



Kane County

Forest Preserve District, Land Acquisition Committee

1996 S. Kirk Rd. Suite 320
Geneva, IL 60134

Agenda

President Bill Lenert, Chair Anita Lewis, Vice-Chair Mike Linder, Sonia Garcia,
Michelle Gumz, Bill Roth, Jarett Sanchez

Thursday, January 22, 2026

1:00 PM

3rd Floor Board Room

- I. **Call To Order**
Remote Attendance Approval
- II. **Approval of Minutes of November 20, 2025**
- III. **Public Comment (Each Speaker is limited to three minutes)**
- IV. **Closed Session to Discuss Land Acquisition, License Agreements, Potential Litigation and Personnel**
- V. **New or Unfinished Business**

[TMP-26-079](#) Resolution Authorizing Permanent and Temporary Easements with the Illinois Department of Transportation for Culvert Improvements at Illinois Route 31 and Fabyan Forest Preserve

TMP-26-100 Release of Closed Session Minutes

- VI. **Communications**
- VII. **Chairman's Comments**
- VIII. **Adjournment**

Adjournment until: Thursday, February 26, 2026 at 8:30 a.m. in person at the Forest Preserve District Administration Offices 1996 S. Kirk Road, Suite 320 Geneva, Illinois and via zoom

<https://zoom.us/j/6302325980?pwd=aURTSGJoRlVJNDRCcHJXd3dvaVVrUT09>
Meeting ID: 630 232 5980 Password: 24680 The Request to Speak Form on the Districts' website must still be completed for guests to speak at the meeting.

STATE OF ILLINOIS)

SS.

COUNTY OF KANE)

FP RESOLUTION NO. TMP-26-079

**RESOLUTION AUTHORIZING PERMANENT AND TEMPORARY
EASEMENTS WITH THE ILLINOIS DEPARTMENT OF TRANSPORTATION
FOR CULVERT IMPROVEMENTS AT ILLINOIS ROUTE 31 AND FABYAN
FOREST PRESERVE**

WHEREAS, the Forest Preserve District of Kane County and the Illinois Department of Transportation (IDOT) desire to enter into an agreement for culvert improvements at Illinois Route 31 and Fabyan Forest Preserve; and

WHEREAS, IDOT desires to repair and replace the existing culvert under Route 31, to improve drainage needs, and minimize erosion; and

WHEREAS, a portion of the culvert is located within the Fabyan Forest Preserve; and

WHEREAS, IDOT has determined that acquiring permanent and temporary easements is necessary to accommodate the work; and

WHEREAS, IDOT is requesting the necessary easements to be donated; and

WHEREAS, the permanent easement will allow IDOT continued access to the culvert for inspections and repairs; and

WHEREAS, in exchange for the easements IDOT will replace the District's section of the culvert, make improvements to the outfall to reduce erosion, and replace/rebuild the section of the Fabyan wall above the culvert at no charge to the District.

NOW, THEREFORE, BE IT RESOLVED that the Forest Preserve District Board of Commissioners of Kane County , Kane County, Illinois and that the President and Secretary of the District be, and hereby are, authorized to execute and deliver the agreement on behalf of the District, and made part of hereof as attached.

APPROVED AND PASSED on this 10th day of February 2026.

Bill Lenert
President, Kane Forest Preserve
Kane County, Illinois

Mohammad Iqbal
Secretary, Kane Forest Preserve
Kane County, Illinois



AGENDA MEMORANDUM

DATE: January 22, 2026

TO: Forest Preserve District Commission Land Acquisition Committee

FROM: Jennifer Rooks-Lopez, Director of Planning and Land Protection

SUBJECT: Presentation and Approval Permanent and Temporary Easements with the Illinois Department of Transportation (IDOT) for culvert improvements at Illinois Route 31 and Fabyan Forest Preserve

PURPOSE:

The purpose of this memorandum is to provide the Committee with information to consider approval of permanent and temporary easements with the Illinois Department of Transportation (IDOT) for culvert improvements at Illinois Route 31 and Fabyan Forest Preserve .

BACKGROUND:

In Spring of 2019, IDOT reached out to the District and the City of Geneva to discuss plans related to the replacement of a failing culvert under Route 31. While the majority of the affected culvert is owned by the State, the inlet and outfall are on property owned by the City of Geneva and the District. The State is requesting the necessary easements be donated. In exchange the State will replace the District's section of the culvert, make improvements to the outfall to reduce erosion and replace/rebuild the section of the Fabyan wall above the culvert at no charge to the District. The Fabyan wall will be reconstructed using as much of the existing limestone as possible, any deviations will be submitted to the State Historic Preservation Officer and District for approval. The permanent easement will allow IDOT future access to the culvert for inspections and repairs.

In total IDOT, will be acquiring 0.232 acres of permanent easement and 0.0446 acres of temporary easements. The project is tentatively scheduled for late 2026.

FINANCIAL IMPACT:

There is no financial impact to the District.

RECOMMENDATION:

Staff recommends the Commission approve the donation of permanent and temporary easements, as presented with the Illinois Department of Transportation for culvert improvements at Illinois Route 31 and Fabyan Forest Preserve.

ATTACHMENT: *County Location Map*
Fabyan Forest Preserve Map
Overall Site Plan
Agreement: Letter of Understanding
Easements and Plat
Legal Descriptions
ALTA Commitments

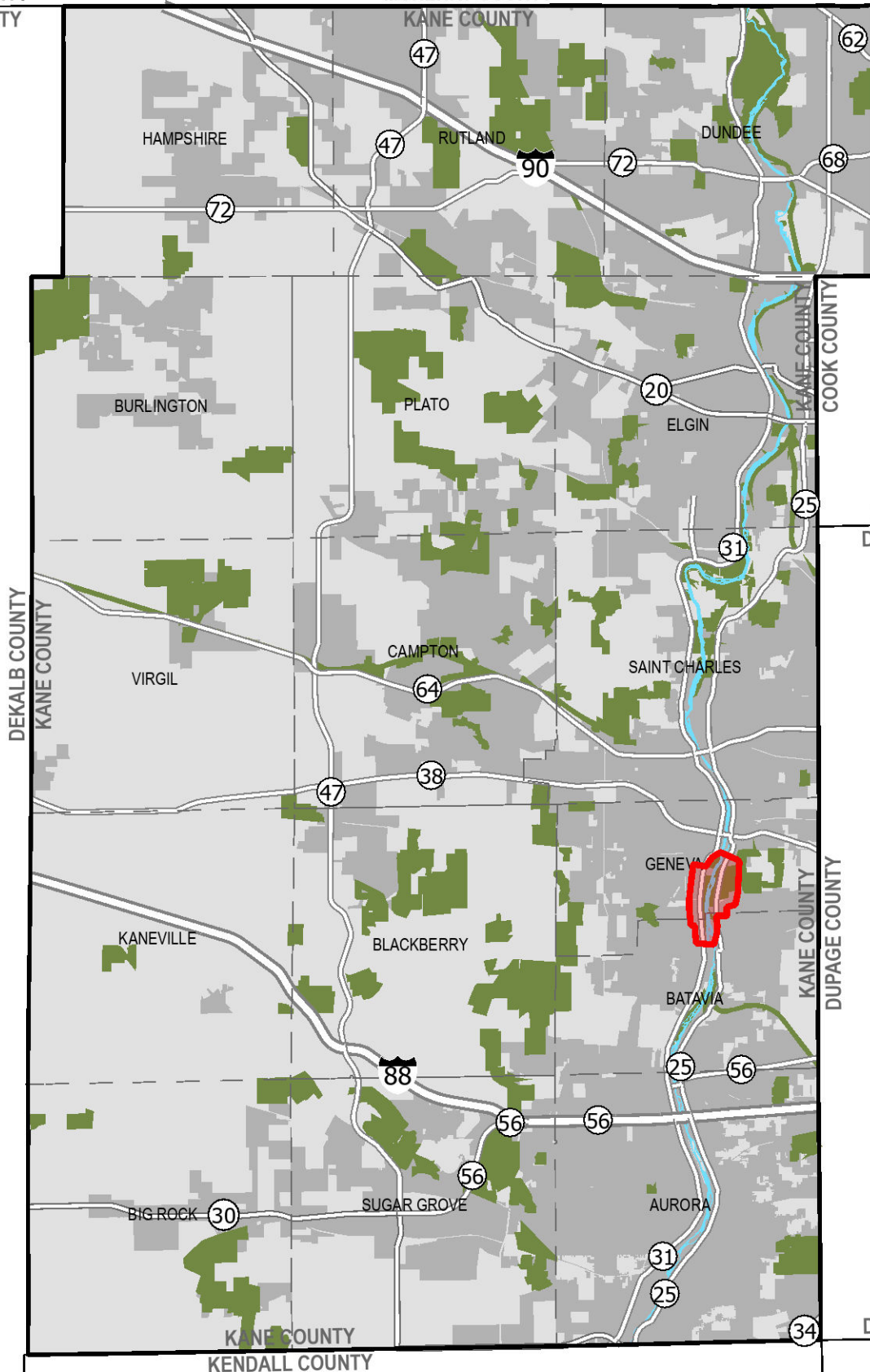
Fabyan F.P.

County Location Map

Geneva, IL

MCHENRY COUNTY
DEKALB COUNTY

MCHENRY COUNTY



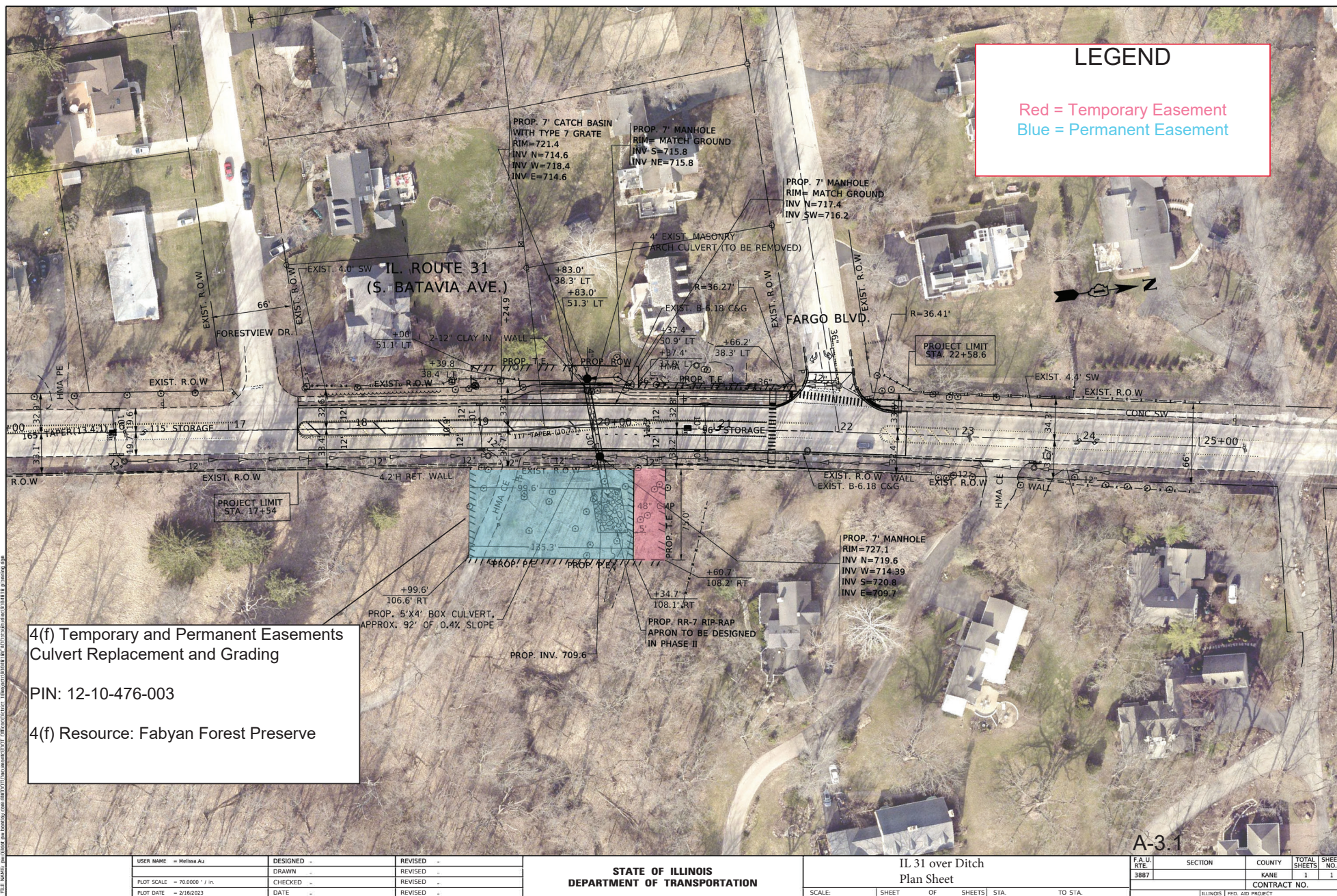
COOK COUNTY
DUPAGE COUNTY



- Townships
- Fox River
- Forest Preserves
- Municipalities



DUPAGE COUNTY
WILL COUNTY





FAU 3887 / IL 31
Over ditch, 0.05 miles South of Fargo Boulevard
State Section No.: 2024-978-C
Contract No.: 62W97
State Job No.: C-91-270-24
Agreement Number: LU-126-012
County: Kane

LETTER OF UNDERSTANDING

The STATE OF ILLINOIS, acting by and through its DEPARTMENT OF TRANSPORTATION, hereinafter called the STATE, is desirous in the improvement of culvert replacement at IL 31 over ditch 0.05 miles south of Fargo Boulevard including bus pads, sidewalk improvements, ADA curb ramps, and the addition of a midblock crossing between IL 31 and Fargo Boulevard. The FOREST PRESERVE DISTRICT OF KANE COUNTY (FPDKC), hereinafter called the DISTRICT, is desirous in improving an existing DISTRICT culvert that lies beneath an existing limestone wall that extends from a junction chamber on the east side of IL 31 under the parkway to inside Fabyan Villa Forest Preserve and requested the STATE replace the DISTRICT culvert to meet the drainage needs, minimize erosion, and to address the condition of the failing masonry wall on top of the culvert in the said project to be known as State Contract No.: 62W97, State Section: 2024-978-C, State Job Number C-91-270-24.

The scope of work consists of culvert removal and replacement. The existing 4' masonry arch culvert will be replaced with a 5'x4' box culvert approximately 92' in length. To accommodate the proposed improvements, the existing limestone wall must be removed and replaced completely between the cast-in-place pilasters. A minimum of 1 cast-in-place pilaster must be removed and replaced. The replaced wall will match the existing limestone wall to the extent possible and in accordance with its historic features. The rebuilt section of the stone wall will reuse the existing limestone blocks to the maximum extent practicable. Any necessary replacement blocks that may be required must be submitted to the State Historic Preservation Officer for approval. There will also be some improvements to the storm sewers, manholes, and catch basin within the project limits. A PR-7 rip-rap apron is also proposed at the downstream end of the culvert and all other work necessary to complete the improvements in accordance with the approved plans and specifications. The Department will be acquiring approximately 0.232 acres of permanent easement and 0.0446 acres of temporary easement for the proposed drainage work, grading work, removal and

replacement of the existing culvert, construction access, and future maintenance access to the culvert. .

WHEREAS, the STATE has agreed to include said work in the contract.

NOW, THEREFORE, in order that the STATE and the DISTRICT may benefit by this proposed improvement, we are requesting concurrence with the following:

The STATE agrees:

1. To make the surveys, obtain all necessary rights of way, prepare plans and specifications, receive bids and award the contract, require the easement to be flagged prior to mobilization, furnish engineering inspection during construction and cause the improvement to be built in accordance with the approved plans, specifications, and contract.
2. To cause Private utilities to be relocated at no expense to the STATE.
3. The STATE has agreed to replace the DISTRICT's culvert to improve drainage and reduce erosion on their property and to address the condition of the failing masonry wall on top of the culvert at 100% STATE cost.
4. Upon completion of the improvement and final field inspection and acceptance by the STATE and DISTRICT, and so long as IL 31 is used as a STATE highway, the STATE shall be responsible for all pavement and drainage systems on IL 31 including the culvert 0.05 miles south of Fargo Boulevard, and the maintenance, preservation, repair and replacement as necessary, of the culvert.
5. As a condition of the permanent easement the State agrees to assist the DISTRICT in the future for culvert maintenance or inspection, including any blockage of the District's culvert section that may occur.

The DISTRICT Agrees:

6. To maintain those portions of the improvement which are not maintained by the STATE, including the long-term responsibility for the administration, control, reconstruction, and maintenance of the DISTRICT culvert section that extends from a junction chamber on

the east side of IL 31 under the parkway to inside Fabyan Villa Forest Preserve and masonry limestone wall.

7. At no cost to the STATE, the DISTRICT will donate easements needed for the project and waive any and all fees associated with the proposed improvements.
8. To review the STATE's contract plans and sign the plan approval page which is part of this document or provide the STATE with a letter, approving the plans and specifications as prepared. The final plans and specifications have previously been sent to the DISTRICT, together with a request for approval

Approval of this Letter of Understanding shall be considered as concurrence with and acceptance of all terms contained herein and shall be binding upon and inure to the benefit of the parties hereto, their successors and assigns.

FOREST PRESERVE DISTRICT OF KANE COUNTY

By: _____
Signature

By: _____
Print or Type

Title: _____

Date: _____

STATE OF ILLINOIS
DEPARTMENT OF TRANSPORTATION

By: _____
Jose Rios, P.E.
Regional Engineer

Date: _____

State Job No.: C-91-270-24
Agreement Number: LU-126-012

PLAN APPROVAL

WHEREAS, in order to facilitate the improvement of FAU 3887, IL 31 over ditch, 0.05 miles South of Fargo Boulevard, State Contract No.: 62W97, State Section: 2024-978-C, State Job No.: C-91-270-24, the DISTRICT agrees to that portion of the plans and specifications relative to the DISTRICT's maintenance obligations described herein.

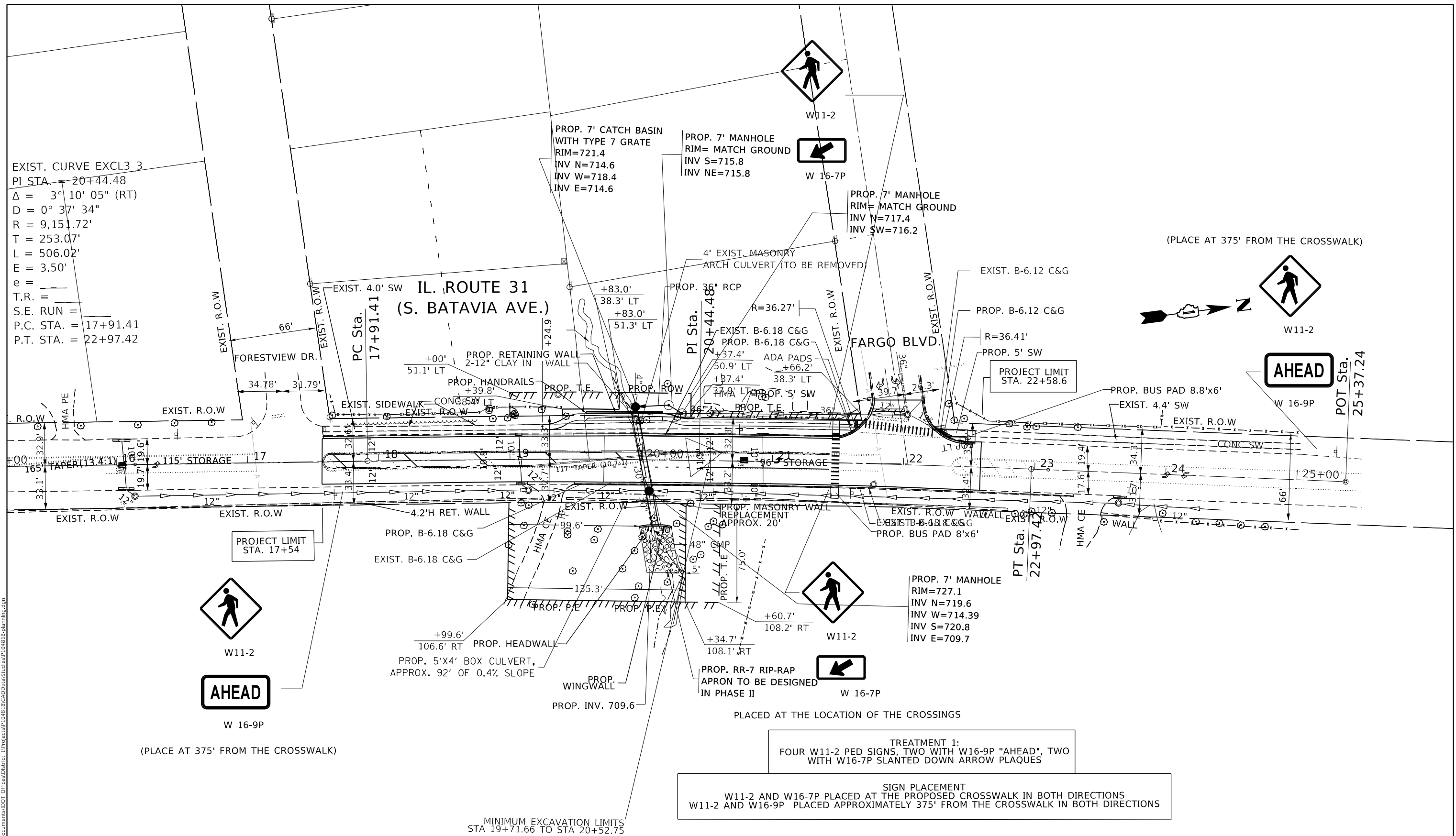
Approved _____

Title _____

Date _____

PROFILE	SURVEYED _____	BY _____	DATE _____
	PLOTTED _____		
	GRADES CHECKED _____		
	B.M. NOTED _____		
	STRUCTURE NOTATIONS CH'KD _____		
NOTE BOOK _____			
NO. _____			

F.A.U RTE.	SECTION		COUNTY	TOTAL SHEETS	SHEET NO.
3887			KANE	1	1
			CONTRACT NO.		11
		ILLINOIS	FED. AID PROJECT		



USER NAME = Melissa,Au	DESIGNED -	REVISED -
	DRAWN -	REVISED -
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PLOT DATE = 9/22/2023	DATE -	REVISED -

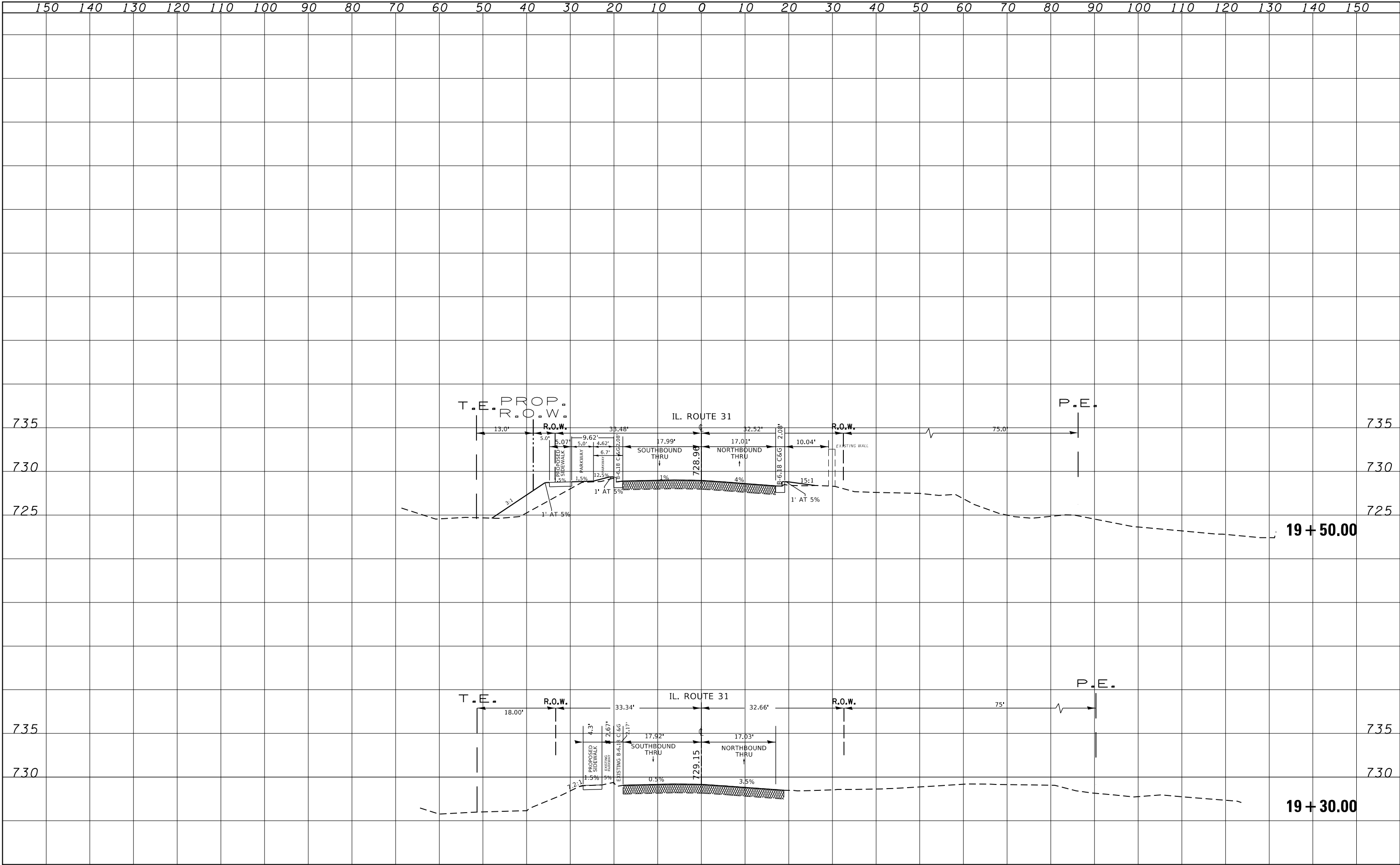
**STATE OF ILLINOIS
DEPARTMENT OF TRANSPORTATION**

IL 31 OVER DITCH (0.05 MI S/O FARGO BLVD)
PLAN SHEET

F.A.U. RTE.	SECTION	COUNTY	TOTAL SHEETS	SHEET NO.
3887		KANE	1	1
		CONTRACT NO.		
	ILLINOIS	FED. AID PROJECT	12	

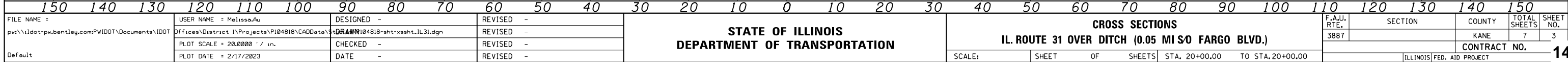
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SURVEY	PLOTTED		
NOTE BOOK	TEMPLATE		
NO.	AREAS CHECKED		

ORIGINAL	SURVEYED	BY	DATE
SURVEY	PLOTTED		
NOTE BOOK	TEMPLATE		
NO.	AREAS CHECKED		



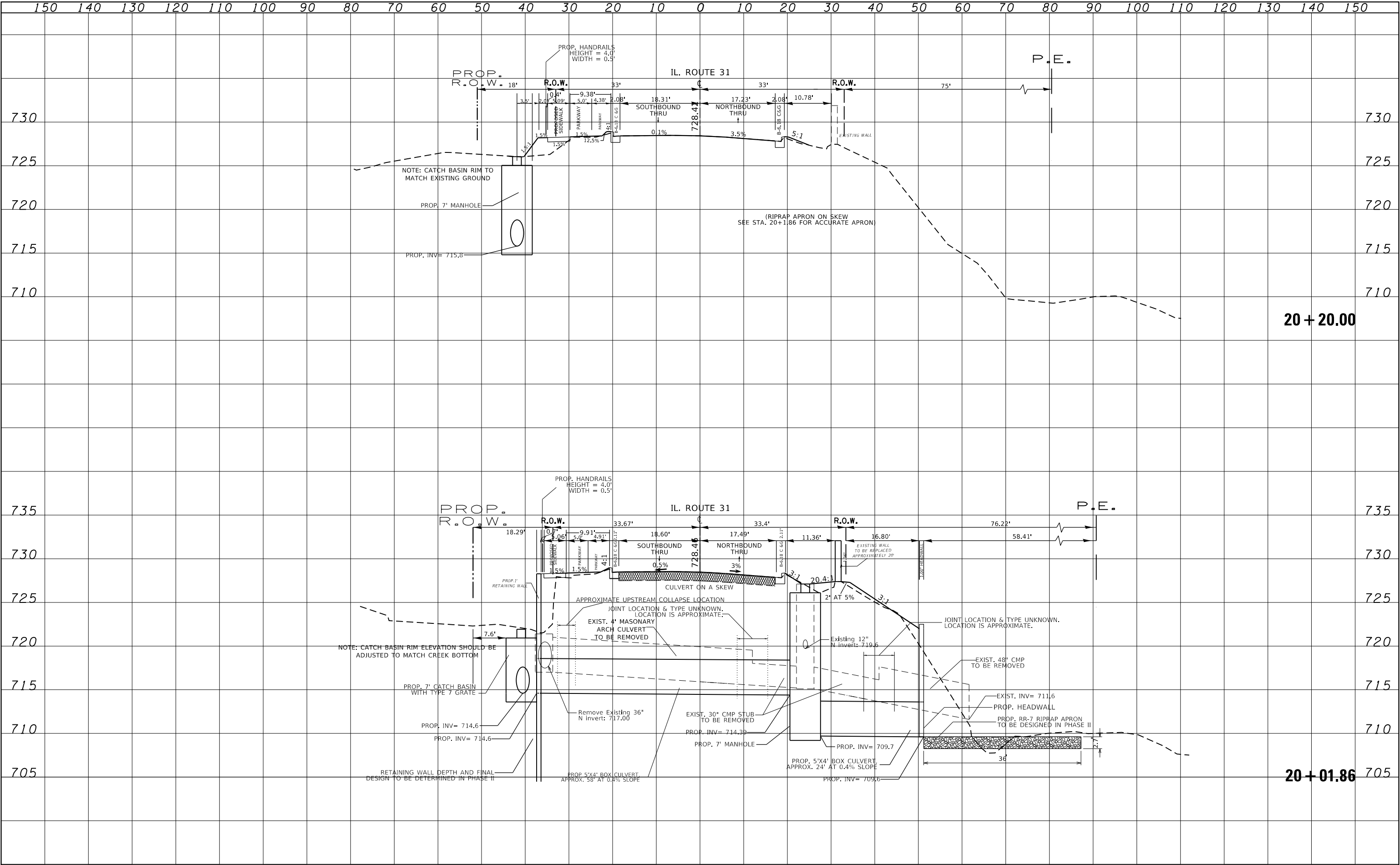
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pw\idot\pw.bentley.com\PIDOT\Documents\IDOT	Offices\District 1\Projects\P104818\CADDData\St	DRAWN 104818-sht-xxsht.IL31.dgn	REVISED -					IL. ROUTE 31 OVER DITCH (0.05 MI S/O FARGO BLVD.)				3887		KANE	7	2
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PLOT DATE = 2/17/2023	DATE -	REVISED -	REVISED -					ILLINOIS FED. AID PROJECT								

ORIGINAL		BY	DATE
SURVEY	SURVEYED		
	PLOTTED		
NOTE BOOK	TEMPLATE		
	AREAS		
NO.	AREAS CHECKED		



DATE	BY	SURVEYED	PLOTTED	TEMPLATE	AREAS	CHECKED
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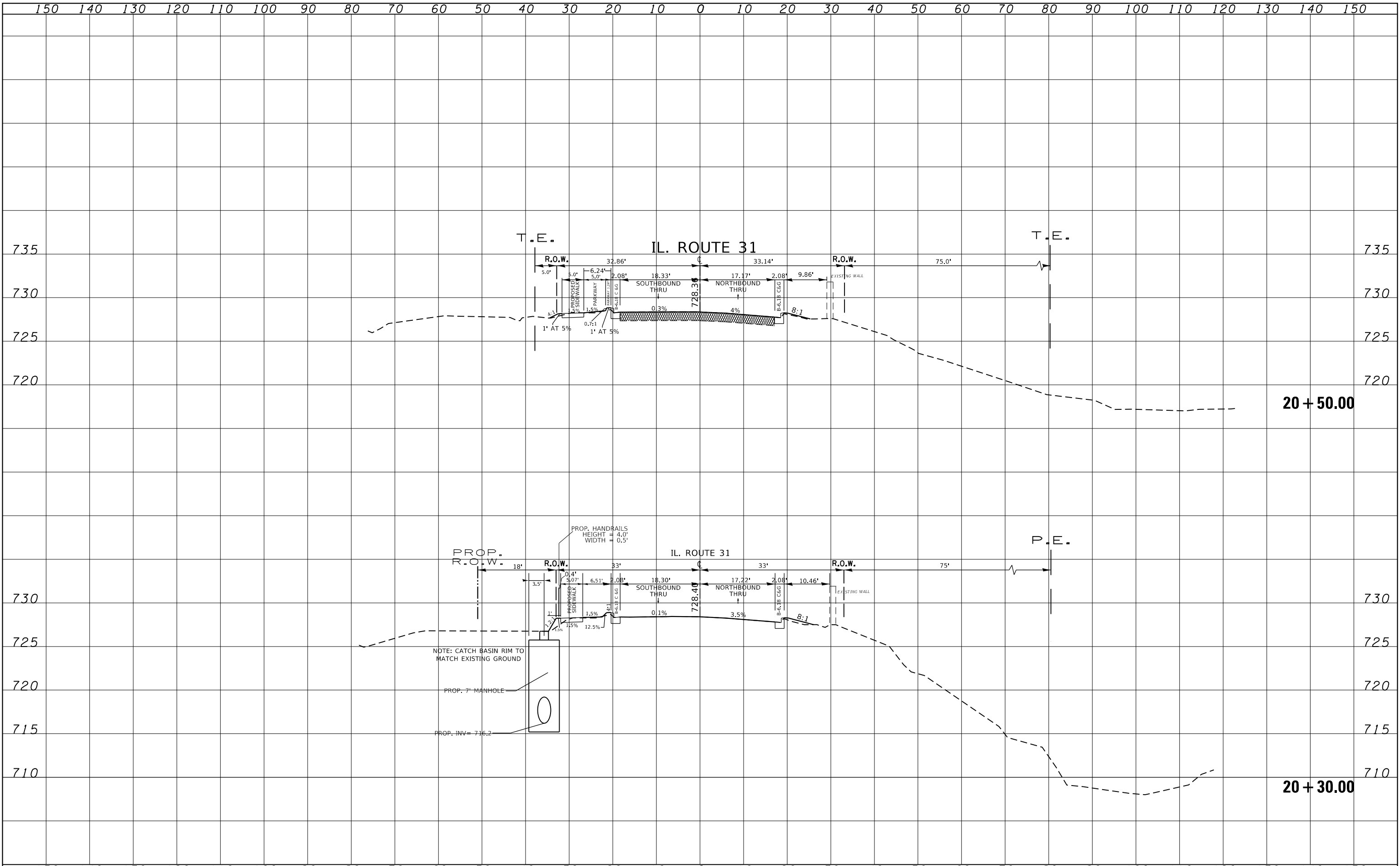
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NO.						



FILE NAME =	USER NAME = MelissaAu	DESIGNED -	REVISED -	STATE OF ILLINOIS DEPARTMENT OF TRANSPORTATION				CROSS SECTIONS				F.A.U. RTE.	SECTION	COUNTY	TOTAL SHEETS	SHEET NO.
p:\v\dot\pw\entley.com\PWIDOT\Documents\IDOT	Offices\District 1\Projects\P104818\CADDData\St	DRAWN 104818-sh-t-xssht..IL31.dgn	REVISED -					IL. ROUTE 31 OVER DITCH (0.05 MI S/O FARGO BLVD.)				3887		KANE	7	4
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FINAL						
SURVEY						
NOTE BOOK						
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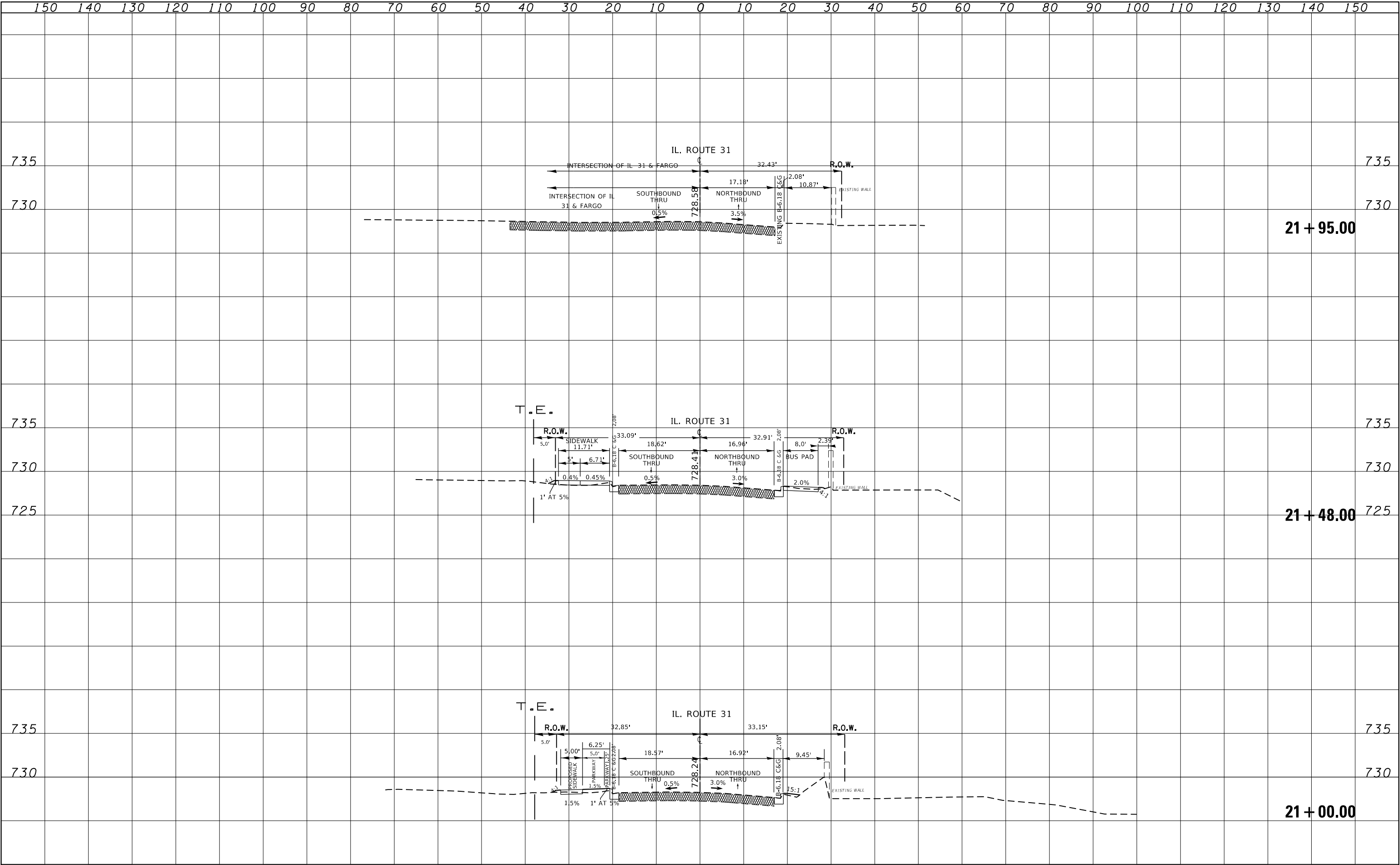
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SURVEY						
NOTE BOOK						
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FILE NAME =	USER NAME = Melissa.Au	DESIGNED -	REVISED -	STATE OF ILLINOIS DEPARTMENT OF TRANSPORTATION				CROSS SECTIONS				F.A.U. RTE.	SECTION	COUNTY	TOTAL SHEETS	SHEET NO.	
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FINAL		SURVEY	NOTE BOOK			
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DATE	BY	SURVEYED	PLOTTED	TEMPLATE	AREAS	CHECKED
ORIGINAL		SURVEY	NOTE BOOK			
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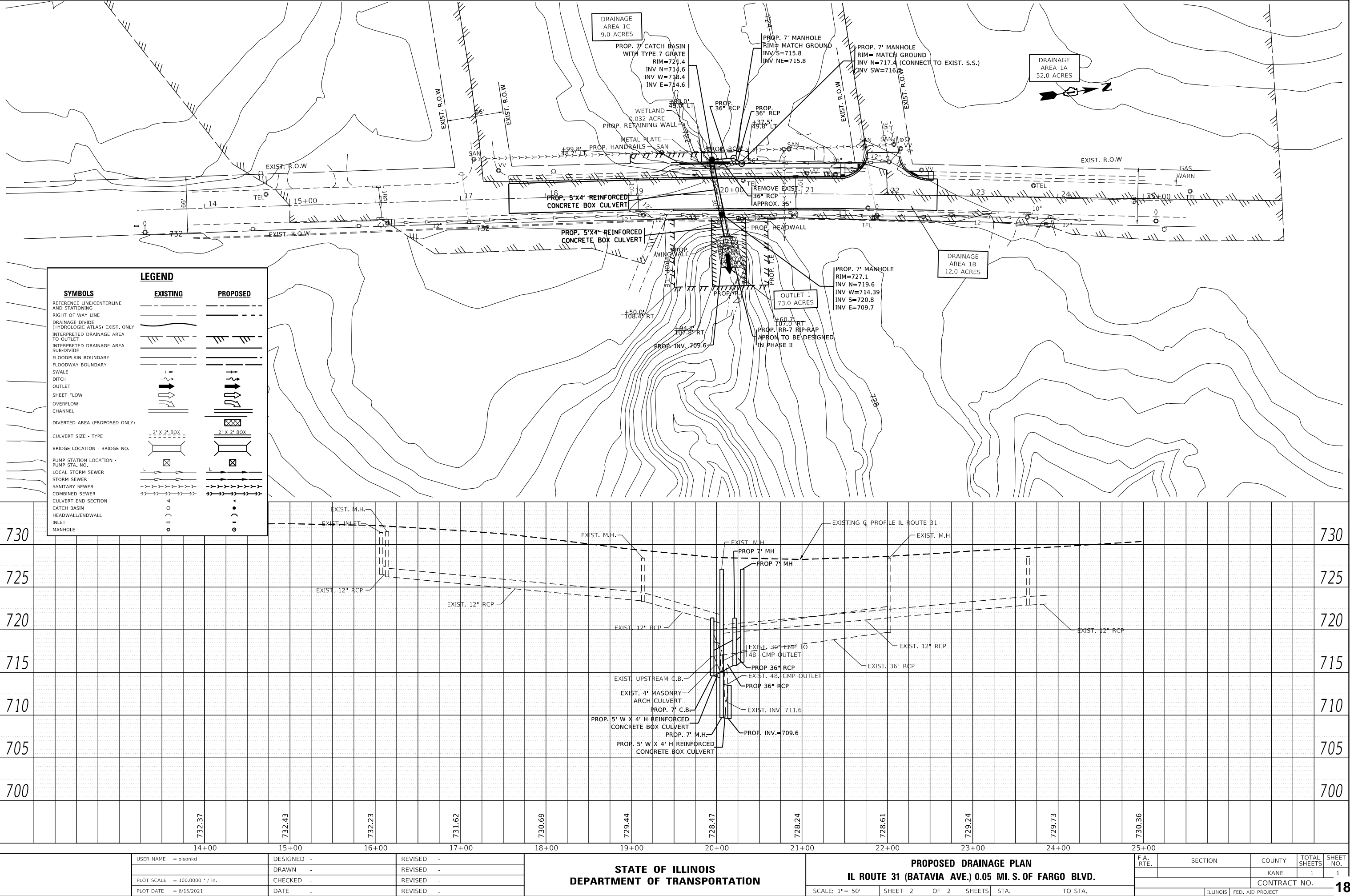


FILE NAME =	USER NAME = Melissa.Au	DESIGNED -	REVISED -	STATE OF ILLINOIS DEPARTMENT OF TRANSPORTATION	CROSS SECTIONS				F.A.U. RTE.	SECTION	COUNTY	TOTAL SHEETS	SHEET NO.	
pw\ilidot\pw.bentley.com\PWIDOT\Documents\IDOT	Offices\District 1\Projects\P104818\CADDData\St	DRAWN 104818-sht-xxsht.IL31.dgn	REVISED -		IL. ROUTE 31 OVER DITCH (0.05 MI S/O FARGO BLVD.)				3887		KANE	7	6	
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PLAN	SURVEYED	DATE
BY		
PLOTTED		
ALIGNMENT CHECKED		
STRUCTURE NOTATIONS CHNG		
NO.		

PROFILE	SURVEYED	DATE
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PLOTTED		
GRADES CHECKED		
STRUCTURE NOTATIONS CHNG		
NO.		

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Illinois Department of Transportation

Office of Highways Project Implementation / Region 1 / District 1
201 West Center Court / Schaumburg, Illinois 60196-1096

Route: IL 31
Section: over ditch s/o Fargo Blvd
County: Kane
Job No.: R-91-002-20
Parcel: 10220003 PE & TE

August 18, 2025

Benjamin Haberthur
Forest Preserve District of Kane County
1996 S. Kirk Rd.
Ste. 320
Geneva, IL 60134

Dear Benjamin Haberthur:

The Illinois Department of Transportation, Division of Highways (IDOT) proposes to improve I-31 over ditch south of Fargo Road, in Kane County, Illinois. This improvement requires the acquisition of the above referenced parcel consisting of:

- 0.045 / 1960 acres/square feet of land as a temporary construction easement for Five (5) years
- 0.231 / 10062 acres/square feet of land as a permanent easement

In order to comply with state and federal policies we must inform you of your right to have the required property appraised and to receive compensation in the full amount of the approved appraisal. You may, if you so desire, donate the necessary right of way.

Sincerely,

Jose Rios, P.E.
Region One Engineer

By: Omolara Johnson
Omolara Johnson
Bureau Chief of Land Acquisition

Dated: _____

I recognize my right to an appraisal and compensation in the full amount of the approved appraisal. However, I wish to donate the necessary right of way.

Forest Preserve District of Kane County

Signature

Print Name & Title

Statement of Compliance with the Public Officers Prohibited Activities Act
(50 ILCS 105/3.1)

CHECK ONE

- ☐ Grantor has not received and will not receive a non-monetary benefit from the Illinois Department of Transportation (for example, an added improvement, re-built or relocated improvement or any other valuable service) in exchange for the donation of this parcel.

OR

- ☐ Grantor has received or will receive a non-monetary benefit from the Illinois Department of Transportation in exchange for the donation of this parcel. To comply with 50 ILCS 105/3.1, Grantor shall disclose, in writing, all owners, beneficiaries, etc. of this parcel.

Forest Preserve District of Kane County

Signature

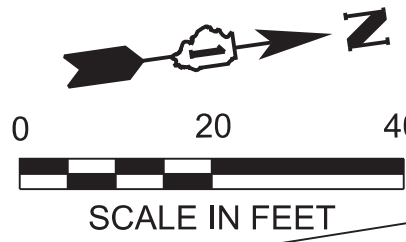
Print Name & Title

Confirmed:
Illinois Department of Transportation Representative

By: _____

Date

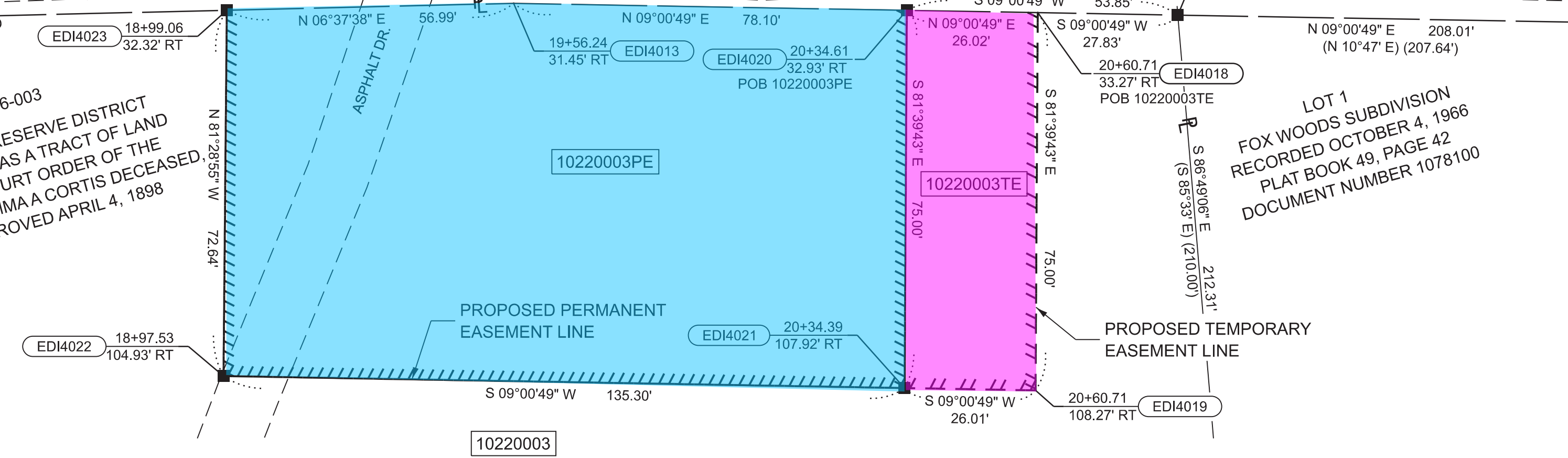
PART OF THE SOUTH HALF OF SECTION 10 TOWNSHIP 39 NORTH,
RANGE 8 EAST OF THE 3RD. P.M., IN KANE COUNTY, ILLINOIS



	BEARING & DISTANCE	PARCEL
1	S 06°37'38" W 16.48'	10220001
2	N 88°45'59" W 5.40'	10220001
	S 88°45'59" E 5.40'	10220001TE
3	N 06°37'38" E 16.48'	10220001
	S 06°37'38" W 16.48'	10220001TE
4	N 88°45'59" W 5.40'	10220001
	N 88°45'59" W 5.40'	10220002TE-A
	S 88°45'59" E 5.40'	10220002
5	S 06°37'38" W 39.99'	10220001TE
6	N 88°48'11" W 18.18'	10220001TE
7	N 06°30'03" E 56.46'	10220001TE
8	N 88°45'59" W 12.90'	10220001TE
	S 88°45'59" E 12.90'	10220002TE-A
9	N 82°08'52" W 12.71'	10220002
	S 82°08'52" E 12.71'	10220002TE-A
10	N 09°09'05" E 28.95'	10220002TE-A
11	N 09°00'49" E 27.46'	10220002
	S 09°00'49" W 27.46'	10220002TE-A
12	N 84°58'24" W 4.91'	10220002TE-B
13	S 89°00'04" E 5.30'	10220002TE-B

PROJECT COORDINATES			
ILLINOIS STATE PLANE, EAST ZONE, NAD83 (2011)			
COORDINATE TABLE ~ IL RT 31 (BATAVIA RD)			
POINT NO	Northing	Easting	Description
EDI101	1896244.92	989867.27	PC STA 17+91.41
EDI103	1896745.65	989939.75	PT STA 22+97.42
EDI113	1896740.02	989972.27	COMPUTED POINT
EDI619	1896536.45	989906.03	COMPUTED POINT
EDI702	1896652.01	989891.49	COMPUTED POINT
EDI1021	1896652.57	989924.13	COMPUTED POINT
EDI1026	1896619.49	989747.65	COMPUTED POINT
EDI1027	1896649.48	989746.46	COMPUTED POINT
EDI1032	1896415.57	989738.03	COMPUTED POINT
EDI1033	1896415.19	989755.76	COMPUTED POINT
EDI1034	1896217.73	989623.65	COMPUTED POINT
EDI1035	1896219.16	989727.68	COMPUTED POINT
EDI1044	1896187.97	989860.63	COMPUTED POINT
EDI2002	1896413.09	989853.59	COMPUTED POINT
EDI4003	1896621.92	989886.71	COMPUTED POINT
EDI4004	1896412.34	989888.36	COMPUTED POINT
EDI4005	1896320.63	989842.85	COMPUTED POINT
EDI4006	1896220.59	989831.22	COMPUTED POINT
EDI4013	1896404.26	989919.01	COMPUTED POINT
EDI4014	1896534.58	989938.68	COMPUTED POINT
EDI4018	1896507.09	989935.32	COMPUTED POINT
EDI4019	1896496.22	990009.52	COMPUTED POINT
EDI4020	1896481.40	989931.24	COMPUTED POINT
EDI4021	1896470.52	990005.45	COMPUTED POINT
EDI4022	1896336.89	989984.25	COMPUTED POINT
EDI4023	1896347.65	989912.43	COMPUTED POINT
EDI4024	1896357.00	989847.07	COMPUTED POINT
EDI4025	1896357.38	989828.90	COMPUTED POINT
EDI4026	1896413.20	989848.19	COMPUTED POINT
EDI4027	1896413.48	989835.29	COMPUTED POINT
EDI4028	1896396.72	989851.69	COMPUTED POINT
EDI4029	1896396.84	989846.29	COMPUTED POINT
EDI4031	1896495.71	989848.54	COMPUTED POINT
EDI4032	1896494.57	989861.55	COMPUTED POINT
EDI4033	1896621.83	989881.41	COMPUTED POINT
EDI4034	1896440.32	989852.49	COMPUTED POINT
EDI4035	1896442.06	989839.90	COMPUTED POINT
EDI20437	1896318.08	989622.61	FOUND IRON PIPE 1"
EDI20438	1896418.08	989621.57	FOUND IRON PIPE 1"

12-10-476-003
FOREST PRESERVE DISTRICT
DESCRIBED AS A TRACT OF LAND
IN THE COURT ORDER OF THE
ESTATE OF EMMA A CORTIS DECEASED,
AS APPROVED APRIL 4, 1898



NOTE:
THERE IS NO DEDICATIONS SHOWN ON THE FOLLOWING PLATS
FOXWOODS SUBDIVISION, UNIT NO. 1, DOMINICK EMMA
SUBDIVISION, AND TRACT OF LAND RECORDED AUGUST 5, 2022 AS
DOCUMENT NUMBER 2022 K039828. THIS DEED GOES TO THE
CENTERLINE OF ROUTE 31 AND TO THE CENTERLINE OF FARGO
BOULEVARD. NO FEE ACQUISITION WAS EVER OBTAINED.

SURVEYOR'S CERTIFICATE

STATE OF ILLINOIS)
COUNTY OF WILL)

I, LEE R. KOEHLER, AN ILLINOIS PROFESSIONAL LAND SURVEYOR,
STATE THAT I HAVE SURVEYED THE PLAT OF HIGHWAY SHOWN HEREON AND THAT THIS
PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR
A BOUNDARY SURVEY FOR THE PROPOSED PARCEL(S) TO BE ACQUIRED BY THE STATE OF
ILLINOIS, DEPARTMENT OF TRANSPORTATION, SHOWN HEREON.

DATED _____

LEE R KOEHLER, PLS NO. 035-002717
LICENSE EXPIRATION DATE: 11/30/2026



Environmental Design International inc.
Civil, Survey, Environmental and Construction Inspection Services
33 W. MONROE STREET, SUITE 1825, CHICAGO, IL 60603
Ph. (312) 345-1400 Fax (312)345-0529
www.envdesigni.com
Excellence, Dedication, Innovation

APPROVED
By miguel.coreano at 2:22 pm, Mar 11, 2025

USER NAME	dstroh	DESIGNED	-	REVISED	-
		DRAWN	- DWS	REVISED	-
		CHECKED	- LRK	REVISED	-
PLOT DATE	3/10/2025	DATE	10-30-2024	REVISED	-

STATE OF ILLINOIS
DEPARTMENT OF TRANSPORTATION

PLAT OF HIGHWAY

F.A. RTE.	SECTION	COUNTY	TOTAL SHEETS	SHEET NO.
		KANE	4	4
SOUTH OF FARGO BLVD CONTRACT NO.				
FED. ROAD DIST. NO.	ILLINOIS	FED. AID PROJECT		

PROJECT IL RT 31 (BATAVIA RD)	JOB NO. R91-002-20
SCALE: 1"=20'	SHEET 4 OF 4 SHEETS
STA. 13+25.35	TO STA. 25+37.24

Owner: Forest Preserve District of
Kane County, a municipal
corporation
Owner 1996 S. Kirk Rd. Ste. 320
Address: Geneva, IL 60134
Route: IL 31
Section: over ditch s/o Fargo Blvd
County: Kane
Job No.: R-91-002-20
Parcel No.: 10220003 PE & TE
P.I.N. No.: 12-10-476-003

PERMANENT EASEMENT
(Forest Preserve District)

THIS INDENTURE witnesseth that the Grantor, the Forest Preserve District of Kane County (the "State"), by its President and Secretary and pursuant to the authority given them by the Board of Commissioners of the Grantor, for and in consideration of the benefits resulting from the construction and maintenance of the highway referred to herein, hereby grants to the Grantee, the People of the State of Illinois, Department of Transportation, a permanent highway easement for the purposes of a highway right of way over the property described in the attached legal description and designated Parcel 10220003 PE & TE on Job Number R-91-002-20.

To the extent it is consistent with and expressly reflected in plans submitted to the Grantor by The State of Illinois, Department of Transportation, the Grantor further grants the right to permit others to use or operate, install, maintain, alter, repair, replace, renew, improve and remove other facilities and structures, including but not limited to, underground communication lines, fiber optics, wire, or other means of electricity, voice data, video, digitized information, pipes and conduits, upon and beneath the surface of said premises, and overhead wires, cables, and poles or other structures for the support of such facilities and structures. The Grantor by granting this permanent easement to the State of Illinois, Department of Transportation, shall retain all rights of use of this land for Grantor's purposes to the extent such uses shall not interfere with its use for public highway purposes and the rights of use granted the State of Illinois Department of Transportation herewith.

The Grantor, without limiting the interest above granted and conveyed, does hereby acknowledge that upon payment of the agreed consideration, all claims arising out of the above acquisition have been settled, including any diminution in value to any remaining property of the Grantor caused by the opening, improving and using the above-described 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.

This permanent easement is made, executed and delivered in pursuance of a resolution duly adopted at a meeting of the Board of Commissioners of the said corporation held on the _____ day of _____, 20____.

IN WITNESS WHEREOF, said Grantor has caused its corporate seal to be hereto affixed, and has caused its name to be signed to these presents by its President, and attested by its Secretary, this _____ day of _____, 20____.

Forest Preserve District of Kane County

By: _____
Signature

Print Name and Title

ATTEST:

By: _____
Signature

Print Name and Title

State of _____)
County of _____) ss

I, _____, a Notary Public in and for said County, in the State aforesaid, DO HEREBY CERTIFY that _____ and _____, personally known to me to be the President and the Secretary of the Forest Preserve District of Kane County (the "State"), and personally known to me to be the same persons whose names are subscribed to the foregoing instrument, appeared before me this day in person and severally acknowledged that as such President and Secretary of the Forest Preserve District of Kane County, and caused their seal to be affixed thereto, pursuant to authority, given by the Board of Commissioners of the Forest Preserve District of Kane County, as their free and voluntary act, and as the free and voluntary act and deed of the Forest Preserve District of Kane County, for the uses and purposes therein and set forth.

Given under my hand and seal this _____ day of _____, 20_____.

(SEAL)

Notary Public

My Commission Expires: _____

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

Date

Buyer, Seller or Representative

This instrument was prepared by Grantee and after recording, mail this instrument to Grantee at:

Grantee:

Illinois Department of Transportation
Bureau of Land Acquisition, Attn: David Howorth
201 Center Court, Schaumburg, IL 60196-1096

Owner: Forest Preserve District of
Kane County, a municipal
corporation
Owner 1996 S. Kirk Rd. Ste. 320
Address: Geneva, IL 60134
Route: IL 31
Section: over ditch s/o Fargo Blvd
County: Kane
Job No.: R-91-002-20
Parcel No.: 10220003 PE & TE
P.I.N. No.: 12-10-476-003

TEMPORARY CONSTRUCTION EASEMENT
(Forest Preserve District)

THIS INDENTURE WITNESSETH, that the Grantor, the Forest Preserve District of Kane County, by its President and Secretary and pursuant to authority given them by the Board of Commissioners of the Forest Preserve District of Kane County, for and in consideration of the benefits resulting from the construction and maintenance of the highway referred to herein, hereby grants to the People of the State of Illinois, Department of Transportation, a temporary highway easement for roadway construction over the property described in the attached legal description and designated Parcel 10220003 PE & TE on Job No. R-91-002-20. This easement shall be in effect for Five (5) years from the date of execution or completion of construction operations, whichever comes first. All area will be left in a neat and presentable condition.

This temporary easement is made, executed, and delivered in pursuance of Resolution No. _____ duly adopted at a meeting of the Board of Commissioners of the said corporation held on the _____ day of _____, 20____.

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.

IN WITNESS WHEREOF, said Grantor has caused its corporate seal to be hereto affixed, and has caused its name to be signed to these presents by its President, and attested by its Secretary, this _____ day of _____, 20____.

Forest Preserve District of Kane County

By: _____
Signature

Print Name and Title

ATTEST:

By: _____
Signature

Print Name and Title

State of _____)
County of _____) ss

I, _____, a Notary Public in and for said County, in the State aforesaid, DO HEREBY CERTIFY that _____ and _____ – personally known to me to be the President and the Secretary of the Forest Preserve District of Kane County, and personally known to me to be the same persons whose names are subscribed to the foregoing instrument, appeared before me this day in person and severally acknowledged that as such President and Secretary, and caused their seal to be affixed thereto, pursuant to authority, given by the Board of Commissioners of the Forest Preserve District of Kane County, for the uses and purposes therein and set forth.

Given under my hand and seal this _____ day of _____, 20____.

(SEAL)

Notary Public

My Commission Expires: _____

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

Date

Buyer, Seller or Representative

This instrument was prepared by Grantee and after recording, mail this instrument to Grantee at:

Grantee:
Illinois Department of Transportation
Bureau of Land Acquisition, Attn: David Howorth
201 Center Court, Schaumburg, IL 60196-1096

Route:	IL RT 31
Section:	
County:	Kane
Job No.:	R-91-002-20
Parcel No.:	10220003PE
Station:	18+97.53 to 20+34.61
Index No:	12-10-476-003

That part of the south half of Section 10, Township 39 North, Range 8 East of the Third Principal Meridian, in Geneva-Batavia Township, in Kane County, Illinois, bearings and distances are based on the Illinois State Plane Coordinate East Zone, NAD83 (2011 adjustment) with a combined factor of 0.99996061; described as follows:

Commencing at the southwest corner of Lot 1 in Fox Woods Subdivision recorded on October 4, 1966 as Document Number 1078100 which is on the east line of Illinois Route 31; thence South 09 degrees 00 minutes 49 seconds West on the east right of way line of Illinois Route 31, a distance of 53.85 feet to the Point of Beginning; thence South 81 degrees 39 minutes 43 seconds East, a distance of 75.00 feet; thence South 09 degrees 00 minutes 49 seconds West, a distance of 135.30 feet; thence North 81 degrees 28 minutes 55 seconds West, a distance of 72.64 feet to a point on the east right of way line of Illinois Route 31; thence North 06 degrees 37 minutes 38 seconds East on the east right of way line of Illinois Route 31, a distance of 56.99 feet; thence North 09 degrees 00 minutes 49 seconds East, on the east right of way line of Illinois Route 31, a distance of 78.10 feet to the Point of Beginning.

Said parcel containing 0.231 Acres, more or less.

Route:	IL RT 31
Section:	
County:	Kane
Job No.:	R-91-002-20
Parcel No.:	10220003TE
Station:	20+34.39 to 20+60.71
Index No:	12-10-476-003

That part of the south half of Section 10, Township 39 North, Range 8 East of the Third Principal Meridian, in Geneva-Batavia Township, in Kane County, Illinois, bearings and distances are based on the Illinois State Plane Coordinate East Zone, NAD83 (2011 adjustment) with a combined factor of 0.99996061; described as follows:

Commencing at the southwest corner of Lot 1 in Fox Woods Subdivision recorded on October 4, 1966 as Document Number 1078100 which is on the east line of Illinois Route 31; thence South 09 degrees 00 minutes 49 seconds West on the east right of way line of Illinois Route 31, a distance of 27.83 feet to the Point of Beginning; thence South 81 degrees 39 minutes 43 seconds East, a distance of 75.00 feet; thence South 09 degrees 00 minutes 49 seconds West, a distance of 26.01 feet; thence North 81 degrees 39 minutes 43 seconds West, a distance of 75.00 feet to a point on the east right of way line of Illinois Route 31; thence North 09 degrees 00 minutes 49 seconds East, a distance of 26.02 feet to the Point of Beginning.

Said parcel containing 0.045 Acres, more or less.



Owner: Forest Preserve District of Kane County, a municipal corporation
Address: Batavia Ave., Geneva, IL 60134
Route: IL 31
Section: over ditch s/o Fargo Blvd
County: Kane
Job No. R-91-002-20
Parcel No. 10220003 PE & TE
P.I.N. No. 12-10-476-003

State of _____)
 _____) ss.
 County of _____)

I, _____, _____, being first duly sworn
 upon oath states as follows:

1. Affiant has personal knowledge of the facts averred herein.
2. ☒ There are **no parties** other than Grantor in possession of any portion of the premises described in the attached Exhibit "A" through easement, lease, oral or written, or otherwise, whether or not of record.
- ☐ There are no parties other than Grantor **and the parties listed below** in possession of any portion of the premises described in the attached Exhibit "A" through easement, lease, oral or written, or otherwise, whether or not of record:

SEE ATTACHED EXHIBIT "A"

3. This affidavit is made to provide factual representation as a basis for the State of Illinois to accept a document of conveyance for the premises described in said conveyance, the premises being a portion of or all of the above described premises, from the record owners thereof.
4. The affiant has no knowledge of any driveway agreements, encroachments, overlaps, or boundary line disputes involving the premises to be conveyed.
5. The said premises described in Exhibit "A" are: (Check One)
 - ☐ Vacant and unimproved ☐ Agricultural and unimproved
 - ☒ Improved and
 - (A) There have been no improvements made or contracted for on the premises within six (6) months immediately preceding the date of the affidavit, out of which a claim for a mechanics' lien could accrue or has accrued, and
 - (B) To the best of my knowledge all improvements now on the premises comply with all local building and zoning ordinances.

6. There are no chattel mortgages, conditional sales contracts or financing statements existing on or in connection with the premises to be conveyed which are not shown by the public records.
7. There are no taxes or special assessments which are not shown as existing liens by the public records involving the premises described in Exhibit A.
8. Per 50 ILCS 105/3.1, the identities of all owners and beneficiaries having an interest in the premise to be conveyed are as follows (check applicable box(es) and complete information requested):

- ☐ **Individual.** Individual owner of the property is:
- ☐ **Nonprofit Organization.** There is no individual or other organization receiving distributable income from the organization.
- ☒ **Public Organization, including units of local government.** There is no individual or other organization receiving distributable income from the organization.
- ☐ **Publicly-Traded Corporation.** There is no readily known shareholder having more than 7-1/2% of the total distribution income of the corporation.
- ☐ **Corporation, Partnership, Limited Liability Company.** Those entitled to receive more than 7-1/2% of the total distributable income of said entity are as follows:

	Name	Address
*1.	_____	_____
2.	_____	_____
3.	_____	_____
4.	_____	_____

- ☐ **Land Trust or Declaration of Trust.** The identity of each beneficiary of Grantor Trust is as follows:

	Name	Address
*1.	_____	_____
2.	_____	_____
3.	_____	_____
4.	_____	_____

* IF THE INITIAL DISCLOSURES SHOW INTERESTS HELD BY ANOTHER CORPORATION, PARTNERSHIP, LIMITED LIABILITY COMPANY, OR TRUST, THEN FURTHER DISCLOSURES SHOULD BE PROVIDED UNTIL THE NAMES OF INDIVIDUALS OWNING THE INTEREST IN THE ENTITY ARE DISCLOSED.

Job R-91-002-20
IL 31
County Kane
Section Over Ditch
Parcel

WTC Number: I1-2024KN-1806.0

A.L.T.A. COMMITMENT FORM
Schedule A Continued

LEGAL DESCRIPTION

ONLY THAT PORTION LYING WEST OF THE FOX RIVER IN SECTION 10 TOWNSHIP 39N RANGE 8E OF THE THIRD PM IN THE FOLLOWING DESCRIBED PARCEL:
THAT PART OF THE SOUTH HALF OF SECTION 10 AND NORTH HALF OF SECTION 15, TOWNSHIP AND RANGE AFORESAID, DESCRIBED AS FOLLOWS: COMMENCING AT A POINT ON THE NORTH LINE OF THE SOUTH HALF OF SECTION 10 AFORESAID, WHERE THE CENTER LINE OF THE HIGHWAY RUNNING NORTHERLY THROUGH THE SOUTH WEST QUARTER OF SAID SECTION 10 INTERSECTS THE SAME, THENCE SOUTH 10° 47' WEST ALONG THE CENTER LINE OF SAID HIGHWAY 733.65 FEET TO THE NORTH WEST CORNER OF THE TRACT DESCRIBED IN THE COURT ORDER IN THE ESTATE OF EMMA A. CURTIS, DECEASED, AS APPROVED APRIL 4, 1896, THENCE SOUTH 86° 30' EAST 33.27 FEET TO A MONUMENT BEARING THE INSCRIPTION, U. S. GEOLOGICAL SURVEY, THENCE CONTINUING SOUTH 86° 30' EAST 990.23 FEET TO THE WESTERLY BANK OF THE FOX RIVER (SAID LAST MENTIONED LINE BEING MARKED WITH A MONUMENT AS DESCRIBED ABOVE AT A POINT 6 FEET WESTERLY FROM THE WESTERLY BANK OF THE FOX RIVER), THENCE SOUTH 9° 50' WEST ALONG SAID WESTERLY BANK 156.00 FEET, THENCE SOUTH 21° 7' WEST ALONG THE SAID WESTERLY BANK, 165.30 FEET FOR A POINT OF BEGINNING, THENCE NORTH 85° 33' WEST 5 FEET TO A MONUMENT BEARING THE INSCRIPTION AS GIVEN ABOVE, THENCE CONTINUING NORTH 85° 33' WEST 990.07 FEET TO THE CENTER OF THE HIGHWAY, (WHICH LAST MENTIONED LINE IS MARKED WITH A MONUMENT BEARING THE INSCRIPTION GIVEN ABOVE AT A POINT 28.55 FEET EASTERLY FROM THE CENTER OF SAID HIGHWAY), THENCE SOUTHERLY ALONG THE CENTER OF SAID HIGHWAY TO THE NORTH EASTERLY LINE OF THE RIGHT OF WAY OF THE

ISSUED BY:
Wheatland Title Company
105 W. Veterans Parkway
Yorkville, Illinois 60560

Agent for:
Fidelity National Title Insurance Company

Job R-91-002-20
IL 31
County Kane
Section Over Ditch
Parcel

CHICAGO AND NORTH WESTERN RAILWAY COMPANY, THENCE
SOUTH EASTERLY ALONG THE NORTH EASTERLY LINE OF SAID
RIGHT OF WAY 9.65 CHAINS TO THE CENTER LINE OF AN EAST AND
WEST HIGHWAY EXTENDED EAST, THENCE NORTH 88° 56' EAST,
ALONG SAID CENTER LINE EXTENDED 2.54 CHAINS TO THE
WESTERLY BANK OF FOX RIVER, THENCE NORTHERLY ALONG SAID
WESTERLY BANK OF FOX RIVER, TO THE POINT OF BEGINNING,
(EXCEPTING THEREFROM THAT PART USED FOR HIGHWAY
PURPOSES).
SITUATED IN KANE COUNTY, ILLINOIS.

PERMANENT TAX NUMBER(S): 12-10-476-003 (pt)

ISSUED BY:
Wheatland Title Company
105 W. Veterans Parkway
Yorkville, Illinois 60560

Agent for:
Fidelity National Title Insurance Company

Fidelity National Title Insurance Company

A.L.T.A. Commitment

Issuing Agent

Wheatland Title Company
105 W. Veterans Parkway
Yorkville, IL 60560

Prepared for

Illinois Department of Transportation 1
201 West Center Court
Schaumburg, IL 60196-1096

Customer Reference:

IDOT Parcel Number:

NOTICE

IMPORTANT—READ CAREFULLY: THIS COMMITMENT IS AN OFFER TO ISSUE ONE OR MORE TITLE INSURANCE POLICIES. ALL CLAIMS OR REMEDIES SOUGHT AGAINST THE COMPANY INVOLVING THE CONTENT OF THIS COMMITMENT OR THE POLICY MUST BE BASED SOLELY IN CONTRACT.

THIS COMMITMENT IS NOT AN ABSTRACT OF TITLE, REPORT OF THE CONDITION OF TITLE, LEGAL OPINION, OPINION OF TITLE, OR OTHER REPRESENTATION OF THE STATUS OF TITLE. THE PROCEDURES USED BY THE COMPANY TO DETERMINE INSURABILITY OF THE TITLE, INCLUDING ANY SEARCH AND EXAMINATION, ARE PROPRIETARY TO THE COMPANY, WERE PERFORMED SOLELY FOR THE BENEFIT OF THE COMPANY, AND CREATE NO EXTRACTIONAL LIABILITY TO ANY PERSON, INCLUDING A PROPOSED INSURED.

THE COMPANY'S OBLIGATION UNDER THIS COMMITMENT IS TO ISSUE A POLICY TO A PROPOSED INSURED IDENTIFIED IN SCHEDULE A IN ACCORDANCE WITH THE TERMS AND PROVISIONS OF THIS COMMITMENT. THE COMPANY HAS NO LIABILITY OR OBLIGATION INVOLVING THE CONTENT OF THIS COMMITMENT TO ANY OTHER PERSON.

Prepared For:

Illinois Department of Transportation 1
201 West Center Court
Schaumburg, IL 60196-1096

Effective Date of Commitment: June 21, 2024

Job	R-91-002-20	WTC#	I1-2024KN-1806.0
	IL 31	Effective Date	June 21, 2024
County	Kane	Section	10
Section	Over Ditch	Township	39N
Parcel		Range	8E

Tax Parcel Number(s):
12-10-476-003 (pt)

ISSUED BY:
Wheatland Title Company
105 W. Veterans Parkway
Yorkville, Illinois 60560

Agent for:
Fidelity National Title Insurance Company

Date: 06/28/2024

Job R-91-002-20
IL 31
County Kane
Section Over Ditch
Parcel

A.L.T.A. COMMITMENT FORM
Schedule A

WTC Number: I1-2024KN-1806.0
Effective Date: June 21, 2024

1. Policy or Policies to be issued: 2006 ALTA Owner's
Proposed Amount of Insurance: \$1,000.00
Proposed Insured: The People of the State of Illinois
Department of Transportation
2. The estate or interest in the land described or referred to in this commitment is a Fee Simple and title hereto is at the effective date hereof vested in:

Forest Preserve District of Kane County, a municipal corporation
3. The land referred to in this commitment is described as follows:

See Attached Page 2 of Schedule A

ISSUED BY:
Wheatland Title Company
105 W. Veterans Parkway
Yorkville, Illinois 60560

Agent for:
Fidelity National Title Insurance Company

Authorized Signatory

By 
John D. Ammons

Job R-91-002-20
IL 31
County Kane
Section Over Ditch
Parcel

WTC Number: I1-2024KN-1806.0

A.L.T.A. COMMITMENT FORM
Schedule A Continued

LEGAL DESCRIPTION

ONLY THAT PORTION LYING WEST OF THE FOX RIVER IN SECTION 10 TOWNSHIP 39N RANGE 8E OF THE THIRD PM IN THE FOLLOWING DESCRIBED PARCEL:

THAT PART OF THE SOUTH HALF OF SECTION 10 AND NORTH HALF OF SECTION 15, TOWNSHIP AND RANGE AFORESAID, DESCRIBED AS FOLLOWS: COMMENCING AT A POINT ON THE NORTH LINE OF THE SOUTH HALF OF SECTION 10 AFORESAID, WHERE THE CENTER LINE OF THE HIGHWAY RUNNING NORTHERLY THROUGH THE SOUTH WEST QUARTER OF SAID SECTION 10 INTERSECTS THE SAME, THENCE SOUTH $10^{\circ} 47'$ WEST ALONG THE CENTER LINE OF SAID HIGHWAY 733.65 FEET TO THE NORTH WEST CORNER OF THE TRACT DESCRIBED IN THE COURT ORDER IN THE ESTATE OF EMMA A. CURTIS, DECEASED, AS APPROVED APRIL 4, 1896, THENCE SOUTH $86^{\circ} 30'$ EAST 33.27 FEET TO A MONUMENT BEARING THE INSCRIPTION, U. S. GEOLOGICAL SURVEY, THENCE CONTINUING SOUTH $86^{\circ} 30'$ EAST 990.23 FEET TO THE WESTERLY BANK OF THE FOX RIVER (SAID LAST MENTIONED LINE BEING MARKED WITH A MONUMENT AS DESCRIBED ABOVE AT A POINT 6 FEET WESTERLY FROM THE WESTERLY BANK OF THE FOX RIVER), THENCE SOUTH $9^{\circ} 50'$ WEST ALONG SAID WESTERLY BANK 156.00 FEET, THENCE SOUTH $21^{\circ} 7'$ WEST ALONG THE SAID WESTERLY BANK, 165.30 FEET FOR A POINT OF BEGINNING, THENCE NORTH $85^{\circ} 33'$ WEST 5 FEET TO A MONUMENT BEARING THE INSCRIPTION AS GIVEN ABOVE, THENCE CONTINUING NORTH $85^{\circ} 33'$ WEST 990.07 FEET TO THE CENTER OF THE HIGHWAY, (WHICH LAST MENTIONED LINE IS MARKED WITH A MONUMENT BEARING THE INSCRIPTION GIVEN ABOVE AT A POINT 28.55 FEET EASTERLY FROM THE CENTER OF SAID HIGHWAY), THENCE SOUTHERLY ALONG THE CENTER OF SAID HIGHWAY TO THE NORTH EASTERLY LINE OF THE RIGHT OF WAY OF THE

ISSUED BY:
Wheatland Title Company
105 W. Veterans Parkway
Yorkville, Illinois 60560

Agent for:
Fidelity National Title Insurance Company

Job R-91-002-20
IL 31
County Kane
Section Over Ditch
Parcel

CHICAGO AND NORTH WESTERN RAILWAY COMPANY, THENCE
SOUTH EASTERLY ALONG THE NORTH EASTERLY LINE OF SAID
RIGHT OF WAY 9.65 CHAINS TO THE CENTER LINE OF AN EAST AND
WEST HIGHWAY EXTENDED EAST, THENCE NORTH 88° 56' EAST,
ALONG SAID CENTER LINE EXTENDED 2.54 CHAINS TO THE
WESTERLY BANK OF FOX RIVER, THENCE NORTHERLY ALONG SAID
WESTERLY BANK OF FOX RIVER, TO THE POINT OF BEGINNING,
(EXCEPTING THEREFROM THAT PART USED FOR HIGHWAY
PURPOSES).
SITUATED IN KANE COUNTY, ILLINOIS.

PERMANENT TAX NUMBER(S): 12-10-476-003 (pt)

ISSUED BY:
Wheatland Title Company
105 W. Veterans Parkway
Yorkville, Illinois 60560

Agent for:
Fidelity National Title Insurance Company

A.L.T.A. COMMITMENT FORM
- SCHEDULE B Section 1 -
Requirements

All of the following Requirements must be met:

1. The Proposed Insured must notify the Company in writing of the name of any party not referred to in this Commitment who will obtain an interest in the Land or who will make a loan on the Land. The Company may then make additional Requirements or Exceptions.
2. Pay the agreed amount for the estate or interest to be insured.
3. Pay the premiums, fees, and charges for the Policy to the Company.
4. Documents satisfactory to the Company that convey the Title or create the Mortgage to be insured, or both, must be properly authorized, executed, delivered, and recorded in the Public Records.

- SCHEDULE B Section 2 -
Exceptions

THIS COMMITMENT DOES NOT REPUBLISH ANY COVENANT, CONDITION, RESTRICTION, OR LIMITATION CONTAINED IN ANY DOCUMENT REFERRED TO IN THIS COMMITMENT TO THE EXTENT THAT THE SPECIFIC COVENANT, CONDITION, RESTRICTION, OR LIMITATION VIOLATES STATE OR FEDERAL LAW BASED ON RACE, COLOR, RELIGION, SEX, SEXUAL ORIENTATION, GENDER IDENTITY, HANDICAP, FAMILIAL STATUS, OR NATIONAL ORIGIN.

The Policy will not insure against loss or damage resulting from the terms and provisions of any lease or easement identified in Schedule A, and will include the following Exceptions unless cleared to the satisfaction of the Company:

Any defect, lien, encumbrance, adverse claim, or other matter that appears for the first time in the Public Records or is created, attaches, or is disclosed between the Commitment Date and the date on which all of the Schedule B, Part I—Requirements are met.

ISSUED BY:
Wheatland Title Company
105 W. Veterans Parkway
Yorkville, Illinois 60560

Agent for:
Fidelity National Title Insurance Company

A.L.T.A. COMMITMENT FORM
- SCHEDULE B -
- Exceptions -

The policy or policies to be issued will contain exceptions to the following unless the same are disposed of to the satisfaction of the Company:

GENERAL EXCEPTIONS:

1. Rights or claims of parties in possession not shown by the public records.
2. Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land.
3. Easements, or claims of easements, not shown by the public records.
4. Any lien, or right to a lien, for services, labor, or material heretofore or hereafter furnished, imposed by law and not shown by the public records.
5. Taxes or special assessments which are not shown as existing liens by the public records.
6. Loss or damage by reason of there being recorded in the public records, any deeds, mortgages, lis pendens, liens or other title encumbrances subsequent to the Commitment date and prior to the effective date of the final Policy.
7. All rights and easements in favor of the holder of any mineral estate and/or coal and/or oil and gas lease, and any party claiming by, through, or under said holder of the mineral estate or coal and/or oil and gas lease.

ISSUED BY:
Wheatland Title Company
105 W. Veterans Parkway
Yorkville, Illinois 60560

Agent for:
Fidelity National Title Insurance Company

SPECIAL EXCEPTIONS:

1. The lien of taxes for the year 2024 and thereafter.

Taxes for the property in question are EXEMPT.

PERMANENT TAX NUMBER: 12-10-476-003 (pt)

2. Defects, liens, encumbrances, adverse claims or other matters, if any, created, first appearing in the public records or attached subsequent to the effective date hereof but prior to the date the proposed insured acquires for value of the record the estate or interest thereon covered by this commitment.
3. Rights of parties in possession, encroachments, overlaps, overhangs, unrecorded easements, deficiency in quantity of ground, farm drainage systems, tile systems or irrigation systems which would be disclosed by an accurate survey and inspection of the premises.
4. Rights of the Public, the State and the Municipality in and to that part of the land, if any, taken or used for road purposes.
5. Confirmed Special Assessments, if any, not certified to by the Company.
6. Financing Statements, if any, not certified to by the Company.
7. For information purposes only, the taxes are assessed to the following:

For Parcel(s): 12-10-476-003 (pt)
Forest preserve District of Kane County
1996 S. Kirk Rd., Ste 320
Geneva, IL 60134

8. Conveyances within the past five years: None.
9. Contiguous property owned by record title holder: None.

PLEASE CONTACT OUR OFFICE REGARDING CONTIGUOUS PROPERTY
AS THE SUBJECT PROPERTY IS OWNED BY A MUNICIPAL ENTITY.

10. Easement dated January 9, 1957 and recorded February 6, 1957 as Document No. 827224 Book 1828 Page 337 made by Forest Preserve District of Kane County to

ISSUED BY:
Wheatland Title Company
105 W. Veterans Parkway
Yorkville, Illinois 60560

Agent for:
Fidelity National Title Insurance Company

City of Geneva recorded in the Kane County Recorder's Office.

11. Easement dated July 31, 1967 and recorded October 13, 1967 as Document No. 1099828 Book 2421 Page 59 made by Forest Preserve District of Kane County to City of Geneva recorded in the Kane County Recorder's Office.
12. Any and all rights of the United States of America, the State of Illinois, the municipality and the public in and to that part of the subject property lying within the bed of the Fox River, and the rights, if any, of the adjoining property owners in and to the free and unobstructed flow of the water thereof.
13. Rights of owners of land bordering on the Fox River in respect to the uninterrupted flow of the water.
14. Upon a conveyance or grant of easement affecting the subject property, we should be furnished with the proper documentation, including, if applicable, properly executed resolutions, authorizing the execution of the documents of transfer or easement grant.

- End Schedule B -

Please refer all inquiries to T.J. Hiles 630-892-2323 Ext. 249 or John Ammons 630-892-2323 Ext. 224.

ISSUED BY:
Wheatland Title Company
105 W. Veterans Parkway
Yorkville, Illinois 60560

Agent for:
Fidelity National Title Insurance Company

MINUTES OF CONDEMNATION

In order that we may guarantee title after completion of any proceedings for condemnation in exercise of the proposed insured's right of eminent domain, we note the following.

- I. Upon the filing of complaint a proper Lis Pendens Notice should be recorded in the appropriate Recorder's office.
- II. Our Policy, when issued, will be subject to direct attack upon any decrees and or judgments entered in the proceedings.
- III. The following persons are necessary parties to any such proceedings.
 - A. All parties acquiring rights in the premises subsequent to the date of the report and prior to a complete Lis Pendens.
 - B. Any person other than those herein named known to the Plaintiff or the Plaintiff's attorney to have or claim an interest in the premises.
 - C. If it is known that any of the necessary parties named herein are deceased, their heirs or devisees should be made parties by name, if known, and if unknown, then by the name and description of Unknown Heirs and Devisees of such deceased person or persons.
 - D. If it is not known or cannot be ascertained whether any of said necessary parties be living or dead, then such parties should be made parties by name, also such parties should be their heirs or devisees, should be made parties to the proceedings as UNKNOWN OWNERS.
 - E. All persons in possession of any part of the premises in question and all persons whose rights would be disclosed by an inspection of the premises.
 - F. All parties claiming by through or under lease agreements whether oral or written, for premises.
 - G. All parties claiming by or through or under installment contracts for deed or like agreements.
 - H. Unknown Owners and Non-Record claimants.

MINUTES OF CONDEMNATION CONTINUED

IV. The following persons are noted of record and are necessary parties to any proceedings:

A. The Plaintiff is:

The People of the State of Illinois, Department of Transportation

B. The Defendants are:

1. Forest Preserve District of Kane County, a municipal corporation

C. Any parties named above who have executed all necessary documents for the Grant of Easement and Right of Way after payment of agreed consideration theretofore need not be joined as party defendants for our policy to be issued.

END MINUTES OF CONDEMNATION

TRANSMITTAL FORM

Wheatland Title Company
105 W. Veterans Parkway
Yorkville, Illinois 60560

06/28/2024

Illinois Department of Transportation 1
201 West Center Court
Schaumburg, IL 60196-1096

WTC File Number: I1-2024KN-1806.0

Customer Reference:

IL 31
Section Over Ditch
County Kane
Job R-91-002-20
IDOT Parcel Number:

Title Is Vested In:

Forest Preserve District of Kane County, a municipal corporation

Accompanied with this transmittal are the following documents:

Title Document (s)
455087 Book 1111 Page 533

Plat (s)
None

Other Document (s)
None

STATE OF ILLINOIS)
COUNTY OF KANE) SS.

REPORT NO. TMP-26-100

RELEASE OF CLOSED SESSION MINUTES



AGENDA MEMORANDUM

DATE: January 22, 2026

TO: Forest Preserve District Land Acquisition Committee

FROM: Benjamin Haberthur, Executive Director

SUBJECT: Presentation and Approval of Closed Session Minutes from May 2007 through December 2025

PURPOSE:

The purpose of this memorandum is to provide the Committee with information to consider the release of Closed Session minutes and to request permission to destroy audio recordings, which are older than 18 months and completely released.

BACKGROUND:

The Land Acquisition Committee of the Forest Preserve District of Kane County, Kane County, Illinois has reviewed the minutes of the Closed Sessions pursuant to Illinois Compiled Statute 5ILCS 120/2.03 and has made a determination as to whether the need for confidentiality still exists as to all or part of those minutes which have not been made fully public.

The Committee has determined that the need for confidentiality still exists as to all or part of the Closed Session minutes of: 09/26/13, 10/31/13, 04/27/17, 07/27/17, 08/24/17, 12/1/17, 03/23/18, 05/24/18, 06/28/18, 07/26/18, 08/24/18, 09/27/18, 10/25/18, 01/23/19, 02/28/19, 04/25/19, 06/21/19, 07/25/19, 08/29/19, 09/26/19, 10/31/19, 04/24/20, 05/22/20, 06/25/20, 08/27/20, 09/24/20, 10/29/20, 12/18/20, 01/28/21, 02/25/21, 03/25/21, 04/29/21, 07/29/21, 09/30/21, 10/28/21, 01/27/22, 2/24/22 03/24/22, 05/26/22, 06/30/22, 08/25/22, 09/29/2022, 12/15/22, 01/26/23, 02/23/23, 3/30/23, 04/27/23, 05/25/23, 06/29/23, 08/24/23, 09/28/23, 10/26/23, 02/29/24, 03/28/24, 04/25/24, 07/25/24, 09/26/24, 12/19/24, 01/30/25, 02/27/25, 03/27/25, 04/24/25, 06/26/25, 07/31/25, 08/28/25, 09/25/25, 10/30/25 and 11/20/25.

The Committee has determined that there is no longer a need for confidentiality as to all or part of the Closed Session minutes of: 05/17/07, 11/15/07, 10/29/09, 12/3/09, 02/25/10, 06/24/10, 01/21/11, 06/30/11, 08/26/11, 09/30/11, 12/1/11, 04/26/12, 06/28/12, 07/26/12, 09/27/12, 02/28/13, 04/25/13, 05/30/13, 07/25/13, and 08/29/13.

RECOMMENDATION:

The Committee recommends the approval of the Closed Session minutes as presented.