

Ordinance No. 15-20

AN ORDINANCE OF THE VILLAGE OF EAST DUNDEE, COOK AND KANE COUNTIES, ILLINOIS, APPROVING A PLAT OF EASEMENT FOR THE DETENTION AREA NORTH OF BARRINGTON AVENUE

WHEREAS, the Village of East Dundee, Cook and Kane Counties, Illinois (the "Village") is a duly organized and validly existing home-rule municipality created in accordance with the Constitution of the State of Illinois of 1970 and the laws of the State; and,

WHEREAS, the Commonwealth Edison Company has requested that the Village grant it an easement to construct, operate, repair, maintain, modify, reconstruct, replace, supplement, relocate and remove its electrical public utilities in, over, under, across, along and upon the surface of certain Village property and to install required service connections under the surface of said property to serve improvements thereon, or on adjacent lots; and,

WHEREAS, the President and Board of Trustees of the Village find that it is in the best interests of the Village to grant the Commonwealth Edison Company the abovementioned easement.

NOW, THEREFORE, BE IT ORDAINED by the Village President and Board of Trustees of the Village of East Dundee, Cook and Kane Counties, Illinois, as follows:

Section 1. That the Plat of Easement prepared by Gerald L. Heinz & Associates, Inc., dated March 5, 2015, attached hereto as *Exhibit A* and made a part hereof by reference, is hereby approved and the Village President and Village Clerk are hereby authorized to execute and deliver said Plat on behalf of the Village.

Section 2. That this Ordinance shall be in full force and effect upon its passage, approval, and publication as provided by law.

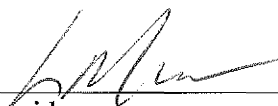
Passed by the Village President and the Board of Trustees of the Village of East Dundee, Cook and Kane Counties, Illinois, this 18th day of May, A.D. 2015, pursuant to a roll call vote, as follows:

AYES: Trustees Gorman, Lynam, Skillicorn, Selep, Wood
and Mahony

NAYS: ∅

ABSENT: ∅

APPROVED by me, as Village President of the Village of East Dundee, Cook and Kane Counties, Illinois, this 18th day of may, A.D. 2015.



Village President

Attest:



Village Clerk

Published in pamphlet form:

may 19, 2015

PLAT OF EASEMENT

EXHIBIT A

PARCEL DESCRIBED AS FOLLOWS:

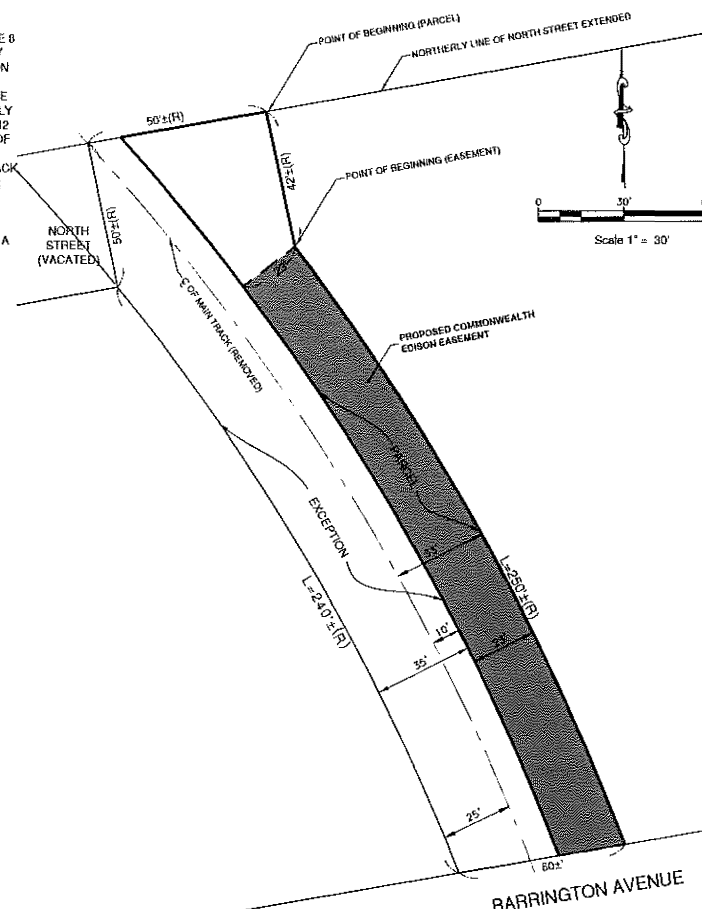
THAT PART OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 23, TOWNSHIP 42 NORTH, RANGE 6 EAST OF THE THIRD PRINCIPAL MERIDIAN, BEGINNING AT A POINT ON THE EASTERLY EXTENSION OF THE NORTHERLY LINE OF NORTH STREET, DISTANT 50 FEET WESTERLY, MEASURED AT RIGHT ANGLES, FROM THE NORTHERLY EXTENSION OF THE CENTER LINE OF THE TANGENT PORTION OF THE MAIN TRACK (NOW REMOVED) OF THE FOX RIVER VALLEY RAILROAD COMPANY (NOW THE CHICAGO AND NORTHWESTERN RAILWAY COMPANY), AS SAID MAIN TRACK CENTER LINE WAS ORIGINALLY LOCATED AND ESTABLISHED OVER AND ACROSS SAID SECTION 23, AND AS IT EXISTED SOUTHEASTERLY OF RAILROAD STREET; THENCE SOUTHERLY PARALLEL WITH SAID ORIGINAL MAIN TRACK CENTER LINE A DISTANCE OF 42 FEET, MORE OR LESS, TO A POINT DISTANT 30 FEET NORTHEASTERLY, MEASURED RADIALY, FROM THE CENTER LINE OF THE MAIN TRACK (NOW REMOVED) OF SAID TRANSPORTATION COMPANY, AS LOCATED PRIOR TO ITS REMOVAL; THENCE SOUTHEASTERLY PARALLEL WITH SAID LAST DESCRIBED (FORMER) MAIN TRACK CENTER LINE A DISTANCE OF 250 FEET, MORE OR LESS, TO A POINT ON THE NORTHERLY LINE OF BARRINGTON STREET; THENCE WESTERLY ALONG SAID NORTHERLY LINE OF BARRINGTON STREET A DISTANCE OF 60 FEET, MORE OR LESS, TO A POINT DISTANT 25 FEET SOUTHWESTERLY, MEASURED RADIALY, FROM SAID LAST DESCRIBED (FORMER) MAIN TRACK CENTER LINE; THENCE NORTHWESTERLY PARALLEL WITH SAID LAST DESCRIBED (FORMER) MAIN TRACK CENTER LINE A DISTANCE OF 240 FEET, MORE OR LESS, TO A POINT ON THE EASTERLY LINE OF BLOCK 3 IN EDWARD'S ADDITION TO DUNDEE; THENCE NORTHERLY ALONG THE EASTERLY LINE, AND NORTHERLY EXTENSION THEREOF, OF SAID BLOCK 3, A DISTANCE OF 50 FEET, MORE OR LESS, TO A POINT ON THE NORTHERLY LINE OF SAID NORTH STREET; THENCE EASTERLY ALONG SAID NORTHERLY LINE EXTENDED OF NORTH STREET, A DISTANCE OF 60 FEET, MORE OR LESS, TO THE POINT OF BEGINNING, EXCEPTING THEREFROM THAT PART OF THE ABOVE DESCRIBED PROPERTY LYING WESTERLY OF A LINE THAT IS 10 FEET EASTERLY, MEASURED RADIALY, AND PARALLEL WITH THE CENTER LINE OF THE MAIN TRACK (NOW REMOVED) OF THE CHICAGO AND NORTHWESTERN TRANSPORTATION COMPANY, AS SAID MAIN TRACK WAS LOCATED PRIOR TO ITS REMOVAL, ALL OF THE ABOVE BEING SITUATED IN THE VILLAGE OF EAST DUNDEE, KANE COUNTY, ILLINOIS.

PARCEL INDEX NUMBER: 03-23-303-015

COMMONWEALTH EDISON EASEMENT DESCRIBED AS FOLLOWS:

THAT PART OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 23, TOWNSHIP 42 NORTH, RANGE 6 EAST OF THE THIRD PRINCIPAL MERIDIAN, COMMENCING AT A POINT ON THE EASTERLY EXTENSION OF THE NORTHERLY LINE OF NORTH STREET, DISTANT 50 FEET WESTERLY, MEASURED AT RIGHT ANGLES, FROM THE NORTHERLY EXTENSION OF THE CENTER LINE OF THE TANGENT PORTION OF THE MAIN TRACK (NOW REMOVED) OF THE FOX RIVER VALLEY RAILROAD COMPANY (NOW THE CHICAGO AND NORTHWESTERN RAILWAY COMPANY), AS SAID MAIN TRACK CENTER LINE WAS ORIGINALLY LOCATED AND ESTABLISHED OVER AND ACROSS SAID SECTION 23, AND AS IT EXISTED SOUTHEASTERLY OF RAILROAD STREET; THENCE SOUTHERLY PARALLEL WITH SAID ORIGINAL MAIN TRACK CENTER LINE A DISTANCE OF 42 FEET, MORE OR LESS, TO A POINT DISTANT 30 FEET NORTHEASTERLY, MEASURED RADIALY, FROM THE CENTER LINE OF THE MAIN TRACK (NOW REMOVED) OF SAID TRANSPORTATION COMPANY, AS LOCATED PRIOR TO ITS REMOVAL, ALSO BEING THE POINT OF BEGINNING; THENCE SOUTHEASTERLY PARALLEL WITH SAID LAST DESCRIBED (FORMER) MAIN TRACK CENTER LINE A DISTANCE OF 250 FEET, MORE OR LESS, TO A POINT ON THE NORTHERLY LINE OF BARRINGTON STREET; THENCE WESTERLY ALONG SAID NORTHERLY LINE OF BARRINGTON STREET TO A POINT DISTANT 10 FEET NORTHEASTERLY, MEASURED RADIALY, FROM SAID LAST DESCRIBED (FORMER) MAIN TRACK CENTER LINE; THENCE NORTHWESTERLY PARALLEL WITH SAID LAST DESCRIBED (FORMER) MAIN TRACK CENTER LINE TO A POINT DISTANT 23 FEET, MEASURED RADIALY, FROM THE POINT OF BEGINNING; THENCE NORTHEASTERLY ALONG SAID RADIAL LINE, FOR A DISTANCE OF 23 FEET TO THE POINT OF BEGINNING. ALL OF THE ABOVE BEING SITUATED IN THE VILLAGE OF EAST DUNDEE, KANE COUNTY, ILLINOIS.

EASEMENT PROVISIONS
 AN EASEMENT FOR SERVING THE SUBDIVISION AND OTHER PROPERTY WITH ELECTRIC SERVICE IS HEREBY RESERVED FOR AND GRANTED TO COMMONWEALTH EDISON COMPANY, GRANTEE, THEIR RESPECTIVE LICENSEES, SUCCESSORS AND ASSIGNS, JOINTLY AND SEVERALLY, TO CONSTRUCT, OPERATE, REPAIR, MAINTAIN, MODIFY, RECONSTRUCT, REPLACE, SUPPLEMENT, RELOCATE AND REMOVE, FROM TIME TO TIME, POLES, GUYS, ANCHORS, WIRES, CABLES, CONDUITS, HANGERS, TRANSFORMERS, FUSES, SWITCHES, EQUIPMENT CABINETS OR OTHER FACILITIES USED IN CONNECTION WITH OVERHEAD AND UNDERGROUND TRANSMISSION AND DISTRIBUTION OF ELECTRICITY, SOUNDS AND SIGNALS BY, OVER, UNDER, ACROSS, ALONG AND UPON THE SURFACE OF THE PROPERTY SHOWN WITHIN THE DASHED OR DOTTED LINES (OR SIMILAR DESIGNATION) ON THE PLAT AND MARKED "COMMONWEALTH EDISON EASEMENT" TOGETHER WITH THE RIGHTS TO INSTALL REQUIRED SERVICE CONNECTIONS UNDER THE SURFACE OF THE PARCEL, TO SERVE IMPROVEMENTS THEREON, OR ON ADJACENT LOTS, THE RIGHT TO CUT, TRIM OR REMOVE TREES, BUSHES, ROOTS AND SAPLINGS AND TO CLEAR OBSTRUCTIONS FROM THE SURFACE AND SUBSURFACE AS MAY BE REASONABLY REQUIRED INCIDENT TO THE RIGHTS HEREIN GIVEN, AND THE RIGHT TO ENTER UPON THE SUBDIVIDED PROPERTY FOR ALL SUCH PURPOSES, OBSTRUCTIONS SHALL NOT BE PLACED OVER GRANTEE'S FACILITIES OR IN, UPON OR OVER THE PROPERTY WITHIN THE "COMMONWEALTH EDISON EASEMENT" WITHOUT THE PRIOR WRITTEN CONSENT OF GRANTEE, AFTER INSTALLATION OF ANY SUCH FACILITIES, THE GRADE OF THE PROPERTY SHALL NOT BE ALTERED IN A MANNER SO AS TO INTERFERE WITH THE PROPER OPERATION AND MAINTENANCE THEREOF, RELOCATION OF FACILITIES WILL BE DONE BY GRANTEE AT THE COST OF THE GRANTOR/LOT OWNER, UPON WRITTEN REQUEST.



CERTIFICATE OF EASEMENT APPROVAL

STATE OF ILLINOIS } ss.
 COUNTY OF KANE }

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__.

VILLAGE PRESIDENT _____

VILLAGE CLERK _____

KANE COUNTY RECORDER'S CERTIFICATE

STATE OF ILLINOIS } ss.
 COUNTY OF KANE }

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 } ss.
 COUNTY OF KANE }

THIS IS TO CERTIFY THAT THE UNDERSIGNED IS THE OWNER OF THE LAND DESCRIBED IN THE ANNEXED PLAT, 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 DRAINAGE EASEMENTS AND SIDEWALK EASEMENTS, 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 } ss.
 COUNTY OF KANE }

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 _____



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.

LEGEND

- (R) - INDICATES RECORD DIMENSION
- L_c - INDICATES LENGTH OF CURVE
- R_c - INDICATES RADIUS OF CURVE
- CH - CHORD LENGTH
- [Shaded Area] - EASEMENT AREA

SURVEYOR'S CERTIFICATE

STATE OF ILLINOIS } ss.
 COUNTY OF KANE }

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

EAST DUNDEE, ILLINOIS, DATED THIS ___ DAY OF _____, A.D. 2015.

Illinois Professional Land Surveyor No. 3551
 License Expires 11-30-15
 Design Firm Registration No. 184-002048

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

PLAT OF EASEMENT
 DETENTION PARCEL

VILLAGE OF EAST DUNDEE

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DATE: 03/05/2015
 JOB NO.: ED-1954
 SCALE: 1"=30'
 SHEET 1 OF 1