feet to a point in the most Northerly corner of said Lot 3; thence Southeasterly on the northeasterly line of said Lot 3, said line having a bearing of South 52 degrees 41 minutes 55 seconds East, a distance of 70.00 feet to the POINT OF BEGINNING, containing 814 square feet (0.019 acre), more or less

Tract 2: A parcel of land in Lots 1 and 2 in Block 1 of Prospect Place Subdivision, in Section 14, Township 40 North, Range 4 East of the Third Principal Meridian, DeKalb County, Illinois, described as follows: Beginning at the most Easterly corner of said Lot 2; thence southwesterly on the Southeasterly line of said Lots 1 and 2, said line having a bearing of South 39 degrees 57 minutes 28 seconds West, a distance of 120.15 feet to a point in the most Southerly corner of said Lot 1; thence Northwesterly on the southwesterly line of said Lot 1, said line having a bearing of North 66 degrees 08 minutes 46 seconds West, a distance of 16.26 feet to a point; thence North 40 degrees 33 minutes 29 seconds East 21.22 feet; thence Northeastly on a line having a bearing of North 10 degrees 29 minutes 00 seconds East, a distance of 39.91 feet to a point; thence Northwesterly on a line having a bearing of North 34 degrees 02 minutes 21 seconds West, a distance of 136.69 feet to a point on the northwesterly line of said Lot 2; thence Northeastly on a line having a bearing of North 40 degrees 04 minutes 07 seconds East, a distance of 23.29 feet to a point in the most Northerly corner of said
Lot 2; thence Southeasterly on the northeasterly line of said Lot 2, said line having a bearing of South 52 degrees 41 minutes 55 seconds East, a distance of 166.56 feet to the point of beginning, except, beginning at the most Easterly corner of said Lot 2; thence Southwesterly on the southeasterly line of said Lots 1 and 2, said line having a bearing of South 39 degrees 57 minutes 28 seconds West, a distance of 120.15 feet to a point in the most southerly corner of said Lot 1; thence Northwesterly on the southwesterly line of said Lot 1, said line having a bearing of North 66 degrees 08 minutes 46 seconds West, a distance of 16.26 feet to a point; thence North 40 degrees 33 minutes 29 seconds East 124.00 feet to the North line of said Lot 2; thence South 52 degrees 41 minutes 55 seconds West 14.34 feet along said North line, to the POINT OF BEGINNING. Total area of Tract No. 2 is 7,657 square feet (0.176 acre), more or less. ALL RESERVING a Permanent Easement for Highway Purposes as shown on the attached plat, and situated in the City of DeKalb, State of Illinois, more particularly described as follows:

Description of Permanent Easement
A part of Lots 1 and 2 in Block 1 of Prospect Place Subdivision, in Section 14, Township 40 North, Range 4 East of the Third Principal Meridian, DeKalb County, Illinois, described as follows: Commencing at the most easterly corner of said Lot 2; thence North 52 degrees 41 minutes 55 seconds West 14.34 feet along the Northerly line of said Lot 2, to the point of beginning; thence South 40 degrees 33 minutes 29 seconds West 102.76 feet, to the Northwesterly existing Right of Way line of FA 324 (Illinois Route 23); thence North 10 degrees 29 minutes 00 seconds East 39.91, feet along said Right of Way line; thence North 34 degrees 02 minutes 21 seconds West 73.60 feet, along said Right of Way line; thence North 24 degrees 09 minutes 51 seconds East 12.03 feet; thence North 76 degrees 00 minutes 06 seconds East 40.67 feet to the North line of said Lot 2; thence South 52 degrees 41 minutes 55 seconds East 70.77 feet to the POINT OF BEGINNING, containing 5,377 square feet 0.123 acre), more or less, situated in the City of DeKalb, State of Illinois.
Dated this 15th day of February, A.D., 2019.

STATE OF ILLINOIS
DEPARTMENT OF TRANSPORTATION

By: ____________________________
    Acting Secretary
    Matt Magalis

STATE OF ILLINOIS
COUNTY OF SANGAMON

I, Amber Ralph, Notary Public, for the State of Illinois, DO
HEREBY CERTIFY that Matt Magalis, personally known to me to be the Acting Secretary of the
Department of Transportation, a Department of the State of Illinois, and whose name is
subscribed to the foregoing instrument, appeared before me this day in person and
acknowledged that as such Acting Secretary he signed and delivered the said instrument as his
free and voluntary act for the uses and purposes therein set forth.

Given under my hand and notarial seal this 15th day of February, A.D., 2019.

OFFICIAL SEAL

Amber N. Ralph
Notary Public

My Commission Expires: August 17, 2021
Prepared By and Return To:  
Illinois Department of Transportation  
ATTN: Bureau of Land Acquisition  
700 East Norris Drive  
Ottawa, IL 61350  

Grantee and Tax Bill To:  
Kishwaukee Water Reclamation District  
303 Hollister Avenue  
DeKalb, IL 60115  

Exempt under Provision of Paragraph B, Section 31-45 Real Estate Transfer Tax Law.  

2/25/19  
Date  

[Signature]  
Regional Engineer
State of Illinois

County of DeKalb

Kristine L. Klueber, being duly sworn on oath, states that he resides at

700 E. Norris Dr
DHAWA IL 60136

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. [X] 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.

SUBSCRIBED AND SWORN TO BEFORE ME
THIS 25 DAY OF February 2019.

Michelle Christensen
Signature of Notary Public

Michelle Christensen
NOTARY PUBLIC - STATE OF ILLINOIS
MY COMMISSION EXPIRES 09/11/21

Signature of Affiant