

**ORDINANCE NUMBER 09 - 16**

**ORDINANCE APPROVING VILLAGE UTILITY EASEMENT AT THE NORTHEAST CORNER OF ROUTE 72 AND ROUTE 25, EAST DUNDEE, ILLINOIS FOR THE INSTALLATION OF RED LIGHT ENFORCEMENT CAMERAS.**

**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 "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.

**WHEREAS**, the Village Easement is on the Northeast corner of Route 72 and Route 25 on the Dundee Township Cemetery property in East Dundee, Illinois

**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

**Section Two.**

**LEGAL DESCRIPTION FOR UTILITY EASEMENT**

COMMENCING AT THE SOUTHEAST CORNER OF THE ABOVE DESCRIBED PARCEL; THENCE NORTH 61 DEGREES 03 MINUTES 39 SECONDS WEST, ALONG THE SOUTHERLY LINE OF SAID PARCEL, FOR A DISTANCE OF 566.98 FEET TO THE POINT OF BEGINNING; THENCE

CONTINUING ALONG THE LAST DESCRIBED COURSE, FOR A DISTANCE OF 5.00 FEET; THENCE NORTH 53 DEGREES 34 MINUTES 07 SECONDS WEST ALONG SAID SOUTHERLY LINE, FOR A DISTANCE OF 10.00 FEET; THENCE NORTH 36 DEGREES 25 MINUTES 53 SECONDS EAST PERPENDICULAR TO THE LAST DESCRIBED LINE, FOR A DISTANCE OF 5.00 FEET; THENCE SOUTH 53 DEGREES 34 MINUTES 07 SECONDS EAST PARALLEL WITH SAID SOUTHERLY LINE, FOR A DISTANCE OF 9.68 FEET; THENCE SOUTH 61 DEGREES 03 MINUTES 39 SECONDS EAST, PARALLEL WITH SAID SOUTHERLY LINE, FOR A DISTANCE OF 4.67 FEET; THENCE SOUTH 28 DEGREES 56 MINUTES 21 SECONDS WEST, PERPENDICULAR TO THE LAST DESCRIBED LINE, FOR A DISTANCE OF 5.00 FEET, TO THE POINT OF BEGINNING, IN THE VILLAGE OF EAST 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 15<sup>th</sup> day of June, 2009, pursuant to a roll call vote as follows:

AYES: Trustees Ruffalo, Lynam, Gorman, Cichowski, Miller, VanOstenbridge & Pres Bartels

NAYES: Ø

ABSENT: Ø

Approved by me this 15<sup>th</sup> day of June, 2009.

Jerald Bartels  
JERALD BARTELS, President

Published in pamphlet form this 16<sup>th</sup> day of June, 2009, under the authority of the President and Board of Trustees.

ATTEST:

Heather Zipparro  
HEATHER ZIPPARRO, Village Clerk

Recorded in the Village Records on June 16<sup>th</sup>, 2009.

