

**RESOLUTION OF THE GOVERNING BOARD OF HENRY-STARK COUNTIES
SPECIAL EDUCATION DISTRICT 801**

**AUTHORIZING THE TRANSFER OF CERTAIN REAL PROPERTY AND GRANT OF
PERMANENT AND TEMPORARY CONSTRUCTION EASEMENTS TO THE STATE
OF ILLINOIS, DEPARTMENT OF TRANSPORTATION**

WHEREAS, the Governing Board of Henry-Stark Counties Special Education District 801 (hereinafter referred to as the “**Board**”), is the owner of real property located at 1318 W. 6th Street, Kewanee, IL 61443 (hereinafter referred to as the “**Real Estate**”); and

WHEREAS, the State of Illinois desires to acquire fee simple title to approximately 744 square feet of the Real Estate, legally described on Exhibit A attached hereto, for highway purposes (hereinafter referred to as the “**Acquired Property**”); and

WHEREAS, the State of Illinois has offered the Board \$4,500 to purchase the Acquired Property; and

WHEREAS, the State of Illinois further desires to acquire a four-year temporary construction easement on approximately 5,002 square feet of the Real Estate, legally described on Exhibit B attached hereto, for the use of the Department of Transportation for grading, driveway construction, and other highway purposes (hereinafter referred to as the “**Temporary Construction Easement**”) and has offered the Board \$20,000 for the Temporary Construction Easement; and

WHEREAS, the State of Illinois further desires to acquire a permanent easement on approximately 1,196 square feet of the Real Estate, legally described on Exhibit C attached hereto, for the use of the Department of Transportation for retaining wall maintenance and for other highway purposes (hereinafter referred to as the “**Permanent Easement**”) and has offered the Board \$1,800 for the Permanent Easement; and

WHEREAS, the Board has determined that it is in the best interest of the School District to accept the State of Illinois’ offer for the Acquired Property, Temporary Construction Easement, and Permanent Easement; and

WHEREAS, the Board has the authority to sell the Acquired Property and grant the Temporary Construction Easement and Permanent Easement described above to the Illinois Department of Transportation in accordance with Sections 5-22 and 5-29 of the *School Code* (105 ILCS 5/5-22 and 105 ILCS 5/5-29) and Section 3 of the *Local Government Property Transfer Act* (50 ILCS 605/3 et seq.); and

NOW, THEREFORE, BE IT RESOLVED by the Governing Board of Henry-Stark Counties Special Education District 801, as follows:

- Section 1:** The Board finds that the Acquired Property is unnecessary, unsuitable, and inconvenient for the uses of Henry-Stark Counties Special Education District 801.
- Section 2:** The Board authorizes transfer of the Acquired Property and grant of the Temporary Construction Easement and Permanent Easement to the Illinois Department of Transportation, in substantially the forms provided in Exhibits A, B, and C hereto. The Board further authorizes the execution and delivery of such other instruments as may be necessary or convenient to consummate such transfer, subject to the approval of the Board's legal counsel.
- Section 3:** The President of the Board is authorized to sign the deed of conveyance for the Acquired Property on behalf of the Board, and the Executive Director or designee is authorized to sign any other documents necessary to complete the transfer of the Acquired Property and grant of the Temporary Construction Easement and Permanent Easement contemplated by this Resolution.
- Section 4:** All resolutions or parts of resolutions in conflict with this Resolution are repealed, and this Resolution shall be in full force and effect immediately and forthwith upon its passage.

ADOPTED this 18th day of December, 2025, by at least two-thirds of its members, in the following vote:

AYES:

NAYS:

ABSENT:

President, Governing Board

ATTEST:

Secretary, Governing Board

EXHIBIT A
WARRANTY DEED FOR ACQUIRED PROPERTY

[begins on the following page]

Owner The Governing Board of
Henry-Stark Special
Education
Address 1318 W. 6th St.
Kewanee, IL 61443
Route FAP 611 (IL 81)
County Henry
Job No. R-92-015-20
Parcel No. 21520021
P.I.N. No. 20-29-454-005
Section 104R
Station 1214+35
Station 1315+84

WARRANTY DEED
(School District) (Non-Freeway)

The Governing Board of Henry-Stark Special Education District (Grantor), a school district organized and existing under the laws of the State of Illinois, for and in consideration of Four Thousand Five Hundred and 00/100 Dollars (\$4,500.00), receipt of which is hereby acknowledged, pursuant to the provisions of 105 ILCS 5/5-29, grants, conveys, and warrants to the People of the State of Illinois, Department of Transportation, (Grantee), the following described real estate in Henry County, Illinois:

21520021 Tract One

That part of Lot 13 in Block 2 of Carter's Addition to the City of Kewanee, the Plat of which is recorded in Book 222 on Page 297 in the Recorder's Office of Henry County, Illinois, being a subdivision of the South Half of the Southwest Quarter of the Southeast Quarter of Section 29, Township 15 North, Range 5 East of the Fourth Principal Meridian, Henry County, Illinois, with bearings and grid distances referenced to the Illinois State Plane Coordinate System, West Zone NAD 83 (2011 ADJ), with a combined factor of 0.99990912, described as follows:

Commencing at the northwest corner of Lot 15 in said Block 2; thence South 00 degrees 18 minutes 38 seconds West on the easterly right of way line of North Adams Street, 125.04 feet to the Point of Beginning.

From said Point of Beginning; thence South 30 degrees 56 minutes 36 seconds East, 29.59 feet to the northerly right of way line of FAP 611 (IL 81); thence South 88 degrees 33 minutes 55 seconds West on said northerly right of way line, 15.36 feet to said easterly right of way line; thence North 00 degrees 18 minutes 38 seconds East on said easterly right of way line, 25.76 feet to the Point of Beginning, containing 198 square feet (0.0045 acres), more or less (area based on ground distances).

21520021 Tract Two

That part of Lots 13, 14 and 15 in Block 2 of Carter's Addition to the City of Kewanee, the Plat of which is recorded in Book 222 on Page 297 in the Recorder's Office of Henry County, Illinois, being a subdivision of the South Half of the Southwest Quarter of the Southeast Quarter of Section 29, Township 15 North, Range 5 East of the Fourth Principal Meridian, Henry County, Illinois, with bearings and grid distances referenced to the Illinois State Plane Coordinate System, West Zone NAD 83 (2011 ADJ), with a combined factor of 0.99990912, described as follows:

Beginning at the northeast corner of said Lot 15 in Block 2; thence South 00 degrees 17 minutes 56 seconds West on the westerly right of way line of North Lincoln Street, 150.90 feet to the northerly right of way line of FAP 611 (IL 81); thence South 88 degrees 33 minutes 55 seconds West on said northerly right of way line, 9.67 feet; thence North 06 degrees 28 minutes 30 seconds East, 74.06 feet; thence North 00 degrees 26 minutes 54 seconds East, 64.71 feet; thence North 03 degrees 22 minutes 53 seconds West, 12.80 feet to the north line of said Lot 15; thence North 88 degrees 31 minutes 45 seconds East on said north line, 2.35 feet to the Point of Beginning, containing 546 square feet (0.0125 acres), more or less (area based on ground distances).

Said Parcels 21520021 Tract One and Two contain a total of 0.0170 acres, more or less (area based on ground distances).

The above-described real estate and improvements located thereon are referred herein to as the "premises". 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 Grantor caused by opening, improving, and using the premises for highway purposes. This acknowledgement does not waive any claim for trespass or negligence against Grantee or Grantee's agents which may cause damage to Grantor's remaining property.

REMAINDER OF PAGE INTENTIONALLY LEFT BLANK.

Dated this _____ day of _____, 20__.

The Governing Board of Henry-Stark
Special Education District

Name of School District

By: _____
Signature

ATTEST:

By: _____
Signature

Print Name and Title

Print Name and Title

State of _____)
County of _____) ss

This instrument was acknowledged before me on _____, 20__, by

_____, as _____
and _____, as _____
of The Governing Board of Henry-Stark Special Education District, a school district
organized and existing under the laws of the state of Illinois.

(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 and after
recording, mail this instrument and future tax bills to:

Illinois Department of Transportation
ATTN: Bureau of Land Acquisition
819 Depot Avenue
Dixon, IL 61021

EXHIBIT B
GRANT OF TEMPORARY CONSTRUCTION EASEMENT

[begins on the following page]

Owner The Governing Board of
 Henry-Stark Special
 Education District
Address 1318 W. 6th St.
 Kewanee, IL 61443
Route FAP 611 (IL 81)
County Henry
Job No. R-92-015-20
Parcel No. 21520021
P.I.N. No. 20-29-454-005
Section 104R
Station 1314+44
Station 1315+75

TEMPORARY CONSTRUCTION EASEMENT
(School District)

The Governing Board of Henry-Stark Special Education District (Grantor), a school district organized and existing under the laws of the State of Illinois, for and in consideration of Twenty Thousand and 00/100 Dollars (\$20,000.00), receipt of which is hereby acknowledged, pursuant to the provisions of 105 ILCS 5/5-29, hereby represents that Grantor owns the fee simple title to and grants and conveys to the People of the State of Illinois, Department of Transportation, (Grantee), a temporary construction easement for the purpose of grading, driveway construction and other highway purposes, on, over, and through the following described real estate:

That part of Lots 13, 14 and 15 in Block 2 of Carter's Addition to the City of Kewanee, the Plat of which is recorded in Book 222 on Page 297 in the Recorder's Office of Henry County, Illinois, being a subdivision of the South Half of the Southwest Quarter of the Southeast Quarter of Section 29, Township 15 North, Range 5 East of the Fourth Principal Meridian, Henry County, Illinois, with bearings and grid distances referenced to the Illinois State Plane Coordinate System, West Zone NAD 83 (2011 ADJ), with a combined factor of 0.99990912, described as follows:

Commencing at the northwest corner of said Lot 15 in Block 2 of Carter's Addition to the City of Kewanee; thence North 88 degrees 31 minutes 45 seconds East on the north line of said Lot 15 in Block 2, a distance of 8.57 feet to the Point of Beginning.

From said Point of Beginning; thence continuing North 88 degrees 31 minutes 45 seconds East on said north line, 5.00 feet; thence South 00 degrees 03 minutes 23 seconds East, 115.37 feet; thence South 76 degrees 01 minutes 12 seconds East, 20.62 feet; thence South 01 degrees 52 minutes 23 seconds East, 13.71 feet; thence North 88 degrees 37 minutes 03 seconds East, 85.00 feet; thence North 00 degrees 25 minutes 05 seconds East to the foundation of an existing building, 62.71 feet; thence along said foundation the following three (3) courses and distances: 1) North 88 degrees 40 minutes 00 seconds East, 27.16 feet; 2) thence North 01 degrees 25 minutes 46 seconds West, 59.13 feet; 3) thence South 89 degrees 08 minutes 06 seconds West, 10.36 feet; thence North 00 degrees 17 minutes 56 seconds East, a distance of 12.83 feet to said north line; thence North

88 degrees 31 minutes 45 seconds East on said north line, 12.65 feet; thence South 03 degrees 22 minutes 53 seconds East, 12.80 feet; thence South 00 degrees 26 minutes 54 seconds West, 64.71 feet; thence South 06 degrees 28 minutes 30 seconds West, 74.06 feet to the northerly right of way line of FAP 611 (IL 81); thence South 88 degrees 33 minutes 55 seconds West on said northerly right-of-way line, 125.00 feet; thence North 30 degrees 56 minutes 36 seconds West, 11.33 feet; thence North 00 degrees 03 minutes 23 seconds West, 140.92 feet to the Point of Beginning, containing 5,002 square feet (0.1148 acres), more or less (area based on ground distances).

situated in the County of Henry, State of Illinois. The above-described real estate and improvements located thereon are herein referred to as the "premises."

The right, easement and privilege granted herein shall terminate four (4) years from the execution of this document, or on the completion of the proposed project, whichever is the sooner.

Grantor shall have and retain all rights to use and occupy the premises and access to Grantor's remaining property, except as herein expressly granted; provided, however, that Grantor's use and occupation of the premise may not interfere with Grantee's use of the premises for the purposes herein described.

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.

This grant shall constitute a covenant, which runs with the land, and shall be binding upon the legal representatives, successors and assigns of Grantor.

REMAINDER OF PAGE INTENTIONALLY LEFT BLANK.

Dated this _____ day of _____, 20__.

The Governing Board of Henry-Stark
Special Education District

Name of School District

By: _____
Signature

ATTEST:

By: _____
Signature

Print Name and Title

State of _____)
County of _____) ss

This instrument was acknowledged before me on _____, 20__, by

_____, as _____
and _____, as _____
of The Governing Board of Henry-Stark Special Education District, a school district
organized and existing under the laws of the state of Illinois.

(SEAL)

Notary Public

My Commission Expires: _____

This instrument was prepared by and after
recording return to:

Illinois Department of Transportation
ATTN: Bureau of Land Acquisition
819 Depot Avenue
Dixon, IL 61443

EXHIBIT C
GRANT OF PERMANENT EASEMENT

[begins on the following page]

Owner The Governing Board of
 Henry-Stark Special
 Education District
Address 1318 W. 6th St.
 Kewanee, IL 61443
Route FAP 611 (IL 81)
County Henry
Job No. R-92-015-20
Parcel No. 21520021
P.I.N. No. 20-29-454-005
Section 104R
Station 1314+35
Station 1314+44

PERMANENT EASEMENT
(School District)

The Governing Board of Henry-Stark Special Education District (Grantor), a school district organized and existing under the laws of the State of Illinois, for an in consideration of One Thousand Eight Hundred and 00/100 Dollars (\$1,800.00), receipt of which is hereby acknowledged, pursuant to the provisions of 105 ILCS 5/5-29, grants and conveys to the People of the State of Illinois, Department of Transportation, (Grantee), a permanent easement for the purpose of retaining wall maintenance and for other highway purposes, on, over and through the following described real estate:

That part of Lots 13, 14 and 15 in Block 2 of Carter's Addition to the City of Kewanee, the Plat of which is recorded in Book 222 on Page 297 in the Recorder's Office of Henry County, Illinois, being a subdivision of the South half of the Southwest Quarter of the Southeast Quarter of Section 29, Township 15 North, Range 5 East of the Fourth Principal Meridian, Henry County, Illinois, with bearings and grid distances referenced to the Illinois State Plane Coordinate System, West Zone NAD 83 (2011 ADJ), with a combined factor of 0.99990912, described as follows:

Beginning at the northwest corner of Lot 15 in said Block 2; thence North 88 degrees 31 minutes 45 seconds East on the north line of said Lot 15, a distance of 8.57 feet; thence South 00 degrees 03 minutes 23 seconds East, 140.92 feet; thence North 30 degrees 56 minutes 36 seconds West, 18.26 feet to the easterly right of way line of North Adams Street; thence North 00 degrees 18 minutes 38 seconds East on said easterly right of way line, 125.04 feet to the Point of Beginning, containing 1,196 square feet (0.0275 acres), more or less (area based on ground distances).

situated in the County of Henry, State of Illinois. The above-described real estate and improvements located thereon are herein referred to as the "premises."

Grantor shall have and retains all rights to use and occupy the premises and access to Grantor's remaining property, except as herein expressly granted; provided, however, Grantor's use and occupation of the premises may not interfere with Grantee's use of the premises for the purposes herein described.

Dated this _____ day of _____, 20__.

The Governing Board of Henry-Stark
Special Education District

Name of School District

By: _____
Signature

ATTEST:

By: _____
Signature

Print Name and Title

Print Name and Title

State of _____)
County of _____) ss

This instrument was acknowledged before me on _____, 20__, by

_____, as _____
and _____, as _____
of The Governing Board of Henry-Stark Special Education District, a school district
organized and existing under the laws of the state of Illinois.

(SEAL)

Notary Public

My Commission Expires: _____

This instrument was prepared by and after
recording, return to:

Illinois Department of Transportation
ATTN: Bureau of Land Acquisition
819 Depot Avenue
Dixon, IL 61820