

**ORDINANCE NUMBER 12 - 07**

**ORDINANCE APPROVING VILLAGE UTILITY EASEMENT  
RIGHTS TO PLATTED EASEMENT LOCATED AT 14N881 ON  
ROUTE 25**

**WHEREAS**, the Village of East Dundee is a home rule unit of local government under and pursuant to Section 6 of Article VII of the Constitution of the State of Illinois, has the authority to exercise any power and perform any function pertaining to its government and affairs, including but not limited to the power to regulate for the protection of the public health, safety, morals, and welfare; and

**WHEREAS**, the Village of East Dundee is hereby given easement right to the platted easement designates the Village Utility Easement shall be used solely to install, operate, maintain and remove from time to time above ground and underground facilities and appurtenances used in connection with all public water transmission mains of the Village of East Dundee.

**WHEREAS**, and the easement at 14N881 on Route 25.

**WHEREAS**, no permanent building or trees shall be placed on said easements, but same may be used for gardens, shrubs, landscaping and other purposes that no not then or later interfere with the aforesaid uses or rights herein granted.

**NOW THEREFORE BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF EAST DUNDEE, KANE AND COOK COUNTIES, ILLINOIS, AS FOLLOWS:**

**Section One.** That it is in the interests of the Village for the approval of the utility easement at 14N881.

**Section Two.**

LEGAL DESCRIPTION FOR EASEMENT

The Westerly 15.0 feet of property described as follows:  
Lot 2 in Fox River Bluffs Unit No.3, a subdivision of part of Sections 35 and 36, Township 42 north, Range 8 east of the Third Principal Meridian, in the Township of Dundee, Kane County, Illinois.

**Section Three. Severability.** If any section, paragraph or provision of this ordinance shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph or provision shall not affect any of the remaining provisions of this ordinance.

**Section Four. Repeal.** All ordinances, resolutions, motions or parts thereof in conflict herewith shall be and the same are hereby repealed.

**Section Five. Publication.** This ordinance shall be in full force and effect forthwith upon its adoption, approval and publication in pamphlet form as provided by law.

Adopted this 27<sup>th</sup> day of February, 2012, pursuant to a roll call vote as follows:

AYES: 6 - Trustees Ruffalo, Lynam, Miller, VanOstenbridge, Skillicorn & VanOstenbridge  
NAYES: 0  
ABSENT: 1 - Trustee Gorman

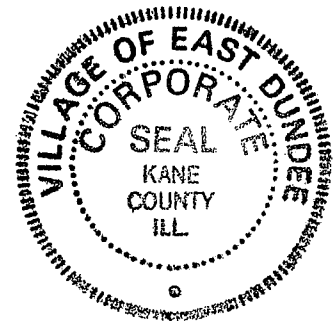
Approved by me this 27<sup>th</sup> day of February, 2012.

Jerald Bartels  
JERALD BARTELS, President

Published in pamphlet form this 6<sup>th</sup> day of March, 2012, under the authority of the President and Board of Trustees.

ATTEST:

Jennifer Rehberg  
JENNIFER REHBERG, Village Clerk  
Recorded in the Village Records on March 6<sup>th</sup>, 2012.



# PLAT OF EASEMENT

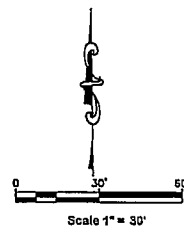
## EXHIBIT "A"

THE WESTERLY 15.0 FEET OF PROPERTY DESCRIBED AS FOLLOWS:

LOT 2 OF FOX RIVER BLUFFS, UNIT NO. 3, A SUBDIVISION OF PART OF SECTIONS 35 AND 38, TOWNSHIP 42 NORTH, RANGE 8 EAST, OF THE THIRD PRINCIPAL MERIDIAN, KANE COUNTY, ILLINOIS.

PARCEL INDEX NUMBER: 03-35-228-002

PROPERTY ADDRESS: 14N881 ROUTE 25  
EAST DUNDEE, IL 60118



### VILLAGE UTILITY EASEMENT (V.U.E.)

THE VILLAGE OF EAST DUNDEE IS HEREBY GIVEN EASEMENT RIGHTS TO THE PLATTED EASEMENT DESIGNATED "VILLAGE UTILITY EASEMENT" SHALL BE USED SOLELY TO INSTALL, OPERATE, MAINTAIN AND REMOVE FROM TIME TO TIME ABOVE GROUND AND UNDERGROUND FACILITIES AND APPURTENANCES USED IN CONNECTION WITH THE WATER, SANITARY SEWER OR STORM DRAINAGE SYSTEMS OF THE VILLAGE OF EAST DUNDEE, AND ANY OTHER UTILITY EXPRESSLY PERMITTED BY THE VILLAGE. NO PERMANENT BUILDING OR TREES SHALL BE PLACED ON SAID EASEMENTS, BUT SAME MAY BE USED FOR GARDENS, SHRUBS, LANDSCAPING AND OTHER PURPOSES THAT DO NOT THEN OR LATER INTERFERE WITH THE AFORESAID USES OR RIGHTS HEREIN GRANTED.

### CERTIFICATE OF EASEMENT APPROVAL

STATE OF ILLINOIS }  
COUNTY OF KANE } ss.

THIS PLAT OF EASEMENT HAS BEEN APPROVED BY THE VILLAGE BOARD OF TRUSTEES OF THE VILLAGE OF EAST DUNDEE, ILLINOIS AT A MEETING HELD ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D., 20\_\_\_\_

*Claudia Burt*  
VILLAGE PRESIDENT  
*Angela Reilly*  
VILLAGE CLERK

### KANE COUNTY RECORDER'S CERTIFICATE

STATE OF ILLINOIS }  
COUNTY OF KANE } ss.

THIS INSTRUMENT NO. \_\_\_\_\_ WAS FILED FOR RECORD IN THE RECORDER'S OFFICE OF KANE COUNTY, ILLINOIS, ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D., 20\_\_\_\_ AT \_\_\_\_\_ O'CLOCK, \_\_\_\_\_ M.

COUNTY RECORDER \_\_\_\_\_

### OWNER'S CERTIFICATE

STATE OF ILLINOIS }  
COUNTY OF KANE } ss.

THIS IS TO CERTIFY THAT THE UNDERSIGNED IS THE OWNER OF THE LAND DESCRIBED ON THIS PLAT OF EASEMENT, AND HAS CAUSED THE SAME TO BE SURVEYED, AS INDICATED THEREON, FOR THE USES AND PURPOSES THEREIN SET FORTH, AND DOES HEREBY ACKNOWLEDGE AND ADOPT THE SAME UNDER THE STYLE AND TITLE THEREON INDICATED.

THE UNDERSIGNED HEREBY DEDICATES FOR PUBLIC USE THE LANDS SHOWN ON THIS PLAT FOR A VILLAGE OF EAST DUNDEE UTILITY EASEMENT; ACCORDING TO THE EASEMENT PROVISIONS, WHICH ARE ATTACHED HERETO.

WITNESS OUR HANDS AND SEALS THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D., 20\_\_\_\_

BY: \_\_\_\_\_ ATTEST: \_\_\_\_\_  
FOR: \_\_\_\_\_

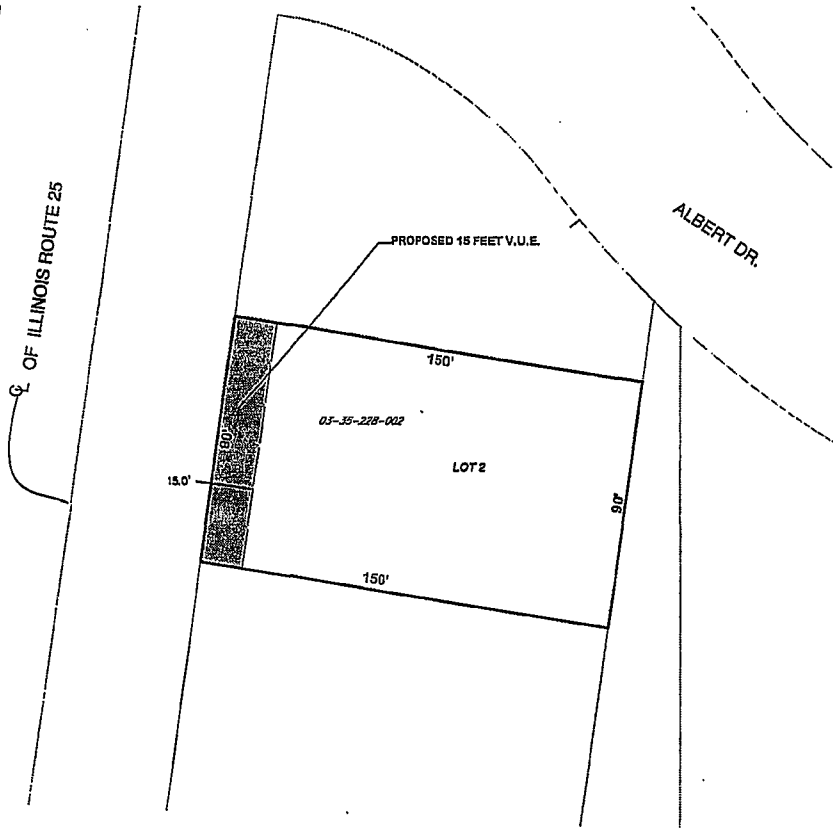
STATE OF ILLINOIS }  
COUNTY OF KANE } ss.

BEFORE ME THE UNDERSIGNED NOTARY PUBLIC, IN AND FOR THE COUNTY AND STATE AFORESAID, PERSONALLY APPEARED \_\_\_\_\_ AND EACH SEPARATELY AND SEVERALLY

ACKNOWLEDGED THE EXECUTION OF THE FOREGOING INSTRUMENT AS HIS OR HER VOLUNTARY ACT AND DEED, FOR THE PURPOSES THEREIN EXPRESSED.

WITNESS OUR HANDS AND SEALS THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D., 20\_\_\_\_

NOTARY PUBLIC \_\_\_\_\_



### SURVEYOR'S CERTIFICATE

STATE OF ILLINOIS }  
COUNTY OF KANE } ss.

I, JOSEPH D. HEINZ, AN ILLINOIS PROFESSIONAL LAND SURVEYOR, HEREBY CERTIFY THAT THE PLAT HEREON DRAWN HAS BEEN PREPARED UNDER MY DIRECTION FOR THE PURPOSE OF PLATTING AN EASEMENT AND THAT IT IS A CORRECT REPRESENTATION OF THE AREA SHOWN THEREON.

EAST DUNDEE, ILLINOIS, DATED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D., 2011.

Joseph D. Heinz  
Illinois Professional Land Surveyor No. 0351  
License Expires 11-30-10  
Design Firm Registration No. 184-002048

Note: Refer to the recorded Plat of Subdivision in the Recorder's Office of Kane County, Illinois for any easement provisions and covenants, if any, within the subject subdivision, which may effect these lots.

GERALD L. HEINZ & ASSOCIATES, INC.  
CONSULTING ENGINEERS & LAND SURVEYORS  
206 NORTH RIVER STREET  
EAST DUNDEE, ILLINOIS 60118

PLAT OF EASEMENT  
EXHIBIT "A"

VILLAGE OF EAST DUNDEE

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DATE: 08-01-11

JOB NO.: ED-1866

SCALE: 1"=30'

SHEET 1 OF 1