

AN ACT concerning conservation.

**Be it enacted by the People of the State of Illinois,
represented in the General Assembly:**

Section 5. "An Act in relation to conservation", approved December 24, 1992, Public Act 87-1243, as amended by Public Act 88-468, is amended by changing Section 3 as follows:

(Public Act 87-1243, Section 3)

Sec. 3. In consideration of the conveyance of the real property described in Section 2 of this Act, the Dixon Park District shall covenant and agree with the State of Illinois as follows:

(a) The Dixon Park District agrees that it shall restore indigenous vegetation in all areas previously cleared for development or agriculture purposes which fall within a 300 foot wide scenic buffer paralleling the Southwesterly bank of the Rock River for the entire length of the real property conveyed, and said Park District further agrees that all future development within said 300 foot scenic buffer shall be limited to hiking trails and bank fishing.

(b) The Dixon Park District agrees that it shall eliminate and prohibit all equestrian activities on the real property conveyed.

(c) The Dixon Park District agrees to exclude all

development on the wooded area, containing 80 acres more or less, located at or near the Northwesterly portion of the real property conveyed.

(d) The Dixon Park District agrees that if it shall cease to use the real property conveyed, for public recreation, park or conservation purposes ~~proposes~~, then the title to such real property shall revert to the State of Illinois, Department of Natural Resources. As used in this Section, "Department" means the Department of Natural Resources Conservation.

(e) The above covenants shall run with the land and shall be binding upon the Grantee, its successors and assigns in perpetuity.

On and after August 31, 1993 (the effective date of Public Act 88-468) ~~this amendatory Act of 1993~~, the Grantor expressly waives its right to enforce the covenant described in item (b) and expressly releases the Grantee in perpetuity from any obligations imposed upon it by the covenant described in item (b).

(f) Notwithstanding any other provision in this Section, the Dixon Park District is authorized to install and operate solar panels, to create all necessary ingress and egress, to construct any necessary connections to the electric grid, and to conduct any other necessary activities for the development and operation of a solar electric generation facility, which for the purposes of this Section is referred to as "Solar Facility", on the property described and under the conditions

set forth in this subsection (f). The property authorized for the location of the Solar Facility, which for the purposes of this Section is referred to as "Solar Site", is the following described real estate and any additional real estate within the property described in Section 2 of this Act approved in writing by the Department:

Part of the Southwest Quarter (SW1/4) of Section Twenty-eight (28), Township Twenty-two (22) North, Range Nine (9) East of the Fourth (4th) Principal Meridian, Lee County, Illinois, described as follows:

Commencing at the northwest corner of said Southwest Quarter (SW1/4) of said Section Twenty-eight (28); thence North 89 degrees 03 minutes 47 seconds East, along the north line of said Southwest Quarter (SW1/4), a distance of 294.00 to the Point of Beginning; thence North 89 degrees 03 minutes 47 seconds East, continuing along said north line, a distance of 735.04 feet to the former westerly right-of-way line of the railroad; thence South 0 degrees 32 minutes 28 seconds East, along said westerly right-of-way line, a distance of 673.54 feet; thence continuing along said westerly right-of-way line and along the arc of a curve to the right having a radius of 3,769.83 feet, a chord bearing of South 9 degrees 45 minutes 04 seconds West, an arc length of 1,354.37 feet; thence South 89 degrees 26 minutes 02 seconds West, a distance of 449.11 feet to the east line of an existing 16.71 acre

tract; thence North 0 degrees 41 minutes 22 seconds East, along the said east line, a distance of 630.00 feet to the northeast corner of said 16.71 acre tract; thence North 89 degrees 18 minutes 38 seconds West, along the north line of said 16.71 acre tract, a distance of 378.39 feet to the west line of aforementioned Southwest Quarter (SW1/4); thence North 0 degrees 32 minutes 24 seconds East, along said west line, a distance of 1,082.30 feet; thence North 89 degrees 03 minutes 47 seconds East, a distance of 294.00 feet; thence North 0 degrees 32 minutes 24 seconds East, a distance of 272.00 feet to the Point of Beginning, containing 38.259 acres, more or less.

The Dixon Park District is authorized to develop and operate the Solar Facility under the following conditions:

(1) the Dixon Park District shall develop and operate the Solar Facility in a manner to minimize environmental impacts on the Solar Site and all of the real property described in Section 2 of this Act;

(2) the Dixon Park District shall provide the Department with all plans for the development of the Solar Facility, engage in consultation with the Department, and implement the recommendations of the Department before beginning any construction or development activity;

(3) the Dixon Park District shall operate the Solar Facility consistent with all applicable laws and regulations, with public safety, with environmental

protection, and to the Department's satisfaction, as determined solely by the Department;

(4) the Dixon Park District shall operate the Solar Facility as a pollinator-friendly solar site in compliance with the Pollinator-Friendly Solar Site Act;

(5) if the Dixon Park District ceases to use the Solar Site as a Solar Facility, the Dixon Park District shall immediately remove all Solar Facility equipment and improvements and restore the Solar Site to its previous condition to the Department's sole satisfaction and, thereafter, use the property only for public recreation, park, or conservation purposes; and

(6) if the Dixon Park District violates any of the conditions set forth in this subsection (f), title to the Solar Site and all of the real property described in Section 2 of this Act shall revert to the State of Illinois, Department of Natural Resources.

(g) To implement the requirement to covenant and agree with the State on the requirements set forth in Section 2, the Dixon Park District shall execute an amendment to the quitclaim deed dated December 8, 1993 and recorded January 11, 1994 in Book 9401 of Deeds at Page 0711 in the Recorder's Office of Lee County, Illinois, which shall be prepared by the Department to implement said requirements. The authorization for the Dixon Park District to develop and operate the Solar Facility provided in subsection (f) shall not become effective

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until the amended quitclaim deed is fully executed by the Dixon Park District and properly recorded in the Lee County Recorder's Office.

(Source: P.A. 88-468, eff. 8-31-93.)

Section 99. Effective date. This Act takes effect upon becoming law.