

Ordinance #O.23.04

An Ordinance **ACCEPTING THE DONATION OF 6.2 ACRES OF PROPERTY IN THE CAROLDON BUSINESS PARK SUBDIVISION.**

Adopted by the City Council of the City of Galena this 10th Day of April 2023.

Published in pamphlet form by authority of the City Council of the City of Galena, Jo Daviess County, Illinois, this 10th Day of April 2023.

STATE OF ILLINOIS)
)
COUNTY OF JO DAVIESS) City of Galena

CERTIFICATE

I, Mary Beth Hyde, certify that I am the duly elected municipal clerk of the City of Galena, JoDaviess County, Illinois.

I further certify that on the 10th Day of April 2023, the Corporate Authorities of said municipality passed and approved Ordinance No. O.23.04 entitled **AN ORDINANCE ACCEPTING THE DONATION OF 6.2 ACRES OF PROPERTY IN THE CAROLDON BUSINESS PARK SUBDIVISION**, which provided by its terms that it should be published in pamphlet form.

The pamphlet form of Ordinance No. O.23.04 including the Ordinance and a cover sheet thereof, was prepared, and a copy of such Ordinance was posted in the municipal building, commencing the 11th Day of April 2023 and commencing for at least ten (10) days thereafter.

Dated at Galena, Illinois, this 11th Day of April 2023.


Mary Beth Hyde, City Clerk

(Seal)

Ordinance #O.23.04

**AN ORDINANCE ACCEPTING THE DONATION OF 6.2 ACRES OF PROPERTY IN THE
CAROLDON BUSINESS PARK SUBDIVISION**

WHEREAS, the City of Galena, Illinois (hereinafter, "the City"), is a municipal corporation operating under the laws of the State of Illinois, in Jo Daviess County, Illinois; and

WHEREAS, Beverly R. Coffey, Trustee, (hereinafter, "the Donor"), is the owner of certain real property in the Caroldon Business Park Subdivision in the City of Galena; and

WHEREAS, the Donor desire to donate 6.22 acres ("the Property") in the Caroldon Business Park Subdivision to the City of Galena with the following condition and restriction:

1. The Property shall remain as greenspace and without construction or improvements during the life of the Donor; and

WHEREAS, the Property is legally described as S13 T28N R1W Caroldon Business Park Pt Lot 2, Galena, Illinois 61036 (Parcel Identification Number 22-200-102-02). The legal description of the lot is included in the Trustee's Deed, attached hereto and made a part hereof as Exhibit A; and

WHEREAS, the Galena City Council has determined that accepting the donation of the Property will provide a public benefit as open space and potentially business development space in the future.

THEREFORE, BE IT ORDAINED by the City Council of the City of Galena, Jo Daviess County, Illinois, as follows:

SECTION I: The recitals contained above in the preamble of this ordinance are hereby incorporated herein by reference, the same as if set forth in this section of this ordinance verbatim, as findings of the City Council of the City of Galena, Illinois.

SECTION II: The City hereby accepts the donation of the Property from the Donor with the condition that the Property shall remain as greenspace and without construction or improvements during the life of the Donor.

SECTION III: The City hereby establishes a donation value of \$541,00.00 for the Property based on an appraisal conducted by Kate Appraisal Services on December 13, 2022.

SECTION IV: The Mayor is hereby authorized to execute any documents necessary to complete the conveyance of the Property from the Donor to the City.

SECTION V: This Ordinance shall take full force and effect upon adoption.

YEAS: McCoy, Wienen, Bernstein, Hahn, Kieffer, Renner

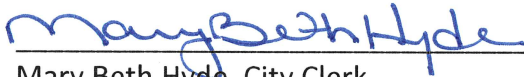
NAYS: None

ABSENT: Westemeier

PASSED by the City Council and APPROVED by the Mayor this 10th day of April 2023.


Terry Renner, Mayor

ATTEST:


Mary Beth Hyde, City Clerk



DocId:8090205

Tx:4077508

425975

ANGELA KAISER, RECORDER
JO DAVIESS COUNTY, IL
04/12/2023 09:17 AM

RECORDING FEE

62.00

**WARRANTY DEED
TO CORPORATION**

MAIL TO:

City of Galena
101 Green Street
Galena, IL 61036

NAME & ADDRESS OF TAXPAYER:

City of Galena
101 Green Street
Galena, IL 61036

This Space for Recorder's Use Only

THIS INDENTURE WITNESSETH, That **BEVERLY R. COFFEY**,
TRUSTEE OF THE MARITAL TRUST CREATED BY DECLARATION OF
TRUST DATED NOVEMBER 27, 2002, of Galena, Jo Daviess County, Illinois, for and
in consideration of **TEN DOLLARS (\$10.00)** and other good and valuable consideration,
the receipt of which is hereby acknowledged, **CONVEY** and **WARRANT** to **CITY OF**
GALENA, a Municipal Corporation duly organized and existing under and by virtue of
the laws of the State of Illinois and whose address is 101 Green Street, Galena, Illinois
61036, the following described real estate, to-wit:

See Attached Exhibit A – Legal Description

SUBJECT TO: (1) General real estate taxes for the year 2022 and subsequent years. (3)
Covenants, conditions, easements and restrictions of record.

Hereby releasing and waiving all rights under and by virtue of the Homestead Exemption
Laws of the State of Illinois.

DATED this 11 day of April, 2023.

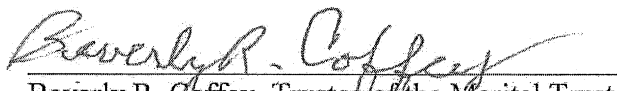

Beverly R. Coffey, Trustee of the Marital Trust
created by the Declaration of Trust dated
November 27, 2002

EXHIBIT A: Deed with Legal Description

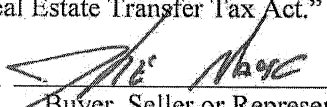
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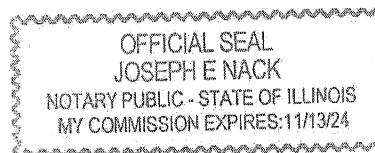
State of Illinois)
) ss
County of Jo Daviess)

I, the undersigned, a Notary Public in and for the County and State aforesaid, **DO HEREBY CERTIFY**, that **BEVERLY R. COFFEY, TRUSTEE OF THE MARITAL TRUST CREATED BY THE DECLARATION OF TRUST DATED NOVEMBER 27, 2002**, personally known to me to be the same persons whose names are subscribed to the foregoing instrument, appeared before me this day in person, and acknowledged that they signed, sealed and delivered the said instrument as their free and voluntary act, for the uses and purposes therein set forth, including the release and waiver of the right of homestead.

GIVEN under my hand and notary seal, this 11th day of April, 2023.


Notary Public

AFFIX TRANSFER TAX STAMP	
OR	
"Exempt under provisions of Paragraph <u>B</u> Section 4, Real Estate Transfer Tax Act."	
<u>4/11/2023</u> Date	 Buyer, Seller or Representative



PREPARED BY:
Joseph E. Nack
NACK, RICHARDSON & NACK, P.C.
106 North Main Street
P.O. Box 336
Galena, IL 61036

EXHIBIT A: Deed with Legal Description

EXHIBIT "A"

Lot 2 in the Caroldon Business Park Subdivision located in the Southwest Quarter of Section 13, Township 28 North, Range 1 West of the Fourth Principal Meridian, West Galena Township, in the City of Galena, West side of the Galena River, Jo Daviess County, Illinois according to the plat of subdivision recorded in the Jo Daviess County Recorder's Office as Document No. 311668 and located in Plan Hold D of Plats, Number 298.

Excepting the following:

A part of Lot 2 as designated upon the Plat of Caroldon Business Park Subdivision, a subdivision of the Southwest Quarter of Section 13, Township 28 North, Range 1 West of the Fourth Principal Meridian, the Plat of said Subdivision is recorded in Plan Hold D of Plats at Page 298 in the Recorder's Office of Jo Daviess County, State of Illinois, described as follows:

Beginning at the Southeast corner of said Lot 2; thence North 89°05'22" West, (Bearings based on survey control data as provided by IDOT) 59.79 feet on the South line of said Lot 2; thence North 44°18'57" West, 134.89 feet; thence North 46°53'43" West, 200.25 feet; thence North 44°01'58" West, 100.00 feet; thence North 41°09'00" West, 100.69 feet; thence North 36°32'30" West, 103.89 feet; thence North 33°29'53" West, 103.37 feet; thence North 35°39'19" West, 11.64 feet, to the Northerly line of said Lot 2; thence South 83°20'56" East, 35.56 feet on said Northerly line, to the Northeasterly line of said Lot 2; thence Southeasterly on said Northeasterly line, 256.59 feet on a curve to the left, having a radius of 2,068.81 feet, a central angle of 7°06'22" and the long chord of said curve bears South 40°32'38" East, a chord distance of 256.42 feet; thence South 44°05'50" East, 349.75 feet on said Northeasterly line; thence Southeasterly on said Northeasterly line, 160.78 feet on a curve to the left, having a radius of 2,055.00 feet, a central angle of 04°28'58" and the long chord of said curve bears South 46°20'19" East, a chord distance of 160.74 feet, to the Point of Beginning.

Also,

A part of Lot 2 as designated upon the Plat of Caroldon Business Park, a subdivision of the Southwest Quarter of Section 13, Township 28 North, Range 1 West of the Fourth Principal Meridian, the Plat of said Subdivision is recorded in Plan Hold D of Plats at Page 298 in the Recorder's Office of Jo Daviess County, State of Illinois, consisting of two tracts, described as follows:

Tract One:

Commencing at the Southwest corner of said Southwest Quarter of Section 13; thence South 89°05'22" East (Bearings based on survey control data as provided by IDOT), 1,657.16 feet on the South line of said Southwest Quarter to the Point of Beginning. From the Point of Beginning; thence North 44°38'11" West, 24.50 feet; thence North 21°30'08" West, 27.06 feet to the Southwesterly right of way line of a public highway designated as FA Route 301 (IL 84); thence South 44°18'57" East, 59.88 feet on said Southwesterly right of way line to the South line of said Southwest Quarter; thence North 89°05'22" West, 14.71 feet on the South line of said Southwest Quarter to the Point of Beginning.

EXHIBIT A: Deed with Legal Description

Tract Two:

Commencing at the Southwest corner of said Southwest Quarter of Section 13; thence South $89^{\circ}05'22''$ East (Bearings based on survey control data as provided by IDOT), 1,315.07 feet on the South line of said Southwest Quarter to the West line of the East Half of said Southwest Quarter; thence North $01^{\circ}30'34''$ East, 342.92 feet on said West line to the Southwesterly right of way line of a public highway designated as FA Route 301 (IL 84); thence North $41^{\circ}09'00''$ West, 43.28 feet on said Southwesterly right of way line; thence North $36^{\circ}32'30''$ West, 103.89 feet on said Southwesterly right of way line to the Point of Beginning. From the Point of Beginning; thence North $43^{\circ}07'02''$ West, 77.62 feet; thence North $25^{\circ}27'14''$ West, 44.25 feet to the North line of said Lot 2; thence South $83^{\circ}20'56''$ East, 8.30 feet on said North line to said Southwesterly right of way line; thence South $35^{\circ}39'19''$ East, 11.64 feet; thence South $33^{\circ}29'53''$ East, 103.37 feet on said Southwesterly right of way line to the Point of Beginning.