

**BATAVIA PARK DISTRICT
ORDINANCE #398**

**ORDINANCE REQUESTING THE TRANSFER OF A CERTAIN PARCEL OF REAL
ESTATE FROM THE CITY OF BATAVIA PURSUANT TO THE
LOCAL GOVERNMENT PROPERTY TRANSFER ACT**

WHEREAS, the Board of Commissioners of the Batavia Park District (the “Park District”) has determined that it is necessary and convenient for it to use, occupy, and improve the parcel of real property owned by the City of Batavia located adjacent and immediately west of the Illinois Prairie Path and east of Outlot 54 on which an asphalt path connects the Illinois Prairie Path to the Prairie Commons Development in the City of Batavia legally described in the Plat attached hereto as Exhibit A (the “City Parcel”) for Park District purposes; and

WHEREAS, the Board of Commissioners desires the Corporate Authorities of the City to convey the City Parcel to the Park District, pursuant to the authority conferred by the Local Government Property Transfer Act, 50 ILCS 605/0.01 *et seq.*; and

WHEREAS, the City desires to acquire, and the Park District is willing to transfer, in exchange for the City Parcel, the parcel of real property owned by the Park District (the “Park District Parcel”) located southeast of Carlstedt Drive and south of Outlot 64 identified as parts of Outlot 51 and Outlot 52 in the Prairie Commons Development in the City of Batavia legally described in the Plat attached hereto as Exhibit A (the “Park District Parcel”) for City purposes; and

WHEREAS, the Board of Commissioners of the Batavia Park District desire to have the City Parcel and the Park District Parcel transferred by Quit Claim Deed according to the terms and conditions of the intergovernmental agreement attached hereto and incorporated herein by reference as Exhibit B (the “Agreement”) for each party’s respective uses for their respective public purposes;

NOW, THEREFORE, BE IT ORDAINED by the Board of Commissioners of the Batavia Park District, Kane County, Illinois, as follows:

Section 1: The foregoing recitals are hereby incorporated herein as findings of the Board of Commissioners of the Batavia Park District.

Section 2: The Park District hereby declares the necessity and convenience for it to use, occupy, and improve the City Parcel to be acquired in exchange for the Park District Parcel pursuant to the terms and conditions of the Agreement through the exchange of Quit Claim Deeds.

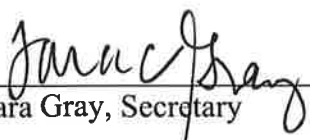
SECTION 3. This Ordinance shall be in full force and effect upon its presentation, passage and publication according to law.

PRESENTED to and **PASSED** by the Board of Commissioners of the Batavia Park District this 25 day of May, 2021.



Patrick Callahan, President

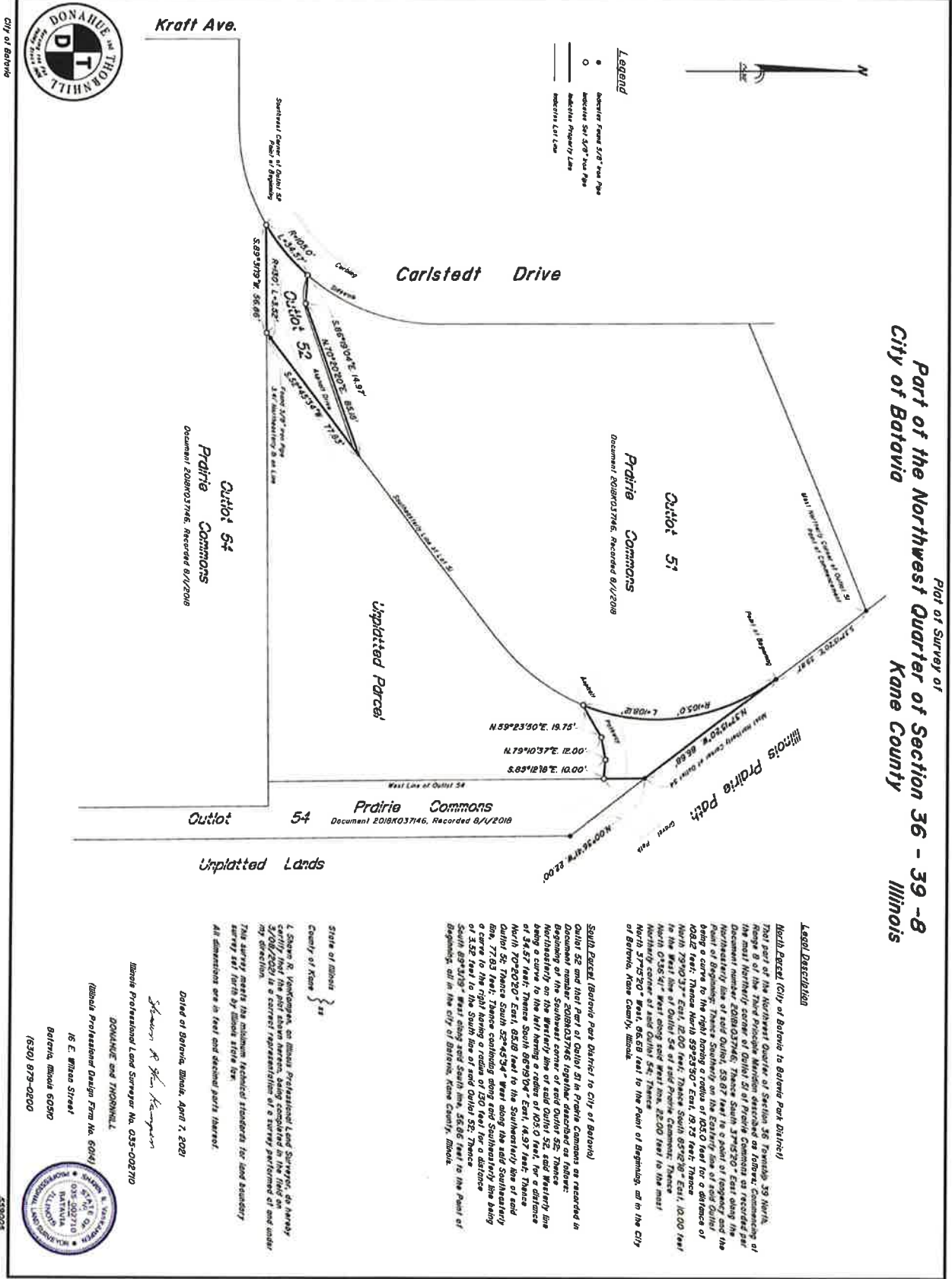
ATTEST:



Tara Gray, Secretary

Exhibit A

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City of Batavia

Legal Description

North Parcel (City of Batavia to Batavia Post Office)

That part of the Northwest Quarter of Section 36, Township 39 North, Range 8 of the Third Principal Meridian, Illinois, as follows: the most Northerly corner of Outlot 51 of Prairie Commons as recorded in Document number 2018K03746; Thence South 37°45'20" East along the Northerly line of said Outlot 51, 58.87 feet to a point of beginning and the Point of Beginning; Thence Southerly on the Eastern line of said Outlot 51, 120.00 feet to a point of beginning; Thence South 52°45'34" East, 16.37 feet; Thence North 79°40'20" East, 65.18 feet to the Southerly line of said Outlot 51; Thence South 52°45'34" East, 16.37 feet to the Point of Beginning; all in the City of Batavia, Kane County, Illinois.

South Parcel (Batavia Post Office to City of Batavia)

Outlot 52 and that Part of Outlot 51 in Prairie Commons as recorded in Document number 2018K03746 together described as follows: the most Northerly corner of said Outlot 52; Thence South 37°45'20" East along the Northerly line of said Outlot 52, 58.87 feet to a point of beginning and the Point of Beginning; Thence Southerly on the Eastern line of said Outlot 52, 120.00 feet to a point of beginning; Thence South 52°45'34" East, 16.37 feet; Thence North 79°40'20" East, 65.18 feet to the Southerly line of said Outlot 52; Thence South 52°45'34" East, 16.37 feet to the Point of Beginning; all in the City of Batavia, Kane County, Illinois.

State of Illinois

County of Kane

I, **Shawn R. Thompson**, an Illinois Professional Land Surveyor, do hereby certify that the correct representation of a survey performed in and under my direction.

This survey meets the minimum technical standards for land boundary survey set forth by Illinois state law.

All dimensions are in feet and decimal parts thereof.

Dated at Batavia, Illinois, April 7, 2017

Shawn R. Thompson
 Illinois Professional Land Surveyor, No. 035-002710

DONAHUE and THOMSEN, L.L.P.
 Illinois Professional Design Firm No. 60041
 16 E. Wilson Street
 Batavia, Illinois 60590
 (630) 879-0200



559005

Exhibit B
Intergovernmental Agreement