

Owner Catholic Cemetery
Association of Peoria

Address

Route Pioneer Parkway (FAU 6643)
County Peoria
Job No. D-94-066-12
Parcel No. 018
P.I.N. No. 14-07-100-025
Section 12-00296-01-LA
Project No. HPP-4096 (001)
Station 33+98.00
Station 52+03.08
Contract No.
Catalog No.

WARRANTY DEED
(Corporation) (Non-Freeway)

Catholic Cemetery Association of Peoria, a corporation organized and existing under and by virtue of the laws of the State of Illinois and duly authorized to do business under the Statutes of the State of Illinois, (Grantor), for and in consideration of Dollars (\$), receipt of which is hereby acknowledged, and pursuant to the authority given by the Board of Directors of said corporation, grants, conveys, and warrants to the City of Peoria, Illinois, (Grantee), the following described real estate:

See attached legal description.

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 18th day of June, 2014.

Catholic Cemetery Association of Peoria
Corporation Name

By: Daniel R. Jenky c.s.c.
Signature

ATTEST:

By: Msr. Paul E. Shauwalter
Signature

Most Reverend Daniel R. Jenky
Print Name and Title President

Monsignor Paul E. Shauwalter, Secretary
Print Name and Title

State of Illinois)
County of Peoria) ss

This instrument was acknowledged before me on June 18, 2014, by
most Reverend Daniel R. Jenky, as President
and Monsignor Paul E. Shauwalter as Secretary
of Catholic Cemetery Association of Peoria.

(SEAL)



Cheryl A. Berkshier
Notary Public

My Commission Expires: 9-20-2014

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

June 18, 2014
Date

x Daniel R. Jenky
Buyer, Seller or Representative

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

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

DESCRIPTION OF RIGHT OF WAY FOR DEED

PIONEER PARKWAY

SECTION: 12-00296-01-LA

PROJECT: HPP-2137(001)

JOB NO.: D-94-066-12

PARCEL 018

PEORIA COUNTY

STA. 33+98.00 TO STA. 52+03.82 ALLEN ROAD

CATHOLIC CEMETERY ASSOCIATION OF PEORIA

A parcel of land situated in the East Half of the Northwest 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 found survey plate at the northeast corner of the Northwest Quarter of said Section 7; thence North 89 degrees 38 minutes 19 seconds West, 50.00 feet on the north line of said Northwest Quarter; thence South 00 degrees 05 minutes 59 seconds West, 75.00 feet the Point of Beginning.

From the Point of Beginning continuing South 00 degrees 05 minutes 59 seconds West, 1805.08 feet along the existing west right of way line of Allen Road; thence North 89 degrees 43 minutes 44 seconds West, 20.00 feet; thence North 00 degrees 05 minutes 59 seconds East, 1229.83 feet along the proposed west right of way line of Allen Road; thence North 00 degrees 51 minutes 01 seconds West, 422.18 feet; thence North 00 degrees 05 minutes 59 seconds East, 82.00 feet parallel with the existing west right of way line of Allen Road; thence North 62 degrees 06 minutes 14 seconds West, 154.02 feet to a point on the existing south right of way line of Pioneer Parkway; thence South 89 degrees 28 minutes 20 seconds East, 163.25 feet along said existing south right of way line, to the Point of Beginning, containing 0.999 acres, more or less.

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

Affidavit of Title

Owner Catholic Cemetery Association of Peoria
Address 7515 N. Allen Road
Peoria, Illinois 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. 018
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State of Illinois)
) ss.
County of Peoria)

I, Most Reverend Daniel R. Jenly President, Catholic Cemetery Association of Peoria

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: _____

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.

Disclosure of Owner(s) and/or Beneficial Interest(s) Affidavit (Corporation, Partnership, Limited Liability Company)

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State of Illinois)
) ss
 County of Peoria)

Most Reverend Daniel R. Jenky, Affiant, being first duly sworn on oath, states that the Affiant is an officer of Catholic Cemetery Association of Peoria which owns the property or is otherwise interested in the property described in the exhibit (copy of deed or legal description) hereto attached, that Affiant has knowledge of the facts herein; and that the members entitled to receive more than 7½% of the total distributable income of said entity are as follows: None

	Name	Address	Percentage
1.			
2.			
3.			
4.			
5.			

By: + Daniel R. Jenky C.S.C.
 Signature
Most Reverend Daniel R. Jenky, President
 Print Name and Title

This instrument was acknowledged before me on June 18, 2014
 by Most Reverend Daniel R. Jenky, C.S.C., President.

(SEAL)



Cheryl A. Berkshier
 Notary Public

My Commission Expires: 9-20-2014

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CERTIFIED RESOLUTION
(Corporation)

I, *Patricia M. Gibson*, as *Treasurer* of Catholic Cemetery Association of Peoria, a corporation organized and existing under and by virtue of the laws of the State of Illinois and duly authorized to do business in the State of Illinois, do hereby certify that:

1. The following is a true and correct copy of a resolution adopted by the board of directors of said corporation, a quorum of its directors being present, at a meeting held on the *17th* day of *June*, 201*3*, and

2. The resolution has not been amended or revoked and is in full force and effect.

Resolved that *most Rev. Daniel Senky*, as *President* and *Msgr. Paul E. Shawalter*, as *Secretary* of the above-referenced corporation are hereby authorized and directed to convey the corporation's interest in the following described real estate in Peoria County, Illinois to the City of Peoria, Illinois for highway purposes for the sum of \$ *68,000.00*

See attached legal description.

Further resolved that they are authorized and directed to execute and deliver such instruments as may be necessary or convenient to consummate such sale.

DESCRIPTION OF RIGHT OF WAY FOR DEED

PIONEER PARKWAY

SECTION: 12-00296-01-LA

PROJECT: HPP-2137(001)

JOB NO.: D-94-066-12

PARCEL 018

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Receipt and Disbursement Statement

Catholic Cemetery Association of Peoria
 Job No. D-94-066-12
 Parcel No. 018

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

(Check all that apply.)

- Warranty Deed covering 0.999 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 _____ Dollars (\$) 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 the City of Peoria 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>
			\$
			\$
			\$

*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: June 18, 2014

Grantor:

+ Daniel R. Jenky C.S.C.
Signature

Msg. Paul E. Shwartz
Signature

Most Reverend Daniel R. Jenky, President
Print Name (and Title, if applicable)

Monsignor Paul E. Shwartz,
(Print Name) (and Title, if applicable) *Secretary*

Signature

Signature

Print Name (and Title, if applicable)

(Print Name (and Title, if applicable)

Date:

Grantee:

The City of Peoria, Illinois, Public Works Department

Scott Reese, City Engineer for City of Peoria