

90593591

STATE OF ILLINOIS
IN THE CIRCUIT COURT OF THE EIGHTEENTH JUDICIAL CIRCUIT
DUPAGE COUNTY

LIS PENDENS NOTICE

To be filed in the office of the Recorder of Deeds

THE DEPARTMENT OF CONSERVATION OF THE
STATE OF ILLINOIS, Plaintiff,

vs.
MINERAL AND LAND RESOURCES CORPORATION,
a Corporation of Delaware, and UNKNOWN
OWNERS, Defendants,

No. 90 ED 50

I, the undersigned, do hereby certify that the above entitled cause was filed in the above Court on

November 21, 19 90 for Complaint for Condemnation
(Kind of Action)

and is now pending in said court and that the property affected by said cause is described as follows:

(GIVE LEGAL DESCRIPTION)

See legal description attached hereto and made a part hereof.

90593591

in Cook, DuPage and Kane County, Illinois.

(Signature)

George F. Mahoney, III
Special Assistant Attorney General
(Type or print above signature for clarification)
116 North Chicago Street, Suite 600
Joliet, Illinois 60431

(Address)

(Check one)

- Party to said Cause
- Attorney of Record

Prepared by and

Mail Receipt to:

George F. Mahoney, III
Name: Special Assistant Attorney
General
116 N. Chicago St., Suite 600
Address: Joliet, IL 60431
(815) 723-8500
DuPage County Firm #G036113

Space for Recorder's Data Only

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EXHIBIT A

FEE SIMPLE TITLE TO BE ACQUIRED

THAT PART OF SECTION 5 AND 6, TOWNSHIP 40 NORTH, RANGE 9 EAST OF THE THIRD PRINCIPAL MERIDIAN IN DUPAGE COUNTY; PART OF SECTION 31, TOWNSHIP 41 NORTH, RANGE 9 EAST OF THE THIRD PRINCIPAL MERIDIAN IN COOK COUNTY; PART OF SECTION 1, TOWNSHIP 40 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN IN KANE COUNTY; AND PART OF SECTION 36, TOWNSHIP 41 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN IN KANE COUNTY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF THE SOUTHWEST QUARTER OF SAID SECTION 31; THENCE NORTH 00°-28'-15" WEST ALONG THE WEST LINE OF SAID SECTION 31, A DISTANCE OF 1069.80 FEET TO THE SOUTHERLY LINE OF THE PREMISES CONVEYED BY DOCUMENT NO. 90050042 RECORDED JANUARY 31, 1990 IN COOK COUNTY, ILLINOIS TO THE POINT OF BEGINNING; THENCE NORTH 88°-37'-14" EAST ALONG THE SOUTHERLY LINE OF PREMISES CONVEYED BY SAID DOCUMENT NO. 90050042, A DISTANCE OF 517.89 FEET TO THE SOUTHEAST CORNER OF SAID PREMISES CONVEYED BY SAID DOCUMENT NO. 90050042; THENCE SOUTH 00°-28'-15" EAST ALONG THE SOUTHERLY EXTENSION OF THE EASTERLY LINE OF THE PREMISES CONVEYED BY SAID DOCUMENT NO. 90050042, A DISTANCE OF 819.66 FEET TO A POINT 250.00 FEET NORTH OF THE SOUTH LINE OF SAID SECTION 31; THENCE NORTH 88°-36'-32" EAST ALONG A LINE PARALLEL WITH AND 250.00 FEET NORMALLY DISTANT FROM THE SOUTHERLY LINE OF SAID SECTION 31, A DISTANCE OF 5034.67 FEET TO A POINT ON THE EAST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 31; THENCE SOUTH 00°-12'-02" WEST ALONG THE EASTERLY LINE OF SAID SECTION 31, A DISTANCE OF 250.10 FEET TO THE SOUTHEAST CORNER OF SAID SECTION 31; THENCE NORTH 88°-36'-32" EAST ALONG THE NORTH LINE OF SAID SECTION 6, A DISTANCE OF 85.14 FEET TO THE NORTHEAST CORNER OF SAID SECTION 6; THENCE NORTH 88°-58'-20" EAST ALONG THE NORTH LINE OF SAID SECTION 5, A DISTANCE OF 1052.42 FEET TO THE WESTERLY LINE OF THE COMMONWEALTH EDISON COMPANY RIGHT-OF-WAY; THENCE SOUTH 00°-15'-49" WEST ALONG THE WESTERLY LINE OF SAID RIGHT-OF-WAY, A DISTANCE OF 498.20 FEET TO THE NORTHEAST CORNER OF PROPERTY CONVEYED BY DOCUMENT NO. R69-29958; THENCE NORTH 89°-41'-31" WEST ALONG THE NORTH LINE OF PROPERTY CONVEYED BY DOCUMENT NO. R69-29958, A DISTANCE OF 1521.93 FEET TO THE NORTHWEST CORNER OF PROPERTY CONVEYED BY DOCUMENT NO. R69-29958; THENCE SOUTH 04°-31'-09" WEST ALONG A WESTERLY LINE OF PROPERTY CONVEYED BY DOCUMENT NO. R69-29958, A DISTANCE OF 296.46 FEET TO AN IRON STAKE IN A CREEK; THENCE SOUTH 86°-02'-17" WEST ALONG SAID CREEK AND ALONG A NORTHERLY LINE OF PROPERTY CONVEYED BY DOCUMENT NO. R69-29958, A DISTANCE OF 55.82 FEET TO AN IRON STAKE; THENCE SOUTH 00°-12'-55" WEST ALONG A WESTERLY LINE OF PROPERTY CONVEYED BY DOCUMENT NO. R69-29958, A DISTANCE OF 559.91 FEET TO A NORTHERLY LINE OF PROPERTY CONVEYED BY DOCUMENT NO. R69-29958; THENCE NORTH 89°-46'-17" WEST ALONG THE NORTHERLY LINE OF PROPERTY CONVEYED BY DOCUMENT NO. R69-29958 AND SAID LINE EXTENDED, A DISTANCE OF 2295.39 FEET TO A POINT 463.00 FEET NORMALLY DISTANT WESTERLY OF THE EAST LINE OF LANDS CONVEYED BY DOCUMENT NO. R75-39812; THENCE SOUTH 00°-55'-37" EAST, ALONG A

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LINE PARALLEL WITH AND 463.00 FEET NORMALLY DISTANT FROM THE EASTERLY LINE OF LANDS CONVEYED BY DOCUMENT NO. R75-39812, A DISTANCE OF 1455.11 FEET; THENCE NORTH 88°-00'-21" WEST, ALONG A LINE PARALLEL WITH THE CENTERLINE OF STEARNS ROAD, A DISTANCE OF 19.56 FEET; THENCE WESTERLY ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 6429.65 FEET AND CONCENTRIC WITH THE CENTERLINE OF STEARNS ROAD, A DISTANCE OF 647.26 FEET TO THE EAST LINE OF LAND CONVEYED BY DOCUMENT NO. R73-9999; THENCE SOUTH 00°-47'-02" EAST, A DISTANCE OF 701.07 FEET TO THE CENTERLINE OF STEARNS ROAD (SA 29); THENCE WESTERLY ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 5729.65 FEET, A DISTANCE OF 453.03 FEET; THENCE SOUTH 81°-19'-50" WEST ALONG THE CENTERLINE OF STEARNS ROAD, A DISTANCE OF 1385.29 FEET TO THE SOUTHEAST CORNER OF ROBERT HAAS'S ASSESSMENT PLAT RECORDED OCTOBER 3, 1967 AS DOCUMENT NO. R67-39772; THENCE NORTH 08°-43'-54" WEST ALONG THE EASTERLY LINE OF SAID HAAS'S ASSESSMENT PLAT, A DISTANCE OF 450.40 FEET; THENCE NORTH 85°-53'-44" WEST ALONG THE NORTH LINE OF SAID HAAS'S ASSESSMENT PLAT, A DISTANCE OF 290.45 FEET TO THE WEST LINE OF SAID SECTION 6; THENCE CONTINUING NORTH 85°-53'-44" WEST, A DISTANCE OF 1599.43 FEET TO THE CENTERLINE OF DUNHAM ROAD; THENCE NORTH 24°-51'-21" WEST ALONG THE CENTERLINE OF DUNHAM ROAD, A DISTANCE OF 114.58 FEET; THENCE NORTHERLY ALONG A CURVE TO THE RIGHT, ALONG THE CENTERLINE OF DUNHAM ROAD, HAVING A RADIUS OF 1042.14 FEET, A DISTANCE OF 641.88 FEET; THENCE NORTH 10°-26'-02" EAST ALONG THE CENTERLINE OF DUNHAM ROAD, A DISTANCE OF 212.36 FEET TO THE SOUTHWEST CORNER OF LANDS CONVEYED BY DOCUMENT NO. 491121; THENCE SOUTH 83°-18'-58" EAST ALONG THE SOUTHERLY LINE OF SAID LANDS (AND SOUTHERLY LINE EXTENDED) CONVEYED BY DOCUMENT NO. 491121, A DISTANCE OF 256.96 FEET; THENCE NORTH 10°-26'-02" EAST, A DISTANCE OF 407.52 FEET; THENCE NORTH 83°-27'-58" WEST ALONG THE NORTHERLY LINE OF SAID LANDS (AND SAID LINE EXTENDED) CONVEYED BY DOCUMENT NO. 491121, A DISTANCE OF 257.00 FEET TO THE CENTERLINE OF ILLINOIS ROUTE 25; THENCE NORTH 10°-26'-02" EAST ALONG THE CENTERLINE OF ILLINOIS ROUTE 25, A DISTANCE OF 1454.43 FEET; THENCE CONTINUING NORTHERLY ALONG THE CENTERLINE OF ILLINOIS ROUTE 25, ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 2665.08 FEET, A DISTANCE OF 606.83 FEET TO A POINT OF COMPOUND CURVATURE; THENCE CONTINUING NORTHERLY ALONG THE CENTERLINE OF ILLINOIS ROUTE 25, ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 375714.50 FEET, A DISTANCE OF 145.75 FEET; THENCE NORTH 88°-43'-19" WEST ALONG THE SOUTH LINE OF THE FORMER KENYON'S LANDS, A DISTANCE OF 245.52 FEET; THENCE SOUTH 00°-05'-29" EAST ALONG THE EASTERLY LINE OF THE FORMER KENYON'S LANDS, A DISTANCE OF 536.58 FEET TO THE SOUTH LINE OF SAID SECTION 36; THENCE SOUTH 88°-37'-14" WEST ALONG THE SOUTH LINE OF SAID SECTION 36, A DISTANCE OF 1430.42 FEET TO THE EASTERLY LINE OF THE AURORA, ELGIN AND CHICAGO RAILWAY COMPANY PER DOCUMENT NO. 52794; THENCE NORTH 03°-10'-03" EAST ALONG SAID EAST LINE OF AURORA, ELGIN AND CHICAGO RAILWAY COMPANY, A DISTANCE OF 2911.78 FEET TO THE CENTERLINE OF MIDDLE STREET AS PRESENTLY MONUMENTED AND OCCUPIED; THENCE NORTH 89°-47'-25" EAST ALONG THE CENTERLINE OF SAID MIDDLE STREET, A DISTANCE OF 300.52 FEET TO A POINT 300.00 FEET NORMALLY DISTANT FROM THE EAST LINE OF SAID AURORA, ELGIN AND CHICAGO RAILWAY COMPANY, SAID POINT ALSO BEING THE NORTHWEST CORNER OF LANDS CONVEYED BY DOCUMENT NO. 90K05691 RECORDED JANUARY 31, 1990

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IN KANE COUNTY, ILLINOIS; THENCE SOUTH 03°-10'-03" WEST ALONG THE WESTERLY LINE OF SAID LANDS CONVEYED BY SAID DOCUMENT NO. 90K05691, A DISTANCE OF 1832.59 FEET TO THE SOUTHWEST CORNER OF SAID LANDS; THENCE NORTH 88°-37'-14" EAST ALONG THE SOUTHERLY LINE OF SAID LANDS CONVEYED BY SAID DOCUMENT NO. 90K05691 AND DOCUMENT NO. 90K05692 RECORDED JANUARY 31, 1990 IN KANE COUNTY, ILLINOIS, A DISTANCE OF 1289.39 FEET TO THE CENTERLINE OF ILLINOIS ROUTE 25; THENCE CONTINUING NORTH 88°-37'-14" EAST ALONG THE SOUTHERLY LINE OF SAID LANDS CONVEYED BY SAID DOCUMENT NO. 90K05692, A DISTANCE OF 1306.18 FEET TO THE POINT OF BEGINNING, ALL IN THE COUNTIES OF COOK, DUPAGE AND KANE, ILLINOIS, CONTAINING A TOTAL OF 527.001 ACRES, MORE OR LESS, OF WHICH 5.132 ACRES, MORE OR LESS, FALLS WITHIN EXISTING HIGHWAY RIGHT-OF-WAYS.

EXCEPTING AND RESERVING THEREFROM A PERMANENT EASEMENT FOR THE BENEFIT OF ADJOINING LAND OWNED BY THE DEFENDANT FOR THE INSTALLATION, MAINTENANCE, INSPECTION AND REPAIR OF ONE UNDERGROUND WATER LINE AND ONE UNDERGROUND SEWER AND/OR WASTE WATER LINE UPON THE FOLLOWING DESCRIBED PROPERTY:

THAT PART OF THE NORTH HALF OF SECTION 36, TOWNSHIP 41 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS: BEGINNING AT THE POINT OF INTERSECTION OF THE EAST LINE OF THE AURORA, ELGIN AND CHICAGO RAILWAY COMPANY PER DOCUMENT NO. 52794 RECORDED SEPTEMBER 21, 1907 IN KANE COUNTY, ILLINOIS AND THE CENTERLINE OF MIDDLE STREET AS PRESENTLY MONUMENTED AND OCCUPIED; THENCE NORTH 89°-47'-25" EAST ALONG SAID CENTERLINE OF MIDDLE STREET, A DISTANCE OF 300.52 FEET TO A POINT LYING 300 FEET NORMALLY DISTANT FROM THE EASTERLY LINE OF SAID AURORA, ELGIN AND CHICAGO RAILWAY COMPANY TO THE NORTHWEST CORNER OF LANDS CONVEYED BY DOCUMENT NO. 90K-05691 RECORDED JANUARY 31, 1990; THENCE SOUTHERLY ALONG THE WESTERLY LINE OF SAID LANDS CONVEYED BY DOCUMENT NO. 90K-05691, A DISTANCE OF 73.13 FEET TO A POINT LYING 73 FEET NORMALLY DISTANT FROM THE CENTERLINE OF SAID MIDDLE STREET; THENCE SOUTH 89°-47'-25" WEST, 73 FEET SOUTHERLY OF AND NORMALLY DISTANT FROM THE CENTERLINE OF SAID MIDDLE STREET, A DISTANCE OF 300.52 FEET TO THE EAST LINE OF SAID AURORA, ELGIN AND CHICAGO RAILWAY COMPANY; THENCE NORTHERLY, ALONG THE EASTERLY LINE OF SAID AURORA, ELGIN AND CHICAGO RAILWAY COMPANY, A DISTANCE OF 73.13 FEET TO THE POINT OF BEGINNING; ALL IN KANE COUNTY, ILLINOIS AND SUBJECT TO THE RIGHTS OF THE PUBLIC IN AND TO THAT PART USED FOR MIDDLE STREET.

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ALSO EXCEPTING AND RESERVING THEREFROM A PERMANENT EASEMENT FOR THE BENEFIT OF ADJOINING LAND OWNED BY THE DEFENDANT FOR THE INSTALLATION, MAINTENANCE, INSPECTION AND REPAIR OF ONE UNDERGROUND WATER LINE AND ONE UNDERGROUND SEWER AND/OR WASTE WATER LINE UPON THAT PART OF THE FOLLOWING DESCRIBED PROPERTY LYING WITHIN THE BOUNDARIES OF THE ABOVE-DESCRIBED AREA TO BE ACQUIRED:

THAT PART OF THE SOUTHEAST QUARTER OF SECTION 31, TOWNSHIP 41 NORTH, RANGE 9 EAST OF THE THIRD PRINCIPAL MERIDIAN AND THE NORTHEAST AND SOUTHEAST QUARTER OF SECTION 6, TOWNSHIP 40 NORTH, RANGE 9 EAST OF THE THIRD PRINCIPAL MERIDIAN BEING A 40 FOOT WIDE STRIP, THE EASTERLY LINE THEREOF DESCRIBED AS: COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 31; THENCE SOUTH 88°-36'-32" WEST ALONG THE SOUTHERLY LINE OF SAID SECTION 31, A DISTANCE OF 433.15 FEET TO THE INTERSECTION OF THE SOUTHERLY LINE OF SAID SECTION 31 AND THE NORTHERLY EXTENSION OF A WESTERLY LINE OF PROPERTY AS CONVEYED PER DOCUMENT NO. R69-29958; THENCE NORTH 00°-12'-55" EAST ALONG THE NORTHERLY EXTENSION OF SAID WESTERLY LINE, A DISTANCE OF 250.10 FEET TO A POINT 250 FEET NORTHERLY OF AND NORMALLY DISTANT FROM THE SOUTHERLY LINE OF SAID SECTION 31 FOR A POINT OF BEGINNING; THENCE SOUTH 00°-12'-55" WEST ALONG THE NORTHERLY EXTENSION, A WESTERLY LINE AND THE SOUTHERLY EXTENSION OF A WESTERLY LINE OF PROPERTY CONVEYED PER DOCUMENT NO. R69-29958, A DISTANCE OF 1,785.76 FEET TO THE NORTHERLY RIGHT-OF-WAY OF STEARNS ROAD AS DEDICATED PER DOCUMENT NO. 424792 AND DOCUMENT NO. 424798 FOR A POINT OF TERMINUS, EXCEPT THAT PART LYING SOUTHERLY OF THE NORTHERLY RIGHT-OF-WAY OF SAID STEARNS ROAD AND EXCEPT THAT PART LYING WITHIN THE 205 FOOT WIDE COMMONWEALTH EDISON COMPANY RIGHT-OF-WAY, ALL IN COOK AND DUPAGE COUNTY, ILLINOIS.

TOGETHER WITH:

A 50 FOOT WIDE TEMPORARY CONSTRUCTION EASEMENT LYING WESTERLY OF AND COINCIDENT TO THE ABOVE DESCRIBED PERMANENT EASEMENT AND BEING BOUNDED ON THE NORTH BY A LINE 250 FEET NORTHERLY OF AND NORMALLY DISTANT FROM THE SOUTHERLY LINE OF SAID SECTION 31 AND BOUNDED ON THE SOUTH BY THE NORTHERLY LINE OF SAID STEARNS ROAD.

*The above legal description includes parts or all of the following PIN numbers in Cook County:

05-31-400-004-6001
06-31-400-004-6002
06-31-400-005-6001
06-31-400-005-6002
06-31-300-007-6001
06-31-300-007-6002
06-31-300-002-0000

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