

**CITY OF COLUMBIA
ORDINANCE NO. 3316**

**AN ORDINANCE APPROVING THE TRANSFER OF LAND RIGHTS FROM
THE ILLINOIS DEPARTMENT OF TRANSPORTATION TO THE CITY AND
AUTHORIZING THE MAYOR TO EXECUTE THE LOCAL AGENCY STATE
AGREEMENT FOR JURISDICTIONAL TRANSFER**

- WHEREAS, the City of Columbia ("City"), Monroe and St. Clair Counties, Illinois is a duly created, organized and validly existing municipality of the State of Illinois under the 1970 Illinois Constitution and the laws of the State of Illinois, including particularly the Illinois Municipal Code, and all laws amendatory thereof and supplementary thereto; and
- WHEREAS, the Illinois Department of Transportation ("IDOT") possesses the land rights to certain property generally located at Ghent Road, being part of S.B.I. Route 3, Section 65 ("Right-of-Way"); and
- WHEREAS, pursuant to Section 2-101 of the Illinois Highway Code, IDOT is authorized to make changes in the State highway system; and
- WHEREAS, pursuant to Section 7-101 of the Illinois Highway Code, the City is authorized to make changes to its municipal street system; and
- WHEREAS, IDOT and the City now desire to enter into an Local Agency State Agreement for Jurisdictional Transfer, wherein IDOT agrees to transfer and the City agrees to accept transfer of land rights to the Right-of-Way; and
- WHEREAS, the City now desires to approve the transfer from IDOT of the land rights to the Right-of-Way; and
- WHEREAS, the City now authorizes the Mayor to execute the Local Agency State Agreement for Jurisdictional Transfer, wherein said Right-of-Way shall be transferred from IDOT to the City.

NOW, THEREFORE, BE IT ORDAINED, by the City Council of the City of Columbia, Illinois, as follows:

Section 1. That the preceding recitations in the upper part of this Ordinance realleged, restated and adopted as paragraph one ("1") of this Ordinance.

Section 2. That the City approves the transfer of land rights from IDOT for certain property located at Ghent Road, being part of S.B.I. Route 3, Section 65, and more particularly described in Exhibit "A" attached.

Section 3. That the Mayor is hereby authorized and directed to sign the Local Agency State Agreement for Jurisdictional Transfer (attached hereto and incorporated herein as Exhibit "B") on behalf of the City.

Section 4. This Ordinance shall take full force and effect after passage and approval by the Corporate Authorities.

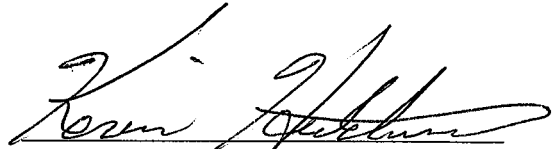
YEAS: Aldermen Ebersohl, Agne, Niemietz, Roessler, Huch, Reis, Holtkamp
and Martens.

NAYS: None.

ABSENT: None.

ABSTENTIONS: None.

PASSED by the City Council and APPROVED by the Mayor this 20th day of March, 2017.


KEVIN HUTCHINSON
Mayor
City of Columbia

ATTEST:



WESLEY J. HOFFKEN
City Clerk
City of Columbia

Exhibit “A”



Illinois Department of Transportation

Office of Highways Project Implementation / Region 5 / District 8
1102 Eastport Plaza Drive / Collinsville, Illinois 62234-6198

March 3, 2017

Mayor Kevin Hutchinson
City of Columbia
208 South Rapp Street
Columbia, IL 62236

Re: Letter of Intent for Transfer of Dedication
Ghent Road (S.B.I. Route 3)
City of Columbia, Monroe County, Illinois

Dear Mayor Hutchinson:

This letter documents the intent of the City of Columbia, Illinois (City) and the Illinois Department of Transportation (Department) to enter into an agreement to transfer land rights.

The Department intends to transfer the land rights along part of Ghent Road to the City by an Agreement for Transfer of Dedication. A general description of the property is as follows:

Ghent Road, being part of S.B.I. Route 3, Section 65.
(See attached legal description and exhibits.)

Upon the Department's formal declaration that the property is no longer needed for state highway purposes, and under its authority provided in the Illinois Highway Code at 605 IL CS 5/4-508(d), the Department will prepare a conveyance document and have it recorded in the Monroe County Recorder's Office.

The City understands that the transfer of the land rights contained in the conveyance document will include only property deemed to be necessary for highway use. The City agrees that this property must continue to be used for highway purposes.

The City further understands that no part of the transferred property can be vacated or disposed of without the approval of the Department, which may require compensation for non-public use. The deed of conveyance from the Department to the City will include specific language to reserve this right to approve future conveyances.

Mayor Kevin Hutchinson
March 3, 2017
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The Department's Region Five/District Eight Land Acquisition Office will appraise the fair market value at the time of any future vacation or disposal request from the City for this property. The Secretary of the Department or the Secretary's designee will approve or disapprove all subsequent vacations or disposals of property conveyed by the Department under 605 ILCS (5/4-508(d) including the compensation owed the Department.

Please review this Letter of Intent. In order to document your acceptance of this intent to transfer these land rights, we ask that the Mayor initial the acceptance or denial, sign and date the Letter of Intent, and return this document to the office above to the attention of Mr. Michael Myler, Region Five/District Eight Land Acquisition Manager.

Please contact Mr. Myler at (618) 346-3120 if you have any questions.

Sincerely,

Kirk H. Brown, P.E.
Program Development Engineer

A handwritten signature in black ink, appearing to read "Kirk H. Brown", with a stylized flourish at the end.

Jeffrey L. Keim, P.E.
Region Five Engineer

Enclosures

Mayor Kevin Hutchinson
March 3, 2017
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The City of Columbia has reviewed this proposed Letter of Intent to transfer the Department's dedication property rights to the City of Columbia and, by initialing below, hereby:

_____ accepts this Letter of Intent and further instructs the Department to begin the necessary work to transfer the property.

_____ does not accept the terms of this Letter of Intent and instructs the Department to take no further action in this matter and to retain the existing rights of the subject properties.

Mayor Kevin Hutchinson
City of Columbia

Date

Jeffrey L. Keirn, P.E.
Region Five Engineer

Date



Route	S.B.I. Route 3	Project	
Section	65	Job No.	R-98-300-71
County	Monroe	Parcel	800XD52A – XD52C Unit

ATTACHMENT NO. 2

JURISDICTIONAL TRANSFER

LEGAL DESCRIPTION

800XD52A

All of the tract of land dedicated to the State of Illinois according to the Dedication of Right of Way for Public Road Purposes recorded October 31, 1921 in Deed Book 43, Page 485, described as follows:

A portion of Tax Lot 10 & 11a, Survey 556, Claim 498 lying between two lines parallel with and distant thirty feet on each side of a centerline, from Station 85+20 to Station 100+15 established by the Department of Public Works and Buildings, State of Illinois for a road known as Section 65, Route 3, Monroe Co., plans for which are on file at Springfield, Illinois. Station 101+10.2 of above mentioned centerline is a point in the north line of Tax Lot 14, Survey 556, Claim 498 distant 271 feet east of the northwest corner thereof, containing 0.55 acres, more or less.

Excepting therefrom all that part of said Dedication of Right of Way lying northwesterly of Station 51+60.25 of Main Street (Old Route 3) as shown on the Statutory Plat for Federal Aid Route 14, Sections 65-1 and 66-2 recorded September 5, 1997 in Envelope 2-57A in the Recorder's Office of Monroe County, Illinois.

800XD52B

All of the tract of land dedicated to the State of Illinois according to the Dedication of Right of Way for Public Road Purposes recorded October 31, 1921 in Deed Book 43, Page 484, described as follows:

A portion of Tax Lot 14, Survey 556, Claim 498 and of Tax Lot 1, Survey 555, Claim 505 lying between the westerly line of the present road and a line parallel with and distant thirty feet west of a center line, from Station 99+60 to Station 107+00, established by the Department of Public Works and Buildings, State of Illinois for a road known as Section 65, Route 3, Monroe Co., plans for which are on file at Springfield, Illinois. Station 101+10.2 of above mentioned center line is a point in the north line of Tax Lot 14, distant 271 feet east of the north corner thereof, containing 0.46 acres, more or less.

800XD52C

All of the tract of land dedicated to the State of Illinois according to the Dedication of Right of Way for Public Road Purposes recorded March 29, 1922 in Deed Book 43, Page 538, described as follows:

A portion of Tax Lot 1, Section 16, Township 1 South, Range 10 West of the Third Principal Meridian lying between the easterly line of the present road and a line parallel with and thirty feet east of a center line from Station 108+90 to Station 130+60, established by the Department of Public Works and Buildings, State of Illinois for a road known as Section 65, Route 3, Monroe Co., plans for which are on file at Springfield, Illinois. Station 124+03 of above mentioned center line is a point in the south line of Tax Lot 1, distant 218.5 feet east of the southwest corner thereof, containing 0.45 acres, more or less.

Exhibit “B”



Illinois Department of Transportation

Local Agency State Agreement for Jurisdictional Transfer

Local Agency		Type of Systems Transfer	
Municipality: City of Columbia		Type 1	Type 2
Township/Road District:		From: State Highway System	From: Local Highway System
County: Monroe		To: Local Highway System	To: State Highway System
Section Number 65		Indicate Type of Systems Transfer :1	

The above local agency, hereinafter referred to as "LA", and the State of Illinois, acting by and through its Department of Transportation, agree, to transfer the jurisdiction of the designated location in the manner indicated above under **Type of Systems Transfer**.

Location Description

Name Ghent Road Route S.B.I. 3 Length 0.60 miles +/-
Termini Beginning on the northerly side of N. Main St. and running in a northerly direction along Ghent Rd. to a point of curvature which is approximately 0.12 miles south of palmer Rd., in its entirety.

This transfer ☐ does ☐ does not include Structure No. N/A

The transfer ☒ does ☐ does not include a transfer to land rights (4-508). If it does, attach letter of intent approved by the Department.

WHEREAS, the authority to enter into this contract is granted the STATE by Section 4-409 of the Illinois Highway Code and the authority to make changes in the State Highway System is granted the State under Section 2-101 of the Illinois Highway Code.

Include for Municipalities Only

WHEREAS, the authority to make changes to the Municipal Street System is granted to the Municipality by Section 7-101 of the Illinois Highway Code.

NOW THEREFORE IT IS AGREED that the corporate authority of said municipality will pass an ordinance providing for the transfer of the above location and shall attach hereto and make a part hereof a copy of a location map as Addendum No. 1 and a copy of the ordinance as Addendum No. 2, and

Include for Counties Only

WHEREAS, the authority to make changes to the County Highway System is granted to the County by Section 5-105 of the Illinois Highway Code.

NOW THEREFORE IT IS AGREED that the County Board of said County will pass a resolution providing for the transfer of the above location and shall attach hereto and make a part hereof a copy of a location map as Addendum No. 1 and a copy of the resolution as Addendum No. 2, and

Include for Township/Road Districts Only

WHEREAS, the authority to make changes to the Township/Road District System is granted to the Highway Commissioner under Section 6-201.3 of the Illinois Highway Code and said Highway Commissioner shall attach hereto and make a part hereof a copy of a location map as Addendum No. 1, and

IT IS MUTUALLY AGREED, that this jurisdictional transfer will become effective 21 calendar days after (check one)

☒ Execution of Agreement ☐ Acceptance by the State
☐ Approval of Land Conveyance ☐ Final Inspection by the State (Type)

Supplements

Additional information and/or stipulations, if any, are hereby attached and identified below as being a part of this agreement

Supplement Attachment No. 1 Letter of Intent, No. 2 Legal Description, No. 3 Drawings and aerial of J.T. Transfer

(Insert supplement numbers of letters and page numbers, if applicable.)

APPROVED

APPROVED

STATE OF ILLINOIS
DEPARTMENT OF TRANSPORTATION

Name: _____

By _____

Director of Highways

Title: _____

Date _____

Chairman County Board/Mayor/Village President/etc.

Signature _____

ATTACHMENT NO. 3

COPY OF EXHIBIT CONTAINED IN THE
RECORDS FOR SBI ROUTE 3 ON FILE
AT I.D.O.T. DISTRICT 8
(WITH PARCEL NOTES ADDED)

MONROE COUNTY

ROUTE No 3

SECTION No. 65

SCALE: LONG. 1"=500' TRANS. 1"=100'

