

**ORDINANCE NUMBER 11 - 55**

**ORDINANCE APPROVING VILLAGE UTILITY EASEMENT  
RIGHTS TO PLATTED EASEMENT LOCATED AT 14N679 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 14N679 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 14N679.

**Section Two.**

**LEGAL DESCRIPTION FOR EASEMENT**

THE WESTERLY 15.0' OF PROPERTY AS FOLLOWS:  
THAT PART OF THE NORTHWEST QUARTER OF SECTION 35, AND PART OF THE NORTHWEST QUARTER OF SECTION 36, TOWNSHIP 42 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS: BEGINNING AT THE INTERSECTION OF THE SOUTHERLY LINE EXTENDED WESTERLY OF FOX RIVER BLUFFS UNIT NO. 3, BEING A SUBDIVISION OF PART OF SAID SECTION 35 AND 36, WITH THE EASTERLY RIGHT OF WAY LINE OF STATE ROUTE 25, AS CONVEYED TO THE STATE DEPARTMENT OF PUBLIC WORKS AND BUILDINGS BY WARRANTY DEED RECORDED JANUARY 29, 1968 AS DOCUMENT NO. 1106610; THENCE NORTHERLY ALONG SAID EASTERLY RIGHT OF WAY LINE, A DISTANCE OF 179.36 FEET;

THEN EASTERLY ALONG A LINE WHICH FORM AN ANGLE OF 92 DEGREES 42 MINUTES 35 SECONDS TO THE RIGHT WITH THE PROLONGATION OF THE LAST DESCRIBED COURSE, A DISTANCE OF 349.83 FEET TO THE WESTERLY LINE EXTENDED SOUTHERLY OF LOT 8 IN FOX RIVER BLUFFS UNIT NO. 3, AS AFORESAID; THENCE SOUTHERLY ALONG SAID WESTERLY LINE EXTENDED SOUTHERLY A DISTANCE OF 162.16 FEET TO THE SOUTHERLY LINE EXTENDED WESTERLY OF FOX RIVER BLUFFS UNIT NO. 3, AS AFORESAID; THENCE WESTERLY ALONG SAID SOUTHERLY LINE, EXTENDED WESTERLY, A DISTANCE OF 349.70 FEET TO THE PLACE OF BEGINNING. BEING SITUATED IN DUNDEE TOWNSHIP, KANE COUNTY, ILLINOIS, AND CONTAINING 1.3703 ACRES.

**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 19<sup>th</sup> day of December, 2011, pursuant to a roll call vote as follows:

AYES: 6 - Trustees Gorman, Lynam, Miller, Van Oostenbudec,

NAYES: 0 Skillicorn & President Bartels

ABSENT: 1 - Trustee Ruffalo

Approved by me this 19<sup>th</sup> day of December, 2011.

Jerald Bartels  
JERALD BARTELS, President

Published in pamphlet form this 28<sup>th</sup> day of December, 2011, under the authority of the President and Board of Trustees.

ATTEST:

Jennifer Behberg  
JENNIFER BEHBERG, Village Clerk

Recorded in the Village Records on Dec. 28<sup>th</sup>, 2011.

