

ORDINANCE NUMBER 09 - 15

ORDINANCE APPROVING VILLAGE UTILITY EASEMENTS AT THE NORTHWEST 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, and the easement on the Northwest corner of Route 72 and Route 25 on the LPC, Subdivision Lot 3 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 NORTHEAST CORNER OF LOT 3 IN LPC SUBDIVISION OF PART OF THE SOUTHEAST QUARTER OF SECTION 23, AND PART OF THE NORTHWEST QUARTER OF SECTION 26, ALL IN TOWNSHIP 42 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, THENCE SOUTH 7 DEGREES 21 MINUTES 56 SECONDS WEST ALONG THE EASTERLY LINE OF SAID LOT 3, FOR A

DISTANCE OF 50.00 FEET; THENCE SOUTH 0 DEGREES 16 MINUTES 53 SECONDS EAST ALONG SAID EASTERLY LINE, FOR A DISTANCE OF 90.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING SOUTH 89 DEGREES 16 MINUTES 53 SECONDS EAST ALONG SAID EASTERLY LINE, FOR A DISTANCE OF 15.00 FEET; THENCE SOUTH 89 DEGREES 43 MINUTES 7 SECONDS WEST, PERPENDICULAR TO THE LAST DESCRIBED LINE, FOR A DISTANCE OF 10.00 FEET; THENCE NORTH 0 DEGREES 16 MINUTES 53 SECONDS WEST, PARALLEL TO SAID EASTERLY LINE, FOR A DISTANCE OF 15.00 FEET; THENCE NORTH 89 DEGREES 43 MINUTES 07 SECONDS EAST, PERPENDICULAR TO THE LAST DESCRIBED LINE, FOR A DISTANCE OF 10.00 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 15th day of June, 2009, pursuant to a roll call vote as follows:

AYES:

Trustees Ruffalo, Gorman, Lynam, Cichowski, Miller, VanOstenbridge & Pres. Bartels

NAYES:

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ABSENT:

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Approved by me this 15th day of June, 2009.

Jerald Bartels

JERALD BARTELS, President

Published in pamphlet form this 16th 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 16th, 2009.

