

**Disclosure of Owner(s) and/or Beneficial Interest(s) Affidavit (Trust)**

Owner Ethel L. Oertley Trust  
 Address Southeast Corner of Allen Road and Pioneer Parkway, Peoria IL  
 Route Pioneer Parkway (FAU 6643)  
 Section 12-00296-001-LA  
 County Peoria  
 Project No. HPP-4096 (001)  
 Job No. D-94-066-12  
 Parcel No. 005  
 P.I.N. No. 14-07-201-001  
 Station 211+83.18  
 Station 48+35.39 (Allen Road)  
 Catalog No.  
 Contract No.

State of Illinois )  
 ) ss  
 County of Peoria )

Nancy J. Varness, Trustee, Affiant, being first duly sworn on oath, states that Affiant is the owner of Ethel L. Oertley Family Trust which owns the property or is otherwise interested in the property described in the exhibit attached (copy of deed or legal description) hereto; that Affiant has knowledge of the facts herein; and that the owners and/or beneficiaries of said entity are as follows:

	Name	Address	% of Interest
1.	<u>Ethel L. Oertley Family Trust</u>	<u>3506 Westbrook Road Chillicothe, IL 61523</u>	<u>100%</u>
2.			
3.			
4.			
5.			

Nancy J. Varness, Trustee  
 Signature

Nancy J. Varness Trustee  
 Print Name and Title

This instrument was acknowledged before me on JUNE 8, 2015  
 by Nancy J. Varness, Trustee



Susan K Kats  
 Notary Public  
 My Commission Expires: \_\_\_\_\_

## Receipt and Disbursement Statement

Ethel L. Oertley Trust

Job No. D-94-066-12

Parcel No. 005

The City of Peoria, Illinois, (Grantee) acknowledges Receipt of the following:

**(Check all that apply.)**

- Warranty Deed covering 0.665 acres
- Permanent Easement covering \_\_\_\_\_ acres
- Temporary Construction Easement covering \_\_\_\_\_ acres

all located in Peoria County, Illinois as right of way for Pioneer Parkway (FAU 6643), Section 12-00296-01-LA dated \_\_\_\_\_, executed by the undersigned Grantors.

Grantor and Grantee agree as follows:

1. The payment of the sum of Two Hundred Ninety Thousand Dollars (\$290,000.00) to Grantor as total consideration for the deed, by Grantee is subject to Grantee's approval of title and documentation and, if applicable, Grantee's final approval in accordance with Section 9.02 of the Illinois State Finance Act.
2. All improvements located, wholly or partially, on the parcel shall become the property of the City of Peoria, Illinois, unless provided as follows:
3. Possession and transfer of title to IDOT occur when Grantee delivers a state warrant to Grantor, in person or to the address stated herein, in the amount of the above stated consideration, unless provided herein. Grantor shall have the sole responsibility and obligation to protect, preserve and maintain the parcel and improvements thereon until delivery of possession to Grantee.
4. Grantor directs Grantee to disburse the above stated consideration by warrant or by separate warrants as follows:

<u>Name*</u>	<u>TIN/FEIN/SSN</u>	<u>Address</u>	<u>Amount</u>
Ethel L. Oertley Family Trust	26-6089221	3506 Westbrook Road Chillicothe, IL 61523	\$ 290,000
			\$
			\$

\*If multiple names on the same warrant, list first and circle the name of the person or entity whose TIN/FEIN/SSN is entered above. If lien holder is to be paid by warrant, use Grantor's TIN or SSN.

5. Section 1445 of the Internal Revenue Code provides that a transferee of a U.S. real property interest must withhold tax if the transferor is a foreign person. For purposes of this paragraph, "Transferee" shall mean "Grantee" and "Transferor" shall mean "Grantor". To inform the Grantee that withholding of tax is not required upon the disposition of a U.S. real property interest by Grantor, the Grantor hereby certifies the following:
- a. Transferor is the owner of the real property being conveyed;
  - b. Transferor is not a foreign person (as such term is defined in the Internal Revenue Code and Income Tax Regulations); and
  - c. Transferor's U.S. Taxpayer Identification Number and address set forth above are true and correct.

Transferor understands that this certification may be disclosed to the Internal Revenue Service by Transferee and that any false statement contained herein could be punished by fine, imprisonment or both.

6. Illinois law (15 ILCS 405/10.05 to 405/10.05b) requires the State of Illinois Comptroller to deduct from any State of Illinois warrants or payments the amount of any outstanding account or claim in favor of the State of Illinois and any amount necessary to satisfy past due child support or delinquent student loan and financial aid obligations on any loan guaranteed by the Illinois Student Assistance Commission.
7. This Receipt and Disbursement Statement and conveyance documents are the entire and exclusive agreement between the parties and supersede any written or oral understanding, promise or agreement, directly or indirectly related to the conveyance of parcel and improvements. The parties agree that any changes to this Receipt may only be made in writing and signed by the parties.

Date:

Grantor:

Nancy J. Varness, Trustee  
Signature

Nancy J. Varness Trustee  
Print Name (and Title, if applicable)

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Print Name (and Title, if applicable)

\_\_\_\_\_  
Signature

\_\_\_\_\_  
(Print Name (and Title, if applicable))

\_\_\_\_\_  
Signature

\_\_\_\_\_  
(Print Name (and Title, if applicable))

Date:

Grantee:

The City of Peoria, Illinois, Public Works Department

\_\_\_\_\_  
Scott Reiese, City Engineer for City of Peoria, Illinois, Public Works Department



**Basis for Computing  
Total Approved Compensation  
and Offer to Purchase**

Route: Pioneer Parkway (FAU 6643) Project: HPP-2137(001)  
Section 12-00296-01-LA Job No. D-94-066-12  
County: Peoria Parcel 005

Owner(s) of Real Property: Ethel L. Oertley Trust

Location of Property: 7820 N. Allen Road  
Peoria, IL 61614

Pursuant to 735 ILCS 30/10-5-15, the following has been prepared in order to fully inform you of the details of the acquisition of your property as right of way for the proposed improvement of Pioneer Parkway (FAU 6643). The legal description of the parcel to be acquired is found on the attached instrument of conveyance.

The amounts shown below are the full amounts of the approved values and are based on fair market value of the property. The fair market value of the part to be acquired is estimated without regard for any decrease or increase in the fair market value caused by the project for which the property is being acquired; however, the damage to the remaining property, if any, is estimated with full consideration of the effect of the proposed improvement.

1. Existing Property:

Total area 3.029 acres, more or less

Highest and best use: Commercial Development

2. Land to be Acquired in Fee Simple:

New right of way 0.665 acres

Existing right of way (when applicable) \_\_\_\_\_ acres


Total right of way 0.665 acres

3. Improvements and/or Fixtures to be Acquired:

N/A



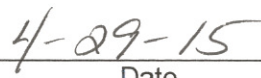
Any agreement to retain such improvements does not convey with it a permit to move the improvements on, or over, any street or highway. Ms. Knox will be happy to furnish information for your use in applying for a permit if one is needed.

  
\_\_\_\_\_  
Scott Reese  
City Engineer

On behalf of the City of Peoria, Illinois, and as outlined in the above summary, I hereby offer you the sum of \$290,000.00 for the property described on the attached instruments free and clear of all claims of other parties, liens, taxes and encumbrances.

If the above offer is over \$250,000.00, it is contingent on the City of Peoria, Illinois adhering to 30 ILCS 105/9.02 which requires specific contracting authority for all procurement contracts in the amount of \$250,000.00 or more.

  
\_\_\_\_\_  
Realty Specialist

  
\_\_\_\_\_  
Date

**Affidavit of Title**

Owner Ethel L. Oertley Trust  
Address 3829 N. Evergreen Court  
Peoria, IL 61614  
Route Pioneer Parkway (FAU 6643)  
Section 12-00296-01-LA  
County Peoria  
Project HPP-4096 (001)  
Job No. D-94-066-12  
Parcel No. 005  
P.I.N. No. 14-07-201-001  
Station 48+35.39 to 51+58.00  
Station 209+70.93 to 212+65.98  
Catalog No.  
Contract No.

State of Illinois )  
 ) ss.  
County of Peoria )

I, Nancy J. Varness, Trustee, Ethel L. Oertley Family Trust

being first duly sworn upon oath states as follows:

- 1. Affiant has personal knowledge of the facts averred herein.
- 2.  There are **no parties** other than Grantor in possession of any portion of the premises described in attached Exhibit "A" through easement, lease, oral or written, or otherwise, whether or not of record.
- There are no parties other than Grantor **and the parties listed below** in possession of any portion of the premises described in attached Exhibit "A" through easement, lease, oral or written, or otherwise, whether or not of record:

**SEE ATTACHED EXHIBIT "A"**

- 3. This affidavit is made to provide factual representation as a basis for the City of Peoria, Illinois to accept a document of conveyance for the premises described in said conveyance, the premises being a portion of or all of the above described premises, from the record owners thereof.
- 4. The affiant has no knowledge of any driveway agreements, encroachments, overlaps, or boundary line disputes involving the premises to be conveyed.
- 5. The said premises described in Exhibit "A" are: (Check One)
  - Vacant and unimproved  Agricultural and unimproved
  - Improved and
    - (A) There have been no improvements made or contracted for on the premises within six (6) months immediately preceding the date of the affidavit, out of which a claim for a mechanic's lien could accrue or has accrued; and
    - (B) To the best of my knowledge all improvements now on the premises comply with all local building and zoning ordinances.



- 6. There are no chattel mortgages, conditional sales contracts or financing statements existing on or in connection with the premises to be conveyed which are not shown by the public records.
- 7. There are no taxes or special assessments which are not shown as existing liens by the public records involving the premises described in Exhibit A.
- 8. Per 50 ILCS 105/3.1, the identities of all owners and beneficiaries having an interest in the premises to be conveyed are as follows (check applicable box(es) and complete information requested):

**Individual.** Individual owner of the property is: Ethel L. Dertley Family Trust

- Nonprofit Organization.** There is no individual or other organization receiving distributable income from the organization.
- Public Organization, including units of local government.** There is no individual or other organization receiving distributable income from the organization
- Publicly-Traded Corporation.** There is no readily known shareholder entitled to receive more than 7-1/2% interest in the total distribution income of the corporation.
- Corporation, Partnership, Limited Liability Company.** Those entitled to receive more than 7-1/2% of the total distributable income of said entity are as follows:

	Name	Address
*1.	_____	_____
2.	_____	_____
3.	_____	_____
4.	_____	_____

- Land Trust or Declaration of Trust.** The identity of each beneficiary of Grantor Trust is as follows:

	Name	Address	% of Interest
*1.	_____	_____	_____
2.	_____	_____	_____
3.	_____	_____	_____
4.	_____	_____	_____

\* IF THE INITIAL DISCLOSURES SHOW INTERESTS HELD BY ANOTHER CORPORATION, PARTNERSHIP, LIMITED LIABILITY COMPANY, OR TRUST, THEN FURTHER DISCLOSURES SHOULD BE PROVIDED UNTIL THE NAMES OF INDIVIDUALS OWNING THE INTEREST IN THE ENTITY ARE DISCLOSED.



Owner Ethel L. Oertley Trust  
Address 3829 N. Evergreen Court  
Peoria, IL 61614  
Route Pioneer Parkway (FAU 6643)  
County Peoria  
Job No. D-94-066-12  
Parcel No. 005  
P.I.N. No. 14-07-201-001  
Section 12-00296-01-LA  
Project No. HPP-4096 (001)  
Station 48+35.39 to 51+58.00  
Station 209+70.93 to 212+65.98  
Contract No.  
Catalog No.

**TRUSTEE'S DEED**  
**(Corporation) (Non-Freeway)**

*G. David Oertley and Nancy J. Varness*, as Trustees under the provisions of a deed or deed in trust duly recorded and delivered pursuant to a Trust Agreement dated February 2, 1998 and known as Ethel L. Oertley Revocable Trust, (Grantor), for and in consideration of \_\_\_\_\_ Dollars (\$ \_\_\_\_\_), receipt of which is hereby acknowledged, grants and conveys to the City of Peoria, Illinois, (Grantee), all the existing legal and equitable rights of the Grantor in the premises described herein, and, without limitation, any after acquired title in the described premises:

A parcel of land situated in the North Half of the Northeast Quarter of Section 7, Township 9 North, Range 8 East of the Fourth Principal Meridian, more particularly bounded and described as follows:

Commencing at a survey plate at the northwest corner of the Northeast Quarter of said Section 7; thence South 89 degrees 29 minutes 49 seconds East, 74.00 feet on the north line of said Northeast Quarter, to the Point of Beginning.

From the Point of Beginning continuing South 89 degrees 29 minutes 49 seconds East, 207.95 feet on the said north line of said Northeast Quarter; thence South 29 degrees 17 minutes 30 seconds East, 172.10 feet along the existing east property line; thence South 45 degrees 14 minutes 47 seconds West, 14.72 feet along the proposed south right of way line of Pioneer Parkway; thence North 47 degrees 42 minutes 20 seconds West, 163.85 feet along said proposed south right of way line; thence South 85 degrees 04 minutes 49 seconds West, 70.18 feet along said proposed south right of way line; thence South 49 degrees 53 minutes 07 seconds West, 95.16 feet along said proposed south right of way line; thence South 01 degrees 28 minutes 48 seconds West, 249.07 feet along proposed east right of way line of Allen Road; thence South 05 degrees 44 minutes 25 seconds West, 74.02 feet along said proposed east right of way line; thence North 89 degrees 47 minutes 50 seconds West, 27.64 feet along existing south property line; thence North 01 degrees 24 minutes 19 seconds East, 39.95 feet along existing east right of way line of Allen Road; thence North 06 degrees 46 minutes 48 seconds East, 125.85 feet along said existing east right of way line; thence North 00 degrees 51 minutes 16 seconds East, 255.03 feet along said existing east right of way line; thence North 10

degrees 24 minutes 00 seconds East, 22.36 feet along said existing east right of way line, to the Point of Beginning, containing 0.665 acres, more or less.

Bearings and distances are based on the Illinois State Plane Coordinate System NAD83 (1986) - West Zone.

situated in the County of Peoria, State of Illinois. The above-described real estate and improvements located thereon are herein referred to as the "premises."

Grantor, without limiting the interest above granted and conveyed, acknowledges that upon payment of the agreed consideration, all claims arising out of the above acquisition have been settled, including without limitation, any diminution in value to any remaining property of the Grantor caused by the opening, improving and using the premises for highway purposes. This acknowledgment does not waive any claim for trespass or negligence against the Grantee or Grantee's agents which may cause damage to the Grantor's remaining property.



Dated this 8<sup>th</sup> day of June, 2015.

Ethel L. Oertley Family Trust  
Trust Corporation Name

By: Nancy J. Varness  
Signature as Trustee

ATTEST:

Nancy J. Varness  
Print Name

By: \_\_\_\_\_  
Signature

\_\_\_\_\_  
Print Name and Title

State of Illinois )  
County of Peoria ) ss

This instrument was acknowledged before me on June 8 2015, 2015, by  
Nancy J Varness, as Trustee  
and \_\_\_\_\_, as \_\_\_\_\_  
of Ethel L Oertley Family Trust.



[Signature]  
Notary Public

My Commission Expires: \_\_\_\_\_

Exempt under 35 ILCS 200/31-45(b), Real Estate Transfer Tax Law.

June 8, 2015  
Date

Nancy J. Varness  
Buyer, Seller or Representative

This instrument was prepared by and after recording, mail this instrument and future tax bills to:

City of Peoria, Scott Reiese,  
City Engineer  
ATTN: Public Works Department  
3505 N. Dries Lane  
Peoria, IL 61614