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2110919037

Doc# 2110919037 Fee \$88.00

RHSP FEE:\$9.00 RPRF FEE: \$1.00

KAREN A. YARBROUGH

COOK COUNTY CLERK

DATE: 04/19/2021 02:39 PM PG: 1 OF 8

Return To:

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

CPR - 2021CO-20228.3

20228.6

RECORDING REQUESTED BY AND
WHEN RECORDED, RETURN TO: (3 OF 10)

Prepared by:

Nikol R. Daniels
Manager Real Estate US
Canadian Pacific
120 South Sixth Street, Suite 700
Minneapolis, MN 55402

(Space Above For Recorder's Use Only)

QUITCLAIM DEED

ELGIN O'HARE WESTERN ACCESS PROGRAM

I-490 to I-294

(Tollway to CP)

THE ILLINOIS STATE TOLL HIGHWAY AUTHORITY, an instrumentality and administrative agency of the State of Illinois ("**Grantor or Tollway**") for valuable consideration, receipt of which is hereby acknowledged, does hereby release and quitclaim to **SOO LINE RAILROAD COMPANY** a Minnesota corporation **d/b/a Canadian Pacific**, ("**Grantee or CP**"), its successors and assigns, all of Grantor's right, title, interest, estate, claim and demand, both at law and in equity, of, in, and to the real estate situated in Cook County, Illinois, as more particularly described and shown in **Exhibit A** and accompanying plat, both of which are attached hereto and made a part hereof (the "Property").

This **Quitclaim Deed** is entered into pursuant to that certain Definitive Agreement by and between the Tollway and CP dated March 29, 2021 (the "Definitive Agreement"). The Definitive Agreement is made in conjunction with the Tollway's Elgin O'Hare Western Access Project which, among other things, includes plans to construct a toll highway ("I-490") elevated and through CP's Bensenville Yard in Cook County, Illinois (the "Yard") and from there southward to connect to I-294. This **Quitclaim Deed** facilitates the alignment of the toll highway and relocation of CP trackage south of the Yard, in an industrial park at the western end of Addison Avenue in Franklin Park, Cook County, Illinois.



Exempt from review under Franklin Park document requirements pursuant to Paragraph A (1) of Section 7-102-1 of the Franklin Park Village Code

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The Property is quitclaimed by Grantor subject to the following covenants, which Grantee by the acceptance of this Quitclaim Deed covenants for itself, its successors and assigns, faithfully to keep, observe and perform:

"As Is" Sale. Grantee, for itself, its successors and assigns, including any successor owner of any interest in the Property, acknowledges and agrees that the Property has been sold and quitclaimed to and accepted by Grantee in an "AS IS" condition, with all faults, and Grantee acknowledges that the Property may have been used for a railroad right-of-way, railyard, and other heavy industrial purposes, among other uses. Grantee acknowledges and agrees that any information Grantee may have received from Grantor or its agents concerning the Property (including, but not limited to, any lease or other document, engineering study or environmental assessment) was furnished on the condition that Grantee would make an independent verification of the accuracy of the information. Grantor does not make any warranty or representation to Grantee, express or implied or statutory, oral or written, with respect to the Property, including without limitation, any warranties or representations concerning title, habitability, fitness for a particular purpose, suitability, merchantability, quality of work, structural integrity, environmental conditions, building code, fire code, health and safety regulations, zoning, platting, subdivision, access, availability of utilities or compliance with any laws, statutes, ordinances, codes, rules or regulations (collectively, "Condition of the Property"). Grantee acknowledges and agrees that the Property has been sold and quitclaimed on the basis of Grantee's own independent investigation of the Condition of the Property. Grantee assumes the risk that adverse physical and environmental conditions may not have been revealed by its investigation.

"Signboards." Grantee agrees to comply with the applicable permitting regulations and standards of the Illinois Department of Transportation regarding any signboard or outdoor advertising structure Grantee may erect or cause to be erected on the Property.

The foregoing covenants, conditions, and provisions shall run with the Property, and a breach of the foregoing covenants, conditions, and provisions, or the continuance thereof, may, at the option of Grantor, its successors or assigns, be enjoined, abated or remedied by appropriate proceedings.

[Signatures on the Following Page]

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EXHIBIT A

LEGAL DESCRIPTION AND PLATS OF THE SUBJECT PROPERTY

WA-1D-12-010.EX, WA-1D-12-012.EX, WA-1D-12-014.EX AND WA-1D-15-900.1EX

THAT PART OF THE EAST HALF OF SECTION 19, TOWNSHIP 40 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, BEARINGS BASED ON ILLINOIS STATE PLANE COORDINATES, EAST ZONE, NAD 83 (2007 ADJUSTMENT), DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT ON THE EAST LINE OF SAID SOUTHEAST QUARTER WHICH IS 2364.40 FEET NORTH OF THE SOUTHEAST CORNER THEREOF; THENCE WEST IN A LINE DRAWN AT RIGHT ANGLES TO SAID EAST LINE FOR A DISTANCE OF 309.33 FEET; THENCE SOUTH PARALLEL WITH THE EAST LINE OF SAID SOUTHEAST QUARTER A DISTANCE OF 354.0 FEET; THENCE SOUTHWESTERLY ALONG A LINE WHICH FORMS AN ANGLE OF 99 DEGREES 05 MINUTES 25 SECONDS MEASURED FROM NORTH TO WEST WITH THE LAST DESCRIBED PARALLEL LINE FOR A DISTANCE OF 101.27 FEET TO A POINT ON THE SOUTHERLY LINE OF LANDS CONVEYED BY CLEARING INDUSTRIAL DISTRICT, INC. TO PRECISION STEEL WAREHOUSE, INC. BY WARRANTY DEED RECORDED DECEMBER 14, 1956 IN BOOK 54370 ON PAGE 66 AS DOCUMENT NUMBER 16781475; THENCE SOUTH 87 DEGREES 51 MINUTES 23 SECONDS WEST ALONG SAID SOUTHERLY LINE, 893.50 FEET TO THE SOUTHEAST CORNER OF TOLLWAY ACQUISITION PARCEL WA-1D-12-010 FOR THE POINT OF BEGINNING; THENCE NORTH 72 DEGREES 34 MINUTES 20 SECONDS WEST ALONG THE EASTERLY LINE OF SAID TOLLWAY PARCEL WA-1D-12-010, 77.30 FEET; THENCE CONTINUING NORTHWESTERLY ALONG THE EASTERLY LINE OF SAID TOLLWAY PARCEL WA-1D-12-010, 239.25 FEET BEING ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 324.26 FEET AND A CHORD THAT BEARS NORTH 54 DEGREES 34 MINUTES 05 SECONDS WEST, 234.33 FEET TO A BEND IN SAID EASTERLY LINE; THENCE SOUTH 00 DEGREES 00 MINUTES 00 SECONDS WEST ALONG THE SOUTHERLY EXTENSION OF THE EASTERLY LINE OF SAID TOLLWAY PARCEL WA-1D-12-010, 19.72 FEET; THENCE NORTHWESTERLY 138.76 FEET ALONG A NON-TANGENTIAL CURVE TO THE RIGHT HAVING A RADIUS OF 394.00 FEET AND A CHORD THAT BEARS NORTH 41 DEGREES 37 MINUTES 51 SECONDS WEST, 138.04 FEET; THENCE NORTHWESTERLY, NORTHERLY AND NORTHEASTERLY 783.33 FEET ALONG A NON-TANGENTIAL CURVE TO THE RIGHT HAVING A RADIUS OF 401.58 FEET AND A CHORD THAT BEARS NORTH 25 DEGREES 48 MINUTES 39 SECONDS EAST, 664.92 FEET; THENCE NORTH 81 DEGREES 25 MINUTES 38 EAST, 23.33 FEET TO A POINT ON THE NORTH LINE OF TOLLWAY ACQUISITION PARCEL WA-1D-12-014, SAID LINE ALSO BEING THE NORTH LINE OF LANDS DESCRIBED IN A SPECIAL WARRANTY DEED RECORDED JUNE 11, 2012 AS DOCUMENT NUMBER 1216318057; THENCE SOUTH 87 DEGREES 50 MINUTES 22 SECONDS WEST ALONG SAID NORTH LINE, 23.12 FEET TO A BEND IN SAID LINE; THENCE NORTH 85 DEGREES 09 MINUTES 21 SECONDS WEST ALONG SAID NORTH LINE, 97.14 FEET; THENCE SOUTH 2 DEGREES 32 MINUTES 23 SECONDS EAST, 5.25 FEET; THENCE SOUTHWESTERLY, SOUTHERLY AND SOUTHEASTERLY 746.69 FEET BEING ALONG A NON-TANGENTIAL CURVE TO THE LEFT HAVING A RADIUS OF 431.58 FEET AND A CHORD THAT BEARS SOUTH 19 DEGREES 26 MINUTES 35 SECONDS

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WEST, 656.98 FEET; THENCE SOUTH 32 DEGREES 47 MINUTES 33 SECONDS EAST, 19.28 FEET; THENCE SOUTH 34 DEGREES 05 MINUTES 42 SECONDS EAST, 264.75 FEET TO THE SOUTHERLY LINE OF SAID LANDS CONVEYED BY CLEARING INDUSTRIAL DISTRICT, INC. TO PRECISION STEEL WAREHOUSE, INC. BY WARRANTY DEED RECORDED DECEMBER 14, 1956 IN BOOK 54370 ON PAGE 66 AS DOCUMENT NUMBER 16781475; THENCE NORTH 87 DEGREES 51 MINUTES 23 SECONDS EAST ALONG SAID SOUTHERLY LINE, 223.46 FEET TO THE POINT OF BEGINNING IN COOK COUNTY ILLINOIS.

DIN 12-19-400-104

Property of Cook County Clerk's Office

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GRANTOR/GRANTEE AFFIDAVIT: STATEMENT BY GRANTOR AND GRANTEE

AS REQUIRED BY §55 ILCS 5/3-5020 (from Ch. 34, par. 3-5020)

GRANTOR SECTION

The **GRANTOR** or her/his agent, affirms that, to the best of her/his knowledge, the name of the **GRANTEE** shown on the deed or assignment of beneficial interest (ABI) in a land trust is either a natural person, an Illinois corporation or foreign corporation authorized to do business or acquire and hold title to real estate in Illinois, a partnership authorized to do business or acquire and hold title to real estate in Illinois, or another entity recognized as a person and authorized to do business or acquire and hold title to real estate under the laws of the State of Illinois.

DATED: 3/25/2021

SIGNATURE: [Signature]
GRANTOR or AGENT

GRANTOR NOTARY SECTION: The below section is to be completed by the NOTARY who witnesses the GRANTOR signature.

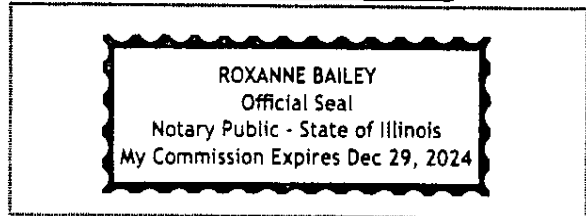
Subscribed and sworn to before me, Name of Notary Public:

By the said (Name of Grantor): Jodi Garrard - Agent

On this date of: 3/25/2021

NOTARY SIGNATURE: [Signature]

AFFIX NOTARY STAMP BELOW



GRANTEE SECTION

The **GRANTEE** or her/his agent affirms and verifies that the name of the **GRANTEE** shown on the deed or assignment of beneficial interest (ABI) in a land trust is either a natural person, an Illinois corporation or foreign corporation authorized to do business or acquire and hold title to real estate in Illinois, a partnership authorized to do business or acquire and hold title to real estate in Illinois or other entity recognized as a person and authorized to do business or acquire and hold title to real estate under the laws of the State of Illinois.

DATED: 3/25/2021

SIGNATURE: [Signature]
GRANTEE or AGENT

GRANTEE NOTARY SECTION: The below section is to be completed by the NOTARY who witnesses the GRANTEE signature.

Subscribed and sworn to before me, Name of Notary Public:

By the said (Name of Grantee): Robert T. Lane

On this date of: 03/26/2021

NOTARY SIGNATURE: [Signature]

AFFIX NOTARY STAMP BELOW



CRIMINAL LIABILITY NOTICE

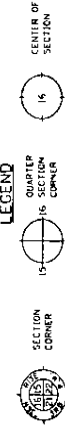
Pursuant to Section **55 ILCS 5/3-5020(b)(2)**, Any person who knowingly submits a false statement concerning the identity of a **GRANTEE** shall be guilty of a **CLASS C MISDEMEANOR** for the **FIRST OFFENSE**, and of a **CLASS A MISDEMEANOR**, for subsequent offenses.

(Attach to **DEED** or **ABI** to be recorded in Cook County, Illinois if exempt under provisions of the **Illinois Real Estate Transfer Act: (35 ILCS 200/Art. 31)**)

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EXCESS PARCEL PLAT
ELGIN - O'HARE EXPRESSWAY

PART OF THE EAST HALF OF SECTION 19, TWP. 40 NORTH, RANGE 12 EAST, 3RD P.M.
COOK COUNTY, ILLINOIS



LEGEND

EXISTING CENTER LINE
EXISTING PUBLIC RIGHT OF WAY LINE
PROPOSED RIGHT OF WAY LINE
PROPOSED EASEMENT LINE
PROPOSED EASEMENT LINE
PROPOSED EASEMENT LINE
QUARTER SECTION LINE
QUARTER SECTION LINE
PROPERTY LINED LINE
PROPERTY LINED LINE
MEASURED DIMENSION
CALCULATED DIMENSION
FOUND IRON PIPE TOP OR IRON ROD TOP
SET 3/8 IN. IRON ROD WITH RED PAINT
FOUND CONCRETE RIGHT OF WAY MARKER
CUT CROSS FOUND OR SET
S&ME OWNERSHIP
EXISTING 15TH PARCEL NUMBER
PROPOSED 15TH PARCEL NUMBER
BUILDING

TOPO LEGEND

TRAFFIC SIGNAL
POWER POLE
MANHOLE
HANDHOLE (DOUBLE)
CONTROLLER BOX
FIRE HYDRANT
CATCH BASIN
INLET
END SECTION
EVERGREEN TREE
DECIDUOUS TREE
DUMP W/ ANCHOR
DUMP POST

STATE OF ILLINOIS
COUNTY OF COOK
155

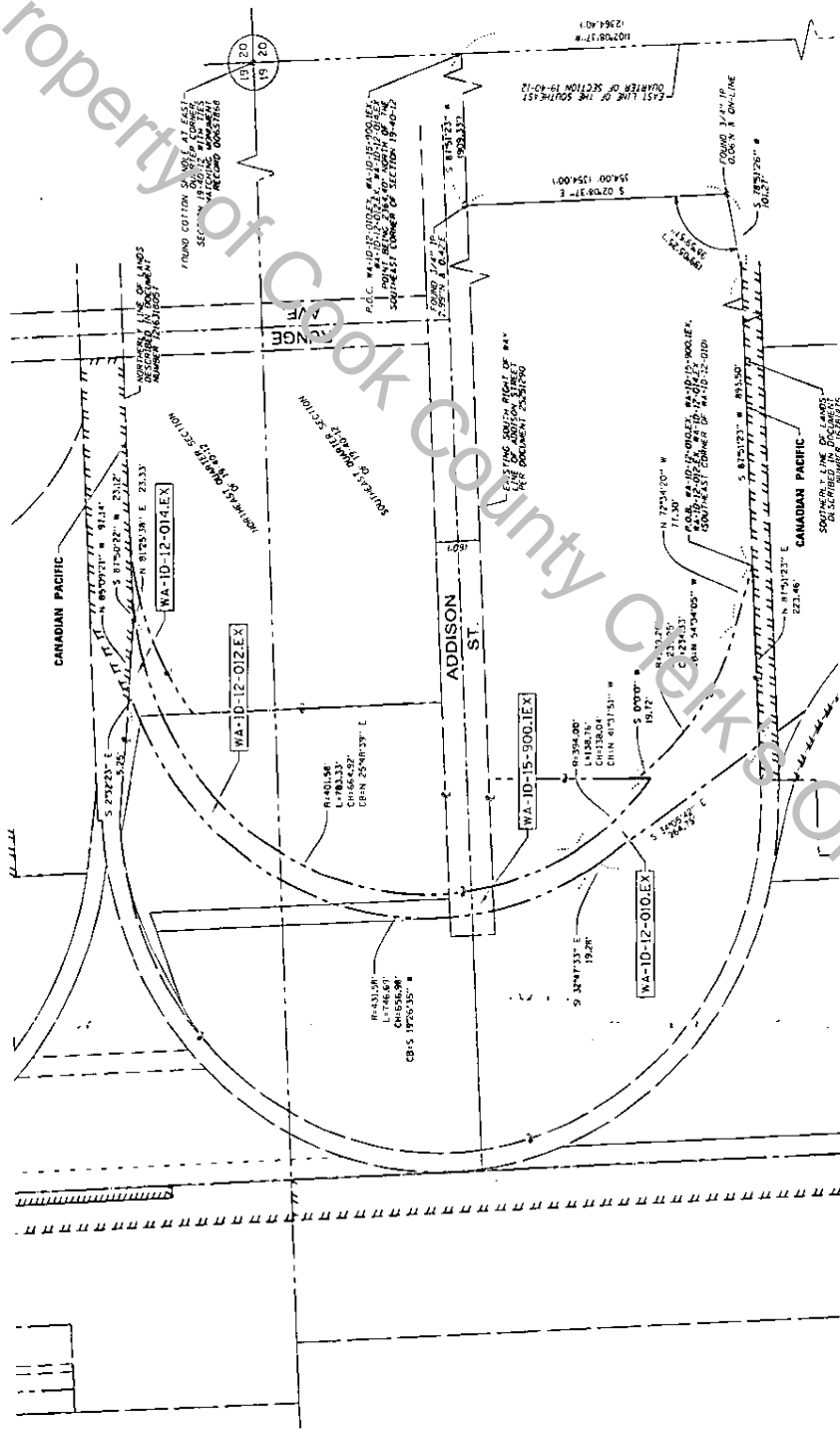
THIS IS TO CERTIFY THAT I AM AN ILLINOIS PROFESSIONAL LAND SURVEYOR AND THAT THE INFORMATION CONTAINED HEREIN IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF CORRECT AS SHOWN HEREON THAT ALL DIMENSIONS FOUND OR ESTABLISHED AS SHOWN HEREON ARE SUFFICIENT TO DEFINE THE PROPERTY TO BE RETURNED. WAIVER FOR THE ILLINOIS STATE TOLL NUMBERS.

FIELD WORK COMPLETED ON 11/14/2014.
DATED THIS 6TH DAY OF DECEMBER, 2015.

COVENTINE JIDDS ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 2155, LICENSE EXPIRATION DATE: NOVEMBER 30, 2020

THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY. ALL DIMENSIONS ARE MEASURED UNLESS OTHERWISE SPECIFIED. BEARINGS AND DISTANCES SHOWN HEREON REFER TO THE ILLINOIS STATE PLANE COORDINATE SYSTEM, EAST ZONE, NORTH AMERICAN DATUM OF 1983. ALL MEASURED AND CALCULATED VALUES ARE "GRID" NOT "ORIGINA".

EXHIBIT



OWNER	TOTAL ACRES	HOLDING SQUARE FT.	EXCESS TO BE CONVERTED ACRES	REMAINING SQUARE FT.	GRANTEE
AMERICAN ILLINOIS HIGHWAY AUTHORITY	0.155 ±	6,078 ±	0.096 ±	2,421 ±	0.127 ± 1,057 ±
	4.910 ±	214,517 ±	0.247 ±	10,101 ±	4,823 ± 20,411 ±
	0.018 ±	3,180 ±	0.042 ±	1,812 ±	0.036 ± 1,504 ±
	3.516 ±	151,144 ±	0.544 ±	23,441 ±	2,932 ± 127,103 ±

AMERICAN ILLINOIS HIGHWAY AUTHORITY
SURVING & ENGINEERING, P.C.
SURVEYORS & ENGINEERS
GEODESIST-MAPPING SCIENTISTS

LEADS PROFESSIONAL DESIGN FIRM NO. 110400102

ILLINOIS STATE TOLL HIGHWAY AUTHORITY
2700 OGDEN AVENUE
DOWNERS GROVE, ILLINOIS 60515

NO.	DATE	REVISIONS	DESCRIPTION
1			
2			
3			

CONTRACT NO. 1-11-0014
DRAWING NO. 1 OF 2

ELGIN-O'HARE EXPRESSWAY
S&M EXCESS PARCELS
OWNER: CANADIAN PACIFIC



LEAD DRAFTING BY: CAROLANNE BEARD
CALCULATIONS BY: CRAIG BUY
CHECKED BY: CRAIG BUY
APPROVED BY: COVENTINE JIDDS

EXCESS PARCEL PLAT
ELGIN - O'HARE EXPRESSWAY

EXHIBIT

PART OF THE EAST HALF OF SECTION 19, TWP. 40 NORTH, RANGE 12 EAST, 3RD P.M.
COOK COUNTY, ILLINOIS

EXCESS PROPERTY DESCRIPTION:

WA-1D-12-010.EX, WA-1D-12-012.EX, WA-1D-12-014.EX AND WA-1D-15-900.IEX;

THAT PART OF THE EAST HALF OF SECTION 19, TOWNSHIP 40 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, BEARINGS BASED ON ILLINOIS STATE PLANE COORDINATES, EAST ZONE, NAD 83 (2007 ADJUSTMENT) DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT ON THE EAST LINE OF SAID SOUTHEAST QUARTER WHICH IS 2364.40 FEET NORTH OF THE SOUTHEAST CORNER THEREOF, THENCE WEST IN A LINE DRAWN AT RIGHT ANGLES TO SAID EAST LINE FOR A DISTANCE OF 909.33 FEET; THENCE SOUTH PARALLEL WITH THE EAST LINE OF SAID SOUTHEAST QUARTER A DISTANCE OF 354.0 FEET; THENCE SOUTHWESTERLY ALONG A LINE WHICH FORMS AN ANGLE OF 90 DEGREES 05 MINUTES 25 SECONDS MEASURED FROM NORTH TO WEST WITH THE LAST DESCRIBED PARALLEL LINE FOR A DISTANCE OF 1012.77 FEET TO A POINT ON THE SOUTHERLY LINE OF LANDS CONVEYED BY CLEARING INDUSTRIAL DISTRICT, INC. TO PRECISION STEEL WAREHOUSE, INC. BY WARRANTY DEED RECORDED DECEMBER 14, 1956 IN BOOK 54370 ON PAGE 66 AS DOCUMENT NUMBER 16781475; THENCE SOUTH 87 DEGREES 51 MINUTES 23 SECONDS WEST ALONG SAID SOUTHERLY LINE, 893.54 FEET TO THE SOUTHEAST CORNER OF TOLLWAY ACQUISITION PARCEL WA-1D-12-010 FOR THE POINT OF BEGINNING;

THENCE NORTH 72 DEGREES 34 MINUTES 20 SECONDS WEST ALONG THE EAST LINE OF SAID TOLLWAY PARCEL WA-1D-12-010, 773.10 FEET; THENCE CONTINUING NORTHWESTERLY ALONG THE EASTERLY LINE OF SAID TOLLWAY PARCEL WA-1D-12-010, 239.25 FEET BEING ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 339.26 FEET AND A CHORD THAT BEARS NORTH 54 DEGREES 34 MINUTES 05 SECONDS WEST, 234.33 FEET TO A BEND IN SAID EASTERLY LINE; THENCE SOUTH 00 DEGREES 00 MINUTES 00 SECONDS WEST ALONG THE SOUTHERLY EXTENSION OF THE EASTERLY LINE OF SAID TOLLWAY PARCEL WA-1D-12-010, 19.72 FEET; THENCE NORTHWESTERLY 38.76 FEET ALONG A NON-TANGENTIAL CURVE TO THE RIGHT HAVING A RADIUS OF 394.00 FEET AND A CHORD THAT BEARS NORTH 41 DEGREES 37 MINUTES 51 SECONDS WEST, 138.04 FEET; THENCE NORTHWESTERLY, NORTHERLY AND NORTHEASTERLY 783.33 FEET ALONG A NON-TANGENTIAL CURVE TO THE RIGHT HAVING A RADIUS OF 401.58 FEET AND A CHORD THAT BEARS NORTH 25 DEGREES 48 MINUTES 39 SECONDS EAST, 654.92 FEET; THENCE NORTH 81 DEGREES 25 MINUTES 38 EAST, 233.33 FEET TO A POINT ON THE NORTH LINE OF TOLLWAY ACQUISITION PARCEL WA-1D-11-011 SAID LINE ALSO BEING THE NORTH LINE OF LANDS DESCRIBED IN A SPECIAL WARRANTY DEED RECORDED JUNE 11, 2011 AS DOCUMENT NUMBER 1216318057; THENCE SOUTH 87 DEGREES 50 MINUTES 22 SECONDS WEST ALONG SAID NORTH LINE, 251.12 FEET TO A BEND IN SAID LINE; THENCE NORTH 85 DEGREES 09 MINUTES 21 SECONDS WEST ALONG SAID NORTH LINE, 97.14 FEET; THENCE SOUTH 2 DEGREES 32 MINUTES 23 SECONDS EAST, 5.25 FEET; THENCE SOUTHWESTERLY, SOUTHERLY AND SOUTHEASTERLY 746.69 FEET BEING ALONG A NON-TANGENTIAL CURVE TO THE LEFT HAVING A RADIUS OF 431.53 FEET AND A CHORD THAT BEARS SOUTH 19 DEGREES 26 MINUTES 35 SECONDS WEST, 656.98 FEET; THENCE SOUTH 32 DEGREES 47 MINUTES 33 SECONDS EAST, 19.28 FEET; THENCE SOUTH 34 DEGREES 05 MINUTES 42 SECONDS EAST, 164.75 FEET TO THE SOUTHERLY LINE OF SAID LANDS CONVEYED BY CLEARING INDUSTRIAL DISTRICT, INC. TO PRECISION STEEL WAREHOUSE, INC. BY WARRANTY DEED RECORDED DECEMBER 14, 1956 IN BOOK 54370 ON PAGE 66 AS DOCUMENT NUMBER 16781475; THENCE NORTH 87 DEGREES 51 MINUTES 23 SECONDS EAST ALONG SAID SOUTHERLY LINE, 23.46 FEET TO THE POINT OF BEGINNING IN COOK COUNTY ILLINOIS, AND CONTAINING 1.029 ACRES (44.775 S.F.) OF LAND MORE OR LESS.

Property

Public's Office

AMERICAN SURVEYING & ENGINEERING, P.C.
SURVEYORS & ENGINEERS
6601 S. STATE ST., SUITE 100, CHICAGO, IL 60637
TEL: (773) 486-1100 FAX: (773) 486-1101

ELGIN-O'HARE EXPRESSWAY
STATE OF ILLINOIS
EXCESS PARCELS
OTHER GRANTEE: PACIFIC

ILLINOIS STATE TOLL HIGHWAY AUTHORITY
2700 OGDEN AVENUE
DOWNERS GROVE, ILLINOIS 60515

CONTRACT NO. 1-11-001-A
DRAWING NO. 2 OF 2

NO.	DATE	REVISIONS
1		
2		
3		
4		

CAD DRAWING BY: CAROL ANNE BLEND
CALCULATIONS BY: GRAIG DUJ
CHECKED BY: GRAIG DUJ
APPROVED BY: COURTNEY FIDTIS
JOB NUMBER