

**BATAVIA PARK DISTRICT
ORDINANCE # 400**

**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 on the east side of the Fox River north of Gore Street up to the Kane County Forest Preserve property just south of Fabyan Road in the City of Batavia currently in use as a bicycle path and depicted on the map attached hereto as Exhibit A (the "City Parcel") for Park District purposes; and

WHEREAS, the City of Batavia has indicated a desire and willingness to transfer title to the City Parcel to the Park District; and

WHEREAS, the Board of Commissioners desires the Corporate Authorities of the City to convey the City Parcel to the Park District by Quit Claim Deed for the Park District's use for its public purposes, pursuant to the authority conferred by the Local Government Property Transfer Act, 50 ILCS 605/0.01 *et seq.*; and

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;

Section 3: The Park District hereby declares its willingness to accept conveyance of the City Parcel by Quit Claim Deed, subject to an easement for utilities and drainage and the City's right to require dedication back to the City for road right-of-way a portion of the City Parcel located north of Oak Terrace and south of the Columbian Club property as depicted on the map attached hereto as Exhibit B;

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
19th day of October, 2021.

President

ATTEST:

Jana C. Gray

Secretary

Exhibit A
Map Depicting City Parcel

Sell to District,
reserve PUD
easements (no
future road access)

Sell to District
reserving future
dedication rights,
reserve PUD
easements

Dedicated as
Massie View,
easement to District
for existing path-
COMPI ETC

City owned bike
path

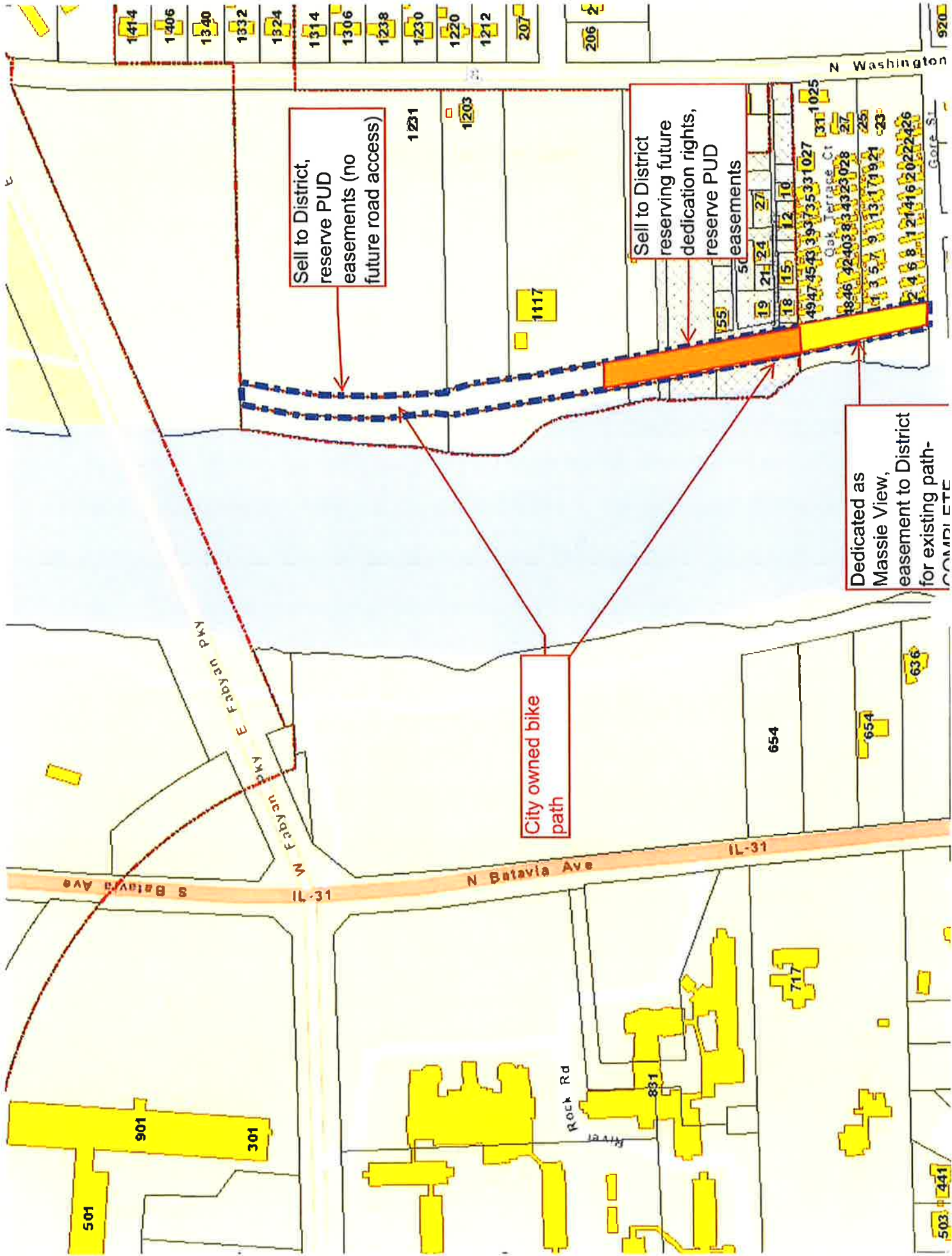
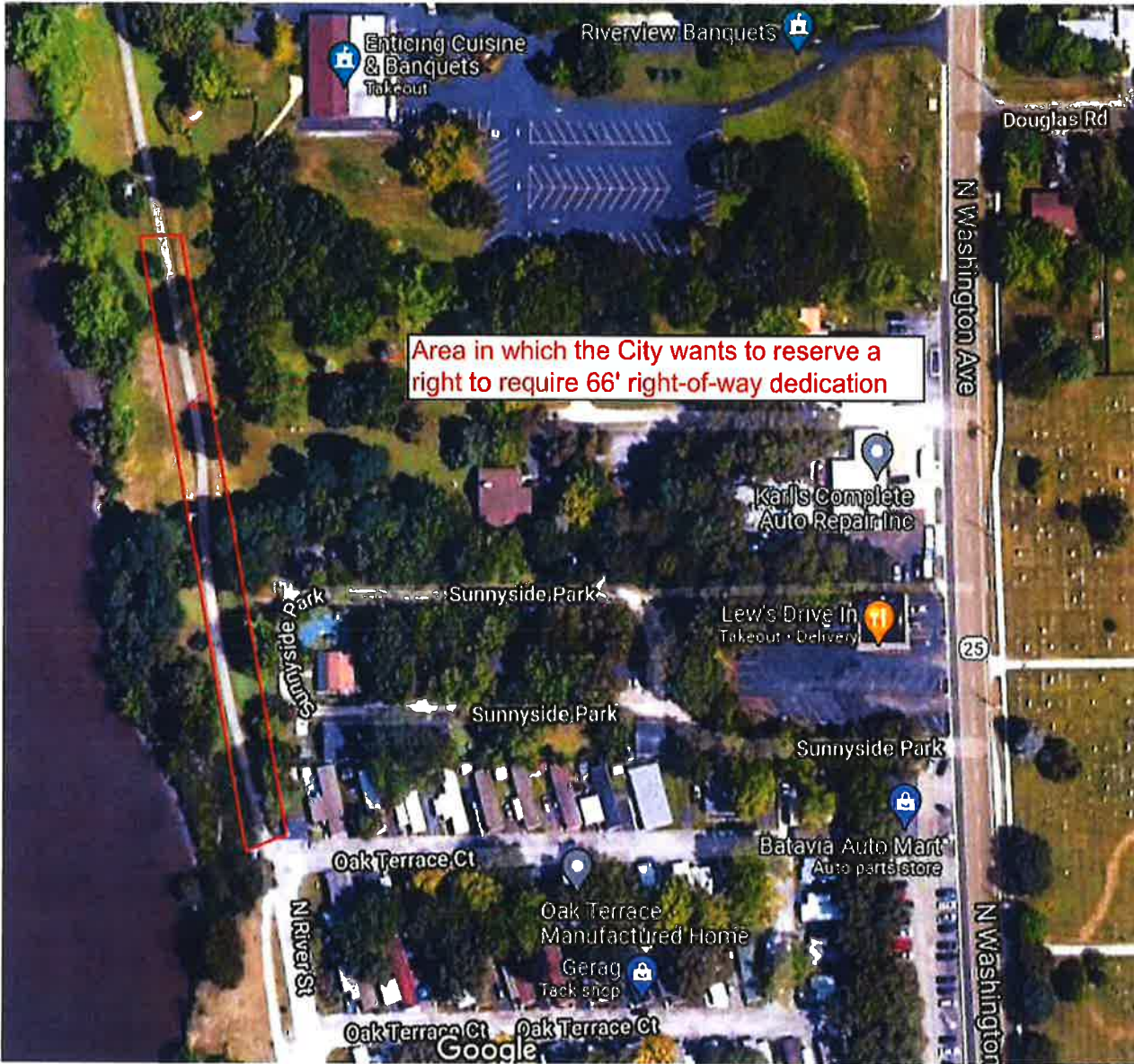


Exhibit B

**Map of Area Subject to City's Right to Require Future Dedication
Back to the City for Road Right of Way**



Area in which the City wants to reserve a right to require 66' right-of-way dedication