

CITY OF BATAVIA

DATE: April 5, 2013
TO: Community Development Committee
FROM: Scott Buening, Community Development Director
SUBJECT: Resolution 13-56-R Accepting the Quit Claim Deed for a Parcel on South River Street

Background and Analysis

As part of the analysis of parcels owned by the City, we found that there is a parcel near the southeast corner of S. River Street and E. Wilson Street that is not owned by the City (parcel 12-22-279-019). This is a small parcel that is 100 square feet in area next to the "art stop" area. Based on a title report, it is apparent that it is owned by the heirs of Howard Schielke. We have now had a Quit Claim Deed to the City which has been signed by Jeffery Schielke as heir. The City needs to approve of the acceptance of the deed, and then it can be recorded. After that it will be owned by the City. The property is already tax exempt, as it was thought to be owned by the City some time ago.

Staff recommends approval of the Resolution accepting the Quit Claim Deed for a Parcel on South River Street.

Recommendation

Staff recommends approval of Resolution 13-56-R Accepting the Quit Claim Deed for a Parcel on South River Street.

Attachments:

1. Resolution 13-56-R Accepting the Quit Claim Deed for a Parcel on South River Street.
2. Quit Claim Deed.
3. Area Map.

Cc: Mayor & City Council
City Administrator
City Attorney
Press
File

**CITY OF BATAVIA, ILLINOIS
RESOLUTION 13-56-R**

RESOLUTION ACCEPTING DEED TO A PARCEL ON SOUTH RIVER STREET

WHEREAS, Jeffery D. Schielke is the heir of and apparent owner of a small parcel of land along South River Street, just south of Wilson Street; and

WHEREAS, the parcel identified as PIN 12-22-279-019 is being used as part of a parking lot and open space; and

WHEREAS, the City has been maintaining this property as part of the public parking lot as well as for open space purposes; and

WHEREAS, the City desires to acquire this parcel from the owner so it can continue to be maintained as City-owned property; and

WHEREAS, the owner has provided a Quit Claim Deed as owners of the property; and

WHEREAS, it is in the best interests of the City to accept this deed and take ownership of this City-maintained property;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BATAVIA, KANE COUNTY AND DUPAGE COUNTY, ILLINOIS, as follows:

SECTION 1: The recitals set forth above are incorporated as if fully stated herein as a material term of this Resolution.

SECTION 2: The Quit Claim Deed for the property attached as Exhibit "A" is hereby approved and accepted.

SECTION 3: The City Clerk or her designee is hereby authorized to record the Quit Claim Deed.

CITY OF BATAVIA, ILLINOIS RESOLUTION 13-56-R

SECTION 4: This Resolution shall become effective from and after its approval.

PRESENTED to and **PASSED** by the City Council of the City of Batavia, Illinois, this ___ day of _____, 2013.

APPROVED by me as Mayor of said City of Batavia, Illinois, this ___ day of _____, 2013.

Jeffery D. Schielke, Mayor

Ward	Aldermen	Ayes	Nays	Absent	Abstain	Aldermen	Ayes	Nays	Absent	Abstain
1	O'Brien					Sparks				
2	Dietz					Wolff				
3	Jungels					Chanzit				
4	Volk					Stark				
5	Frydendall					Thelin Atac				
6	Liva					Clark				
7	Tenuta					Brown				
Mayor Schielke										
VOTE:		Ayes	Nays	Absent	0 Abstentions					
Total holding office: Mayor and 14 aldermen										

ATTEST:

Heidi Wetzal, City Clerk

QUIT CLAIM DEED

Statutory (ILLINOIS)

MAIL DEED TO:

Kevin G. Drendel
DRENDEL & JANSONS LAW GROUP
111 Flinn Street
Batavia, IL 60510

SEND SUBSEQUENT TAX BILLS TO:

City of Batavia
100 N. Island Ave.
Batavia, IL 60510

THE GRANTOR, **Jeffery D. Schielke**, as sole heir of the Howard J. Schielke Estate, whose address is 518 Bailey Drive, Batavia, County of Kane, State of Illinois, for and in consideration of TEN AND NO/100'S DOLLARS (\$10.00) DOLLARS, and other good and valuable consideration in hand paid, CONVEYS AND QUIT CLAIMS to GRANTEE, **THE CITY OF BATAVIA**, a municipal corporation created and existing under and by the Laws of the State of Illinois and duly authorized to transact business in the State of Illinois, having its principal place of business located at 100 N. Island Ave., Batavia, IL 60510, the following described interest in the Real Estate situated in the County of Kane, in the State of Illinois, legally described as follows to wit:

THE WEST 24 FEET OF THE SOUTH 10 FEET OF LOT 4 IN BLOCK 2 OF WILSON'S ADDITION TO BATAVIA, IN THE CITY OF BATAVIA, IN KANE COUNTY, ILLINOIS.

Commonly known as: vacant land, Batavia IL 60510

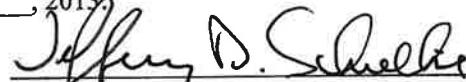
Permanent Real Estate Index Number: 12-22-279-019-0000

(This is not homestead property)

EXEMPT pursuant to 35 ILCS 200/31- 45(e) of The Illinois Real Estate Transfer Tax Law.

Date: _____
Buyer, Seller, Representative

DATED this 20 day of March, 2013



Jeffery D. Schielke

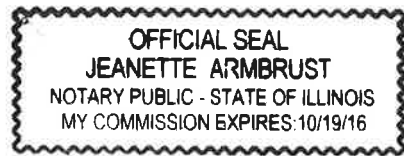
STATE OF ILLINOIS)
) SS
COUNTY OF KANE)

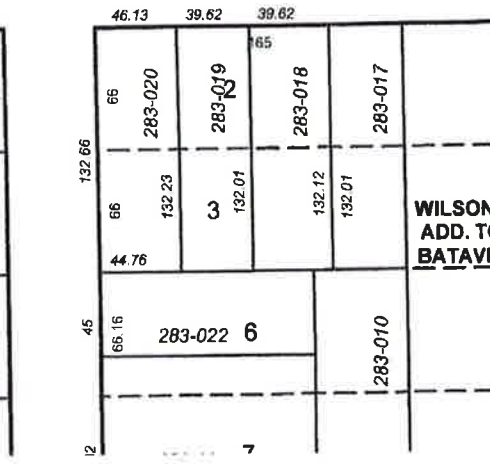
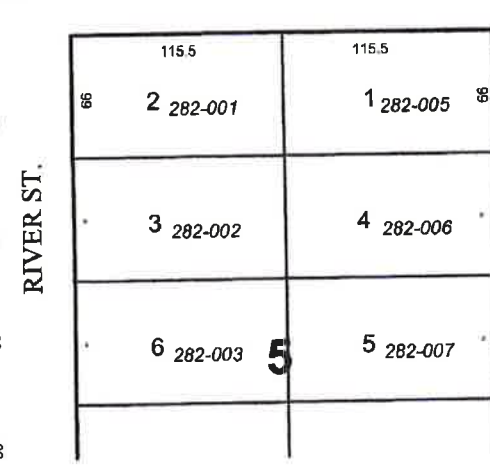
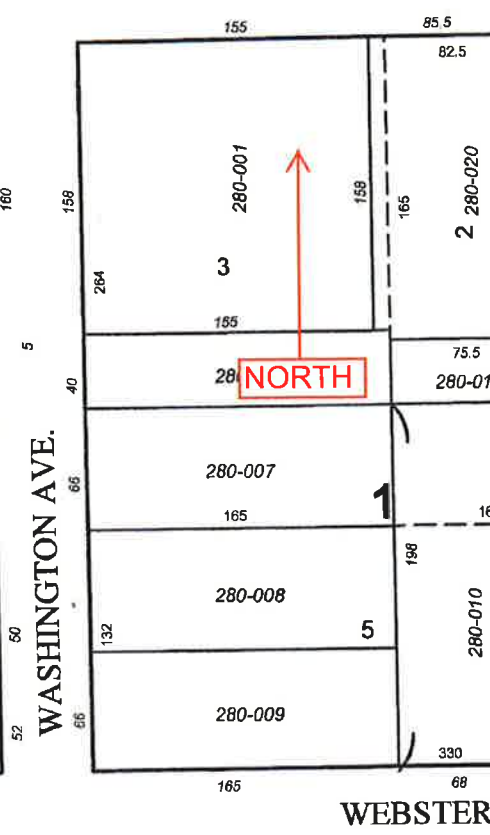
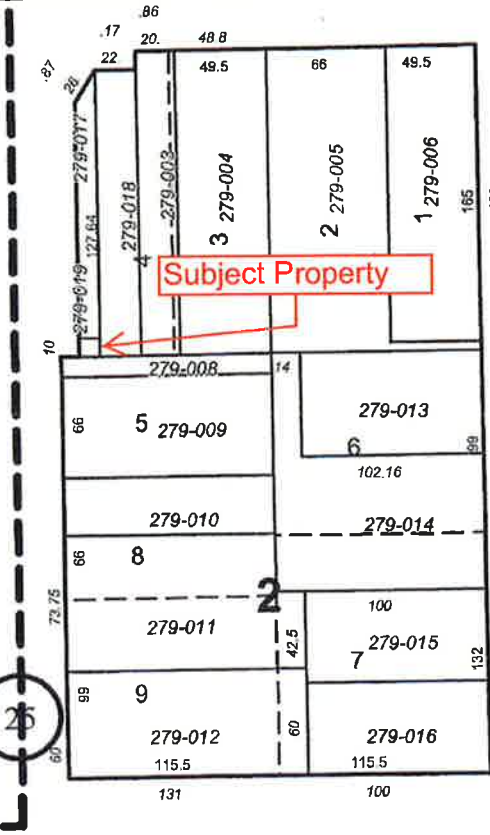
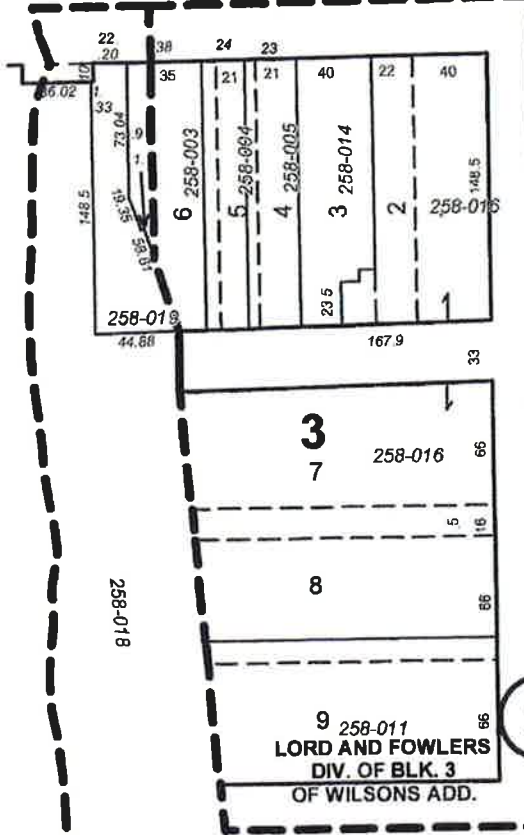
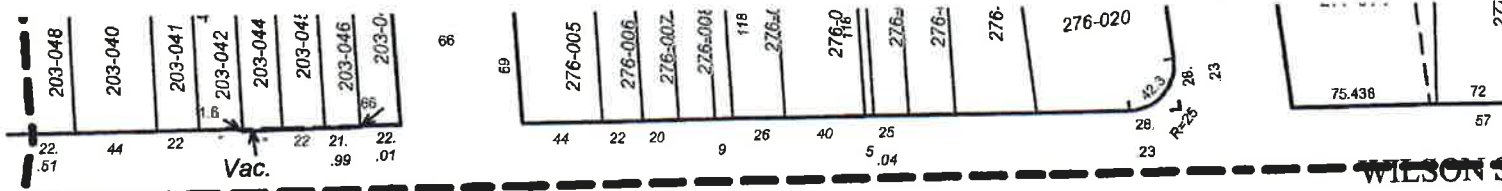
I, the undersigned, a Notary Public in and for said County, in the State aforesaid, DO HEREBY CERTIFY that **Jeffery D. Schielke** is personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person, and acknowledged that he signed, sealed and delivered the said instrument as his free and voluntary act, for the uses and purposes therein set forth.

Given under my hand and official seal, this 20 day of March, 2013.


NOTARY PUBLIC

This instrument was prepared by:
Kevin G. Drendel, Esq.
DRENDEL & JANSONS LAW GROUP
111 Flinn Street
Batavia, Il 60510
(630) 406-5440





WILSON

WASHINGTON AVE.

WEBSTER

WILSONS ADD. TO BATAVIA