

Resolution No. 63-15

**A RESOLUTION OF THE VILLAGE OF EAST DUNDEE, ILLINOIS, ACCEPTING  
A PLAT OF EASEMENT FOR UTILITY PURPOSES  
(14N806 and 14N808 Route 25, Bakstad Property)**

**WHEREAS**, the Village of East Dundee (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 Village on August 20, 2012, pursuant to Ordinance 12-62, annexed certain property commonly known as 14N806 and 14N808 Route 25 that provided in paragraph 4 that the Owner of the property shall grant to the Village a utility easement; and,

**WHEREAS**, the President and Board of Trustees of the Village have reviewed the attached Plat of Easement and find that its acceptance is in the best interest of the Village; and,

**WHEREAS**, the Village has the authority to accept statutory dedications of property pursuant to the Plat Act (765 ILCS 205/0.01 et seq.).

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

**Section 1:** The above recitals are incorporated and made a part of this Resolution.

**Section 2:** That the Village President and Village Clerk be and are hereby authorized to accept on behalf of the Village the Plat of Easement for Village Utility Easement purposes dated September 29, 2015 and prepared by Gerald L. Heinz & Associates, Inc., a copy of which is attached hereto and made a part hereof by reference.

**Section 3:** That the Village Clerk shall record this Resolution and the attached Plat of Easement in the Office of the Kane County Recorder.

**Section 4:** This Resolution shall be in full force and effect upon its passage and approval as provided by law.

Passed this 16<sup>th</sup> day of November, 2015.

AYES: Trustees Lydam, Skillicorn, Selep, Wood and Hall

NAYS: 0

ABSENT: Trustee Gorman

Approved this 16<sup>th</sup> day of November, 2015.

[Signature]  
Village President

Attest:

[Signature]  
Village Clerk

# PLAT OF EASEMENT

## EXHIBIT "B"

### OF PROPERTY DESCRIBED AS:

#### PARCEL ONE:

THAT PART OF THE NORTH 1/2 OF SECTION 35, TOWNSHIP 42 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE INTERSECTION, AS MONUMENTED, OF EASTERLY RIGHT OF WAY LINE OF PARKSIDE AVENUE (NOW VACATED) WITH THE SOUTH LINE, EXTENDED EASTERLY OF LOT 32, AS PLATTED IN FOX RIVER BLUFFS UNIT NO. 5, BEING A SUBDIVISION OF PART OF SECTION 26 AND 35, TOWNSHIP AND RANGE AFORESAID, ACCORDING TO THE PLAT THEREOF RECORDED AUGUST 13, 1929 AS DOCUMENT NO. 32821, THIS POINT HEREINAFTER REFERRED TO AS POINT "A"; THENCE NORTH 07 DEGREES 50 MINUTES 33 SECONDS EAST, ALONG THE EASTERLY LINE OF PARKSIDE AVENUE (NOW VACATED), A DISTANCE OF 450.00 FEET; THENCE SOUTH 82 DEGREES 02 MINUTES 17 SECONDS EAST, A DISTANCE OF 653.69 FEET WESTERLY RIGHT OF WAY LINE, AS MONUMENTED, OF A PUBLIC HIGHWAY KNOWN AS STATE ROUTE NO. 25; THENCE SOUTH 03 DEGREES 03 MINUTES 55 SECONDS WEST, ALONG SAID WESTERLY RIGHT OF WAY LINE, A DISTANCE OF 236.30 FEET FOR THE POINT OF BEGINNING; SAID POINT BEING 225.26 FEET NORTH OF, AS MEASURED ALONG SAID WESTERLY RIGHT OF WAY LINE, THE INTERSECTION OF SAID WESTERLY RIGHT OF WAY LINE AND A LINE DRAWN FROM POINT "A" AFORESAID TO THE SOUTH CORNER OF LOT 83, AS MONUMENTED, OF FOX RIVER BLUFFS UNIT NO. 3, BEING A SUBDIVISION OF PART OF SECTION 35 AND 36, TOWNSHIP AND RANGE AFORESAID, ACCORDING TO THE PLAT THEREOF RECORDED FEBRUARY 3, 1928 AS DOCUMENT NO. 30314, THIS LINE HEREINAFTER REFERRED TO AS LINE "A"; THENCE NORTH 82 DEGREES 02 MINUTES 55 SECONDS WEST, ALONG SAID WESTERLY RIGHT OF WAY LINE, A DISTANCE OF 150.00 FEET; THENCE NORTH 82 DEGREES 02 MINUTES 00 SECONDS WEST, PARALLEL WITH SAID LINE "A", A DISTANCE OF 200.00 FEET TO THE POINT OF BEGINNING, BEING SITUATED IN DUKEE TOWNSHIP, KANE COUNTY, ILLINOIS.

#### PARCEL TWO:

THAT PART OF THE NORTH 1/2 OF SECTION 35, TOWNSHIP 42 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE INTERSECTION, AS MONUMENTED, OF EASTERLY RIGHT OF WAY LINE OF PARKSIDE AVENUE (NOW VACATED) WITH THE SOUTH LINE, EXTENDED EASTERLY OF LOT 32, AS PLATTED IN FOX RIVER BLUFFS UNIT NO. 5, BEING A SUBDIVISION OF PART OF SECTION 26 AND 35, TOWNSHIP AND RANGE AFORESAID, ACCORDING TO THE PLAT THEREOF RECORDED AUGUST 13, 1929 AS DOCUMENT NO. 32821, THIS POINT HEREINAFTER REFERRED TO AS POINT "A"; THENCE NORTH 07 DEGREES 50 MINUTES 33 SECONDS EAST, ALONG THE EASTERLY LINE OF PARKSIDE AVENUE (NOW VACATED), A DISTANCE OF 450.00 FEET; THENCE SOUTH 82 DEGREES 02 MINUTES 17 SECONDS EAST, A DISTANCE OF 653.69 FEET WESTERLY RIGHT OF WAY LINE, AS MONUMENTED, OF A PUBLIC HIGHWAY KNOWN AS STATE ROUTE NO. 25; THENCE SOUTH 03 DEGREES 03 MINUTES 55 SECONDS WEST, ALONG SAID WESTERLY RIGHT OF WAY LINE, A DISTANCE OF 236.30 FEET FOR THE POINT OF BEGINNING; SAID POINT BEING 225.26 FEET NORTH OF, AS MEASURED ALONG SAID WESTERLY RIGHT OF WAY LINE, THE INTERSECTION OF SAID WESTERLY RIGHT OF WAY LINE AND A LINE DRAWN FROM POINT "A" AFORESAID TO THE SOUTH CORNER OF LOT 83, AS MONUMENTED, OF FOX RIVER BLUFFS UNIT NO. 3, BEING A SUBDIVISION OF PART OF SECTION 35 AND 36, TOWNSHIP AND RANGE AFORESAID, ACCORDING TO THE PLAT THEREOF RECORDED FEBRUARY 3, 1928 AS DOCUMENT NO. 30314, THIS LINE HEREINAFTER REFERRED TO AS LINE "A"; THENCE NORTH 82 DEGREES 02 MINUTES 55 SECONDS WEST, ALONG SAID WESTERLY RIGHT OF WAY LINE, A DISTANCE OF 150.00 FEET; THENCE NORTH 82 DEGREES 02 MINUTES 00 SECONDS WEST, PARALLEL WITH SAID LINE "A", A DISTANCE OF 200.00 FEET TO SAID WESTERLY RIGHT OF WAY LINE, A DISTANCE OF 236.30 FEET TO SAID LINE "A"; THENCE SOUTH 82 DEGREES 02 MINUTES 00 SECONDS EAST, ALONG SAID LINE "A", A DISTANCE OF 200.00 FEET TO SAID WESTERLY RIGHT OF WAY LINE OF STATE ROUTE 25; THENCE NORTH 03 DEGREES 03 MINUTES 55 SECONDS EAST, ALONG SAID RIGHT OF WAY LINE, A DISTANCE OF 75.26 FEET TO THE POINT OF BEGINNING, BEING SITUATED IN DUKEE TOWNSHIP, KANE COUNTY, ILLINOIS.

#### VILLAGE UTILITY EASEMENT LEGAL DESCRIPTION:

THAT PART OF THE NORTH 1/2 OF SECTION 35, TOWNSHIP 42 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE INTERSECTION, AS MONUMENTED, OF EASTERLY RIGHT OF WAY LINE OF PARKSIDE AVENUE (NOW VACATED) WITH THE SOUTH LINE, EXTENDED EASTERLY OF LOT 32, AS PLATTED IN FOX RIVER BLUFFS UNIT NO. 5, BEING A SUBDIVISION OF PART OF SECTION 26 AND 35, TOWNSHIP AND RANGE AFORESAID, ACCORDING TO THE PLAT THEREOF RECORDED AUGUST 13, 1929 AS DOCUMENT NO. 32821, THIS POINT HEREINAFTER REFERRED TO AS POINT "A"; THENCE NORTH 07 DEGREES 50 MINUTES 33 SECONDS EAST, ALONG THE EASTERLY LINE OF PARKSIDE AVENUE (NOW VACATED), A DISTANCE OF 450.00 FEET; THENCE SOUTH 82 DEGREES 02 MINUTES 17 SECONDS EAST, A DISTANCE OF 653.69 FEET WESTERLY RIGHT OF WAY LINE, AS MONUMENTED, OF A PUBLIC HIGHWAY KNOWN AS STATE ROUTE NO. 25; THENCE SOUTH 03 DEGREES 03 MINUTES 55 SECONDS WEST, ALONG SAID WESTERLY RIGHT OF WAY LINE, A DISTANCE OF 236.30 FEET FOR THE POINT OF BEGINNING; SAID POINT BEING 225.26 FEET NORTH OF, AS MEASURED ALONG SAID WESTERLY RIGHT OF WAY LINE, THE INTERSECTION OF SAID WESTERLY RIGHT OF WAY LINE AND A LINE DRAWN FROM POINT "A" AFORESAID TO THE SOUTH CORNER OF LOT 83, AS MONUMENTED, OF FOX RIVER BLUFFS UNIT NO. 3, BEING A SUBDIVISION OF PART OF SECTION 35 AND 36, TOWNSHIP AND RANGE AFORESAID, ACCORDING TO THE PLAT THEREOF RECORDED FEBRUARY 3, 1928 AS DOCUMENT NO. 30314, THIS LINE HEREINAFTER REFERRED TO AS LINE "A"; THENCE NORTH 82 DEGREES 02 MINUTES 55 SECONDS WEST, ALONG SAID WESTERLY RIGHT OF WAY LINE, A DISTANCE OF 150.00 FEET; THENCE NORTH 82 DEGREES 02 MINUTES 00 SECONDS WEST, PARALLEL WITH SAID LINE "A", A DISTANCE OF 200.00 FEET; THENCE SOUTH 82 DEGREES 02 MINUTES 00 SECONDS EAST, ALONG SAID LINE "A", A DISTANCE OF 200.00 FEET TO SAID WESTERLY RIGHT OF WAY LINE OF STATE ROUTE 25; THENCE NORTH 03 DEGREES 03 MINUTES 55 SECONDS EAST, ALONG SAID RIGHT OF WAY LINE, A DISTANCE OF 75.26 FEET TO THE POINT OF BEGINNING, BEING SITUATED IN DUKEE TOWNSHIP, KANE COUNTY, ILLINOIS.

### 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 THE TO THE 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, GRASSES, LANDSCAPING AND OTHER PURPOSES THAT DO NOT THEN OR LATER INTERFERE WITH THE AFORESAID USES OR RIGHTS HEREIN GRANTED.

AFTER ANY INSTALLATION OR MAINTENANCE BY THE VILLAGE OF EAST DUNDEE, THE VILLAGE SHALL PROMPTLY RESTORE ANY SURFACE IMPROVEMENTS TO THE ORIGINAL CONDITION PRIOR TO COMMENCING THE CONSTRUCTION OR MAINTENANCE ACTIVITY.



### 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 VILLAGE UTILITY EASEMENTS, ACCORDING TO THE EASEMENT PROVISIONS, WHICH ARE ATTACHED HERETO. ALSO SUBJECT TO COVENANTS, CONDITIONS, EASEMENTS AND RESTRICTIONS OF RECORD.

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

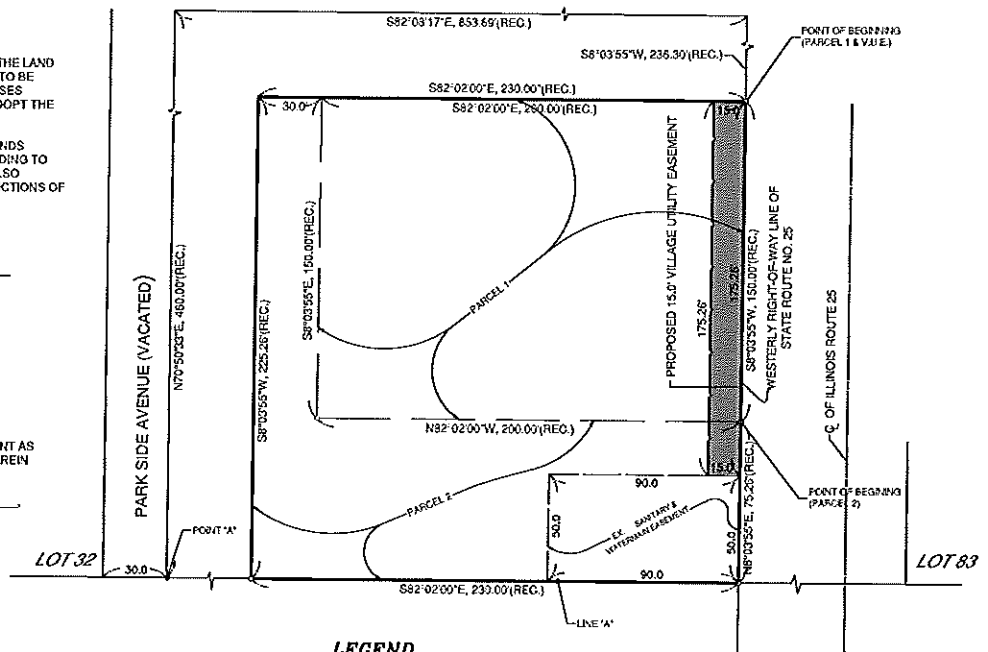
BY: \_\_\_\_\_ ATTEST: \_\_\_\_\_  
FOR: \_\_\_\_\_

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



### LEGEND

- (REC.) — INDICATES RECORD DIMENSION
- PROPOSED VILLAGE UTILITY EASEMENT AREA

### 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

### SURVEYOR'S CERTIFICATE

STATE OF ILLINOIS )  
 ) ss.  
COUNTY OF KANE

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., 2015



Heinz Professional Land Surveyor No. 3551  
License Expires 11-30-15  
Design Firm Registration No. 184-0020-15

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 affect these parcels.

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

PLAT OF EASEMENT  
SIERRA STUDIO

VILLAGE OF EAST DUNDEE

This service is copyrighted and is the sole property of GERALD L. HEINZ & ASSOCIATES, INC. Reproduction or use of this drawing without the prior written consent of GERALD L. HEINZ & ASSOCIATES, INC. is prohibited and will be prosecuted to the full extent of the law.

DATE: 09/29/2015  
JOB NO.: ED-2062  
SCALE: 1"=40'  
SHEET: 1 OF 1