



2019003035

DOUGLAS J. JOHNSON  
RECORDER - DEKALB COUNTY, IL

RECORDED: 4/23/2019 12:31 PM  
REC FEE: 55.00

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

PAGES: 3

I, **LYNN A. FAZEKAS** do hereby certify that I am the duly appointed 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:


**RESOLUTION 2019-056**

**AUTHORIZING A CONVEYANCE OF REAL PROPERTY TO  
LARRY AND KAY BERKE.**

**PASSED BY THE CITY COUNCIL** of the City of DeKalb, Illinois, on the 25<sup>th</sup> day of March 2019. The original will be kept on file at the City of DeKalb Municipal Building.

**WITNESS** my hand and the official seal of said City this 8<sup>th</sup> day of April 2019.



  
\_\_\_\_\_  
**LYNN A. FAZEKAS, City Clerk**

Prepared by and Return to:

City Clerk's Office  
City of DeKalb  
200 S. Fourth Street  
DeKalb, Illinois 60115

**RESOLUTION 2019-056**

**PASSED: MARCH 25, 2019**

**AUTHORIZING A CONVEYANCE OF REAL PROPERTY TO LARRY AND KAY BERKE.**

**WHEREAS**, the City of DeKalb is a home-rule municipality with the power and authority conferred thereupon by virtue of the Illinois Constitution and Illinois Municipal Code; and

**WHEREAS**, as a home rule unit of local government, the City may exercise any power and perform any function pertaining to its government except as limited by Article VII, Section 6; and

**WHEREAS**, the City seeks to convey a small portion of real property and has given all required notices associated therewith;

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

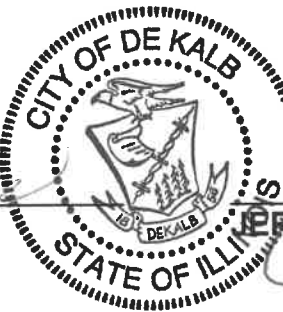
**SECTION 1:** The City of DeKalb, having given public notice of its interest in conveying certain areas of real property, does hereby determine that it is necessary and convenient to convey the parcels legally described in the attached Exhibit A to Larry and Kay Berke, jointly and severally, or their designee. By approval of this Resolution, the City Council waives any otherwise applicable City requirements associated with the conveyance of real property, and authorizes and directs the City Manager or designee to execute any and all documents necessary to effectuate the conveyance.

**SECTION 2:** That the City Clerk of the City of DeKalb, Illinois be authorized and directed to attest the Mayor's Signature and shall be effective thereupon, following execution as outlined in the preceding section.

**PASSED BY THE CITY COUNCIL** of the City of DeKalb, Illinois, at a Regular meeting thereof held on the 25<sup>th</sup> day of March 2019 and approved by me as Mayor on the same day. Passed by an 8-0 roll call vote. Aye: Jacobson, Finucane, Stuepegia, Fagan, Noreiko, Verbic, Faivre, Smith. Nay: None.

**ATTEST:**

  
LYNN A. FAZEKAS, City Clerk



  
JERRY SMITH, Mayor

## EXHIBIT A

Part of Lots 54 and 56 of County Clerk's Subdivision of Block 1 of the Original Town, now City of DeKalb, according to the Plat thereof recorded July 1, 1929 in Book "F" of Plats, page 22 in the DeKalb County Recorder's Office, bounded and described as follows:

Beginning at the Northwest Corner of said Lot 54; thence South 22 degrees 05 minutes 33 seconds West along the West line of said Lot 54, a distance of 9.40 feet; thence South 67 degrees 45 minutes 15 seconds East, a distance of 123.61 feet to the East Line of said Lot 56; thence North 22 degrees 11 minutes 26 seconds East along said East line, a distance of 9.40 feet to the Northeast Corner of said Lot 56; thence North 67 degrees 45 minutes 15 seconds West along the North line of said Lots 56 and 54, a distance of 123.63 feet to the Point of Beginning, containing 1162.0 square feet, more or less, subject to a utility easement, granted to the City of DeKalb over the entire tract of land and also subject to all easements, agreements and/or ordinances of record, if any, all situated in the City of DeKalb, the County of DeKalb and the State of Illinois; and

Part of Lots 58 and 59 of County Clerk's Subdivision of Block 1 of the Original Town, now City of DeKalb, according to the Plat thereof recorded July 1, 1929 in Book "F" of Plats, page 22 in the DeKalb County Recorder's Office, bounded and described as follows:

Commencing at the Southwest Corner of Lot 66 of said County Clerk's Subdivision of Block 1; thence North 67 degrees 44 minutes 38 seconds West along the Westerly extension of said Lot 66, a distance of 11.91 feet to the Point of Beginning of the hereinafter described tract of land; thence continuing North 67 degrees 44 minutes 38 seconds West along said Westerly extension, a distance of 9.40 feet to the West Line of said Lot 58; thence South 22 degrees 12 minutes 21 seconds West along said West line, a distance of 19.94 feet; thence South 67 degrees 48 minutes 34 seconds East, a distance of 28.23 feet; thence North 22 degrees 15 minutes 22 seconds East, a distance of 14.71 feet; thence North 67 degrees 43 minutes 53 seconds West, a distance of 18.87 feet; thence North 22 degrees 34 minutes 09 seconds East, a distance of 5.20 feet to the Point of Beginning, containing 464.6 square feet, more or less, subject to a utility easement, granted to the City of DeKalb over the entire tract of land and subject to a access easement over the entire tract of land also subject to all easements, agreements and/or ordinances of record, if any, all situated in the City of DeKalb, the County of DeKalb and the State of Illinois.

Quit Claim Deed  
Illinois Statutory



2019003036

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PAGES: 5

**Quit Claim Deed**

The Grantor, City of DeKalb ("the City"), DeKalb County, State of Illinois, for and in consideration of Ten Dollars (\$10.00) and other good and valuable consideration, the adequacy and receipt of which are hereby acknowledged in hand paid, CONVEY AND QUIT CLAIM TO Larry Berke and Kay Berke as Tenants by the Entirety, of the County of DeKalb, all interest in the following described Real Estate situated in the County of DeKalb in the State of Illinois, to wit:

*122 N. 1st Street, DeKalb, IL 60115*

Part of Lots 54 and 56 of County Clerk's Subdivision of Block 1 of the Original Town, now City of DeKalb, according to the Plat thereof recorded July 1, 1929 in Book "F" of Plats, page 22 in the DeKalb County Recorder's Office, bounded and described as follows:


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Part of Lots 58 and 59 of County Clerk's Subdivision of Block 1 of the Original Town, now City of DeKalb, according to the Plat thereof recorded July 1, 1929 in Book "F" of Plats, page 22 in the DeKalb County Recorder's Office, bounded and described as follows:

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Address: Palmer Court, DeKalb, IL 60115

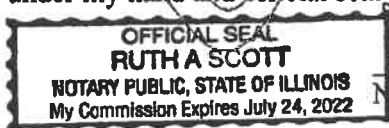
Dated this 25<sup>th</sup> day of March, 2019.

  
\_\_\_\_\_  
Bill Nicklas

State of Illinois, County of DeKalb

I, the undersigned, a Notary Public in and for said County, in the State aforesaid, CERTIFY THAT Bill Nicklas, personally known to be to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person, and acknowledged that she signed, sealed and delivered the instrument as her free and voluntary act, for the uses and purposes therein set forth.

Given under my hand and official seal this 25<sup>th</sup> day of March, 2019.



  
\_\_\_\_\_  
Notary Public

**Statement Regarding Transfer Taxes:**

Under penalty of perjury, this transaction is exempt from the imposition of Real Estate Transfer Taxes, as a transfer of property where the deed relates to the transfer of property acquired by any governmental body, pursuant to 35 ILCS 200/31-45(b).


<sup>(e)</sup>  
\* Exempt under 35 ILCS 200/31-45(b).

Part of Lots 58 and 59 of County Clerk's Subdivision of Block 1 of the Original Town, now City of DeKalb, according to the Plat thereof recorded July 1, 1929 in Book "F" of Plats, page 22 in the DeKalb County Recorder's Office, bounded and described as follows:

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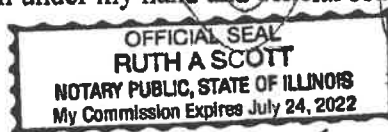
\*Dated this 28<sup>th</sup> day of March, 2019.

  
\_\_\_\_\_  
Bill Nicklas

State of Illinois, County of DeKalb

I, the undersigned, a Notary Public in and for said County, in the State aforesaid, CERTIFY THAT Bill Nicklas, personally known to be to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person, and acknowledged that she signed, sealed and delivered the instrument as her free and voluntary act, for the uses and purposes therein set forth.

Given under my hand and official seal this 28<sup>th</sup> day of March, 2019.



  
\_\_\_\_\_  
Notary Public

**Statement Regarding Transfer Taxes:**

Under penalty of perjury, this transaction is exempt from the imposition of Real Estate Transfer Taxes, as a transfer of property where the deed relates to the transfer of property acquired by any governmental body, pursuant to 35 ILCS 200/31-45(b).

**Exempt under 35 ILCS 200/31-45(b).**

Subscribed to and sworn under oath this 28<sup>th</sup> day of March, 2019.

Bill Nicklas  
City of DeKalb

By Bill Nicklas, City Manager

State of Illinois, County of DeKalb

I, the undersigned, a Notary Public in and for said County, in the State aforesaid, CERTIFY THAT Bill Nicklas, personally known to be to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person, and acknowledged that he signed, sealed and delivered the instrument as his free and voluntary act, for the uses and purposes therein set forth.

Given under my hand and official seal this 28<sup>th</sup> day of March, 2019.



Ruth A. Scott  
Notary Public

Prepared by:  
Dean M. Frieders  
c/o City of DeKalb  
200 S. Fourth Street  
DeKalb, IL 60115

Return To Send Tax Bills To:

~~Egyptian Theatre, Inc.  
135 N. 2nd Street  
DeKalb, IL 60115~~

Larry Berke  
Kay Berke  
122 N. 1<sup>st</sup> Street  
DeKalb, IL 60115

UNOFFICIAL COPY

**DOUGLAS J. JOHNSON**  
**DEKALB COUNTY RECORDER**  
**PLAT ACT AFFIDAVIT**

State of Illinois

} ss

County of DeKalb

Dean Frieders, City Attorney, being duly sworn on oath, states that <sup>works</sup> he resides at  
280 S. Park Street, Decatur, 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.

DL

Signature of Affiant

SUBSCRIBED AND SWORN TO BEFORE ME

THIS 12<sup>th</sup> DAY OF April, 2019.

Ruth A. Scott

Signature of Notary Public





March 11, 2019

City of DeKalb  
c/o City Manager  
200 S. Fourth Street  
DeKalb, IL 60115

RE: Tract #1 and Tract #2

Dear Mr. Nicklas,

My wife, Kay, and I are interested in purchasing Tract #1 and Tract #2 as described in the City's "Notice of Intent to Sell City Property and Receive Proposals and Bids." We understand that the combined area of real property is approximately 1,630 square feet and is adjacent to the "Palmer Court Alley," located immediately west of the Egyptian Theatre, and fitting the following legal descriptions:

*Part of Lots 54 and 56 of County Clerk's Subdivision of Block 1 of the Original Town, now City of DeKalb, according to the Plat thereof recorded July 1, 1929 in Book "F" of Plats, page 22 in the DeKalb County Recorder's Office, bounded and described as follows:*

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*Part of Lots 58 and 59 of County Clerk's Subdivision of Block 1 of the Original Town, now City of DeKalb, according to the Plat thereof recorded July 1,*

1929 in Book "F" of Plats, page 22 in the DeKalb County Recorder's Office, bounded and described as follows:

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We offer \$1 for each of the two tracts.

Sincerely,

A handwritten signature in black ink, appearing to read 'Larry Berke', with a stylized flourish extending to the right.

Larry Berke  
122 N. First Street  
DeKalb, IL 60115

## NOTICE OF INTENT TO SELL CITY PROPERTY AND RECEIVE PROPOSALS AND BIDS

YOU ARE HEREBY NOTIFIED that the City of DeKalb intends to entertain proposals for the sale, transfer or swap of certain real property ("Property") consisting of approximately 1,630 square feet in the "Palmer Court Alley" located immediately west of the Egyptian Theatre and legally described as follows:

Part of Lots 54 and 56 of County Clerk's Subdivision of Block 1 of the Original Town, now City of DeKalb, according to the Plat thereof recorded July 1, 1929 in Book "F" of Plats, page 22 in the DeKalb County Recorder's Office, bounded and described as follows:

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The City will entertain proposals for the sale or transfer of the property for purposes to enable further redevelopment and investment in the City's Central Business District, with a preference for proposals relating to the expansion of operations for non-profit

organizations and or for the provision of open space or parking areas to adjacent property owners.

Interested parties are invited to submit an alternative proposal for the purchase of the above Property.

All proposals must be sealed and addressed to the City of DeKalb, Attn: Bill Nicklas, City Manager, 200 S. Fourth Street, DeKalb, IL 60115 and received no later than 12:00 p.m. on March 14, 2019.

This matter shall be considered by the City Council of the City of DeKalb at its regular meeting on Monday March 25, 2019 at 6:00 p.m. All interested parties may appear and be heard at that time.

The City of DeKalb, Illinois reserves the right to reject any and all Proposals and to waive any informalities. The City further reserves the right to select any Proposal that is deemed to be in the best interests of the community.

Bill Nicklas  
City Manager  
City of DeKalb  
(815) 748-2090