

Request for City Council Action

Date: June 14, 2016

Agenda Section: Public Hearings No. 4	Originating Department: Public Works / Legal
Item: A Public Hearing on the Proposed Land Exchange Between the City of Carbondale and Southern Illinois University No. 4.1	Approved:

Background and Summary:

The City of Carbondale and Southern Illinois University have agreed to exchange properties located along South Washington Street. The property the City will receive is commonly known as SIU Parking Lot #100 and adjacent vacant land, which consists of approximately 1.86 acres; this property is located at the southeast corner of East Mill Street and South Washington Street. The property SIU will receive is commonly known as City Parking Lot #3 and the adjacent South Washington Street right-of-way (to be vacated under separate action), which consists of approximately 2.011 acres; this property is located as the southwest corner of East Grand Avenue and South Washington Street.

The vacation of South Washington Street and the exchange of land will be considered later on the Council Agenda.

In an attempt to provide for public input, the Carbondale City Council will hold a hearing on this matter. A notice of the public hearing was published in the *Southern Illinoisan* on May 29, 2016. An ordinance authorizing the exchange of land will be considered later on the Council Agenda.

Attached for City Council review are the following:

1. Location maps
2. Property Descriptions

Recommended Action:

It is recommended that the City Council conduct a Public hearing for the proposed land exchange between the City of Carbondale and Southern Illinois University.

Engineering Approval Obtained	Finance Approval Obtained	Legal Approval Obtained	Approval Obtained	Manager's Approval Obtained
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Council Action: Motion by _____ 2nd by _____ to _____

QUITCLAIM DEED

This Indenture Witnesseth that the Grantor, the CITY OF CARBONDALE, a Municipal Corporation, 200 South Illinois Avenue, Carbondale, Illinois, 62901, for and in consideration of the sum of ten dollars (\$10) cash in hand paid and other valuable consideration hereby conveys, releases, remises, and forever quitclaims to the Grantee, the Board of Trustees of SOUTHERN ILLINOIS UNIVERSITY, a body politic and corporate organized and existing under the laws of the State of Illinois, all its right, interest and claim in and to the following described lands and property situated in the County of Jackson and State of Illinois to wit:

Part of the west half of the Southeast Quarter of Section 21 and part of the Northwest Quarter of the Northeast Quarter of Section 28, all in Township 9 South, Range 1 West of the Third Principal Meridian, Jackson County, Illinois.

For Recorder's Use Only

Parcel 1 – Beginning at a point on the Illinois Central Railroad's mainline track right-of-way 30.0 feet south of the intersection of the Easterly line of the Illinois Central Railroad's mainline track right-of-way line and the Westerly extension of the South line of Grand Avenue's right-of-way. Thence Southerly along the said Easterly right-of-way line of the Illinois Central Railroad a distance of 785.0 feet to a point; thence Westerly along a line with a deflection angle of 90 degrees a distance of 75.37 feet to a point; thence Northerly along a line parallel with the Easterly right-of-way line of the Illinois Central Railroad, with a deflection angle of 90 degrees a distance of 785.0 feet to a point; thence Easterly with a deflection angle of 90 degrees a distance of 75.37 feet to the point of beginning, containing 1.36 acres, more or less.

The conveyance excepts and excludes all coal, oil, gas and other minerals underlying the same and all rights and easements in favor of the owner of the mineral estate or any party claiming by, through, or under said estate.

Grantor reserves unto itself, its successors and assigns, easements for the ingress, egress, maintenance, construction, removal and replacement of existing and future public utilities including but not limited to storm sewers, water lines, sanitary sewers, signals, and appurtenances.

Grantee covenants and agrees to the uphold and abide by the conditions and requirements set forth by the Illinois Central Railroad Company in the quitclaim deed to the City of Carbondale executed on July 31, 1990 as recorded in Book 752, Page 765 in the Records Office of Jackson County, Illinois.

Grantee covenants and agrees that is shall construct a bumper high barricade consisting of rails connected with cable of a similar type acceptable to the Illinois Central Railroad, its successors

and assigns, along the trackside boundary of the premises conveyed, and thereafter to maintain said barricade. The construction and maintenance of the barricade shall be at the sole cost, risk and expense of the Grantee. This covenant shall run with the land conveyed and be binding upon the Grantee, its successors and assigns forever.

IN WITNESS WHEREOF, the **Grantor** has executed this Quitclaim Deed this _____ day of _____, 2016.

**CITY OF CARBONDALE,
A MUNICIPAL CORPORATION**

John M. Henry, Mayor

ATTEST: _____
Jennifer Sorrell, City Clerk

STATE OF ILLINOIS)
) SS
COUNTY OF JACKSON)

I, the undersigned, a Notary Public, in and for said County and State aforesaid, do hereby certify that John M. Henry, personally known to me to be the same person whose names are subscribed to the foregoing instrument, appeared before me this date in person and acknowledged that he signed and delivered the said instrument as his free and voluntary act, and as the free and voluntary act for the uses and purposes therein set forth.

Given under my hand and official seal this _____ day of _____, 2016.

Notary Public

This instrument was prepared by:
City of Carbondale
200 S. Illinois Avenue
Carbondale, Illinois 62902
Telephone: (618) 549-5302

SIU TO CITY OF CARBONDALE

DESCRIPTION

LOTS 1, 2 AND 3 AND THE EAST / WEST 20 FOOT WIDE ALLEY LYING NORTH OF AND ADJACENT TO LOT 3, ALL IN J.H. SEARING'S ADDITION TO CARBONDALE, ILLINOIS, AS SHOWN BY THE RECORDED PLAT THEREOF IN BOOK 3 OF PLATS AT PAGE 57 IN THE JACKSON COUNTY RECORDER'S OFFICE, EXCEPT THAT PART SHOWN AS LOTS 1, 2, 3 AND 4 IN GEORGE T. EATON'S SUBDIVISION OF LOTS 1, 2 AND 3 OF J.H. SEARING'S ADDITION TO CARBONDALE, ILLINOIS, AS SHOWN BY THE RECORDED PLAT THEREOF IN BOOK 3 OF PLATS, AT PAGE 225 IN THE JACKSON COUNTY RECORDER'S OFFICE;

ALSO, LOTS 1, 2, 3 AND 4 IN GEORGE T. EATON'S SUBDIVISION OF LOTS 1, 2 AND 3 OF J.H. SEARING'S ADDITION TO CARBONDALE, ILLINOIS, AS SHOWN BY THE RECORDED PLAT THEREOF IN BOOK 3 OF PLATS, AT PAGE 225 IN THE JACKSON COUNTY RECORDER'S OFFICE;

ALSO, ANY AND ALL INTEREST OR CLAIM WHICH THE BOARD OF TRUSTEES OF SOUTHERN ILLINOIS UNIVERSITY MAY HAVE IN THE EAST / WEST 16 FOOT WIDE ALLEY LYING IMMEDIATELY NORTH AND ADJACENT TO THE ABOVE DISCRIBED PROPERTY;

EXCEPT THE FOLLOWING DEEDED TO THE CITY OF CARBONDALE, ILLINOIS BY WARRANTY DEED DATED JULY 29, 1997 AND RECORDED SEPTEMBER 23, 1997 IN BOOK 954 AT PAGE 691 IN THE JACKSON COUNTY RECORDER'S OFFICE, DESCRIBED AS FOLLOWS;

GENERAL DESCRIPTION: PART OF LOTS 1, 2, 3 AND 4 IN GEORGE T. EATON'S SUBDIVISON OF PART OF LOTS 1, 2 AND 3 OF J.H. SEARING'S ADDITION, CARBONDALE, ILLINOIS, AS SHOWN BY THE RECORDED PLAT THEREOF IN BOOK 3 OF PLATS, AT PAGE 225 IN THE RECORDER'S OFFICE OF JACKSON COUNTY ILLINOIS;

ALSO, PART OF A STRIP OF LAND 12 FEET IN WIDTH IMMEDIATELY EAST OF LOTS 1 AND 2 IN SAID GEORGE T. EATON'S SUBDIVISION BEING THE SAME WIDTH NORTH AND SOUTH AS SAID LOTS 1 AND 2, SAID 12 FOOT WIDE STRIP HEREINAFTER REFERRED TO AS TRACT 13-A.

DETAIL DESCRIPTION: BEGINNING AT THE NORTHWEST CORNER OF SAID LOT 1 IN GEORGE T. EATON'S SUBDIVISION LYING 72.53 FEET LEFT OF MILL STREET CENTERLINE STATION 13+35.46; THENCE EASTERLY ALONG THE NORTH LINES OF SAID LOT 1 IN GEORGE T. EATON'S SUBDIVISION AND OF SAID TRACT 13-A A DISTANCE OF 200.58 FEET TO A POINT LYING 45.00 FEET RIGHT OF MILL STREET CENTERLINE STATION 14+98.01; THENCE

SOUTHWESTERLY ALONG A LINE WITH A DEFLECTION ANGLE OF 144°07'45" A DISTANCE OF 179.23 FEET TO A POINT LYING 45.00 FEET RIGHT OF MILL STREET CENTERLINE STATION 13+18.78; THENCE SOUTHWESTERLY ALONG A LINE WITH A DEFLECTION ANGLE TO THE LEFT OF 31°19'59" A DISTANCE OF 78.26 FEET TO A POINT LYING 45.00 FEET RIGHT OF WASHINGTON STREET CENTERLINE STATION 9+27.00; THENCE SOUTHERLY ALONG A LINE WITH A DEFLECTION ANGLE OF 8°36'04" A DISTANCE OF 66.58 FEET TO THE SOUTHWEST CORNER OF SAID LOT 4 IN GEORGE T. EATON'S SUBDIVISION LYING 29.57 FEET RIGHT OF WASHINGTON STREET CENTERLINE STATION 8+68.51; THENCE NORTHERLY ALONG THE WEST LINES OF SAID LOTS 4, 3, 2 AND 1 IN GEORGE T. EATON'S SUBDIVISION WITH A DEFLECTION ANGLE OF 163°44'37" A DISTANCE OF 241.87 FEET TO THE POINT OF BEGINNING CONTAINING 16,375.51 SQUARE FEET MORE OR LESS; SITUATED IN THE COUNTY OF JACKSON, IN THE STATE OF ILLINOIS.

SAID SIU TO CARBONDALE TRACT CONTAINING 1.85 ACRES, MORE OR LESS, AND CONSISTING OF PARTS OF SIU TRACTS 270, 270-A, 271, 272, 272-A, 272-B, 272-C, AND 272D.

Description Prepared By:

Robert W. Eaton
Professional Illinois Land Surveyor No. 2605
Asaturian, Eaton and Assoc.
April 7, 2016

Washington Street Property Map (SIU Property)



Washington Street Property Map (City Property)

