

Ordinance No. 15-21

**AN ORDINANCE OF THE VILLAGE OF EAST DUNDEE, COOK AND KANE COUNTIES, ILLINOIS, APPROVING A PLAT OF EASEMENT FOR THE DEPOT LOT SOUTH 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 a certain portion of a depot lot located in the Village 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.

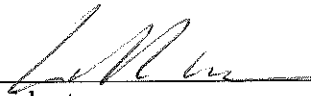
*Passed* by the Village President and the Board of Trustees of the Village of East Dundee, Cook and Kane Counties, Illinois, this 18<sup>th</sup> day of May, A.D. 2015, pursuant to a roll call vote, as follows:

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


**NAYS:**  $\emptyset$

**ABSENT:**  $\emptyset$

**APPROVED** by me, as Village President of the Village of East Dundee, Cook and Kane Counties, Illinois, this 18<sup>th</sup> day of May, A.D. 2015.

  
\_\_\_\_\_  
Village President

*Attest:*

  
\_\_\_\_\_  
Village Clerk

Published in pamphlet form:

May 19, 2015

EXHIBIT A

# PLAT OF EASEMENT

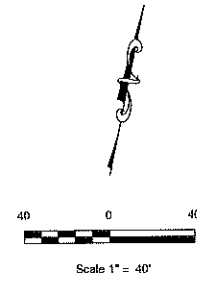
**OF PROPERTY DESCRIBED AS:**

THAT PART OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 23, TOWNSHIP 42 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, LYING BETWEEN THE NORTHERLY LINE OF RAILROAD STREET AND THE SOUTHERLY LINE OF BARRINGTON STREET, AND LYING BETWEEN LINES PARALLEL WITH AND DISTANT 25 FEET EASTERLY AND 22.5 FEET WESTERLY, MEASURED AT RIGHT ANGLE AND RADially, FROM THE CENTER LINE OF THE MAIN TRACK (NOW REMOVED) OF SAID TRANSPORTATION COMPANY, AS LOCATED PRIOR TO ITS REMOVAL EXCEPTING THEREFROM THE WESTERLY 16.0 FEET THEREOF, BEING SITUATED IN THE VILLAGE OF EAST DUNDEE, KANE COUNTY, ILLINOIS

PARCEL INDEX NUMBER: 03-23-308-004

**COMMONWEALTH EDISON EASEMENT DESCRIBED AS:**

THE WESTERLY 10.0' OF THE PARCEL DESCRIBED AS THAT PART OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 23, TOWNSHIP 42 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, LYING BETWEEN THE NORTHERLY LINE OF RAILROAD STREET AND THE SOUTHERLY LINE OF BARRINGTON STREET, AND LYING BETWEEN LINES PARALLEL WITH AND DISTANT 25 FEET EASTERLY AND 22.5 FEET WESTERLY, MEASURED AT RIGHT ANGLE AND RADially, FROM THE CENTER LINE OF THE MAIN TRACK (NOW REMOVED) OF SAID TRANSPORTATION COMPANY, AS LOCATED PRIOR TO ITS REMOVAL EXCEPTING THEREFROM THE WESTERLY 16.0 FEET THEREOF, 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, CHYS, ANCHORS, WIRES, CABLES, CONDUITS, MANHOLES, TRANSFORMERS, PILEDRATS, EQUIPMENT CABINETS OR OTHER FACILITIES USED IN CONNECTION WITH OVERHEAD AND UNDERGROUND TRANSMISSION AND DISTRIBUTION OF ELECTRICITY, SIGNALS AND SIGNALS IN 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 )  
COUNTY OF KANE ) S.S.

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 )  
COUNTY OF KANE ) S.S.

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 )  
COUNTY OF KANE ) S.S.

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 )  
COUNTY OF KANE ) S.S.

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**

- (R) — INDICATES RECORD DIMENSION
- L<sub>c</sub> — INDICATES LENGTH OF CURVE
- R<sub>c</sub> — INDICATES RADIUS OF CURVE
- CH — CHORD LENGTH
- [Hatched Box] — EASEMENT AREA

**SURVEYOR'S CERTIFICATE**

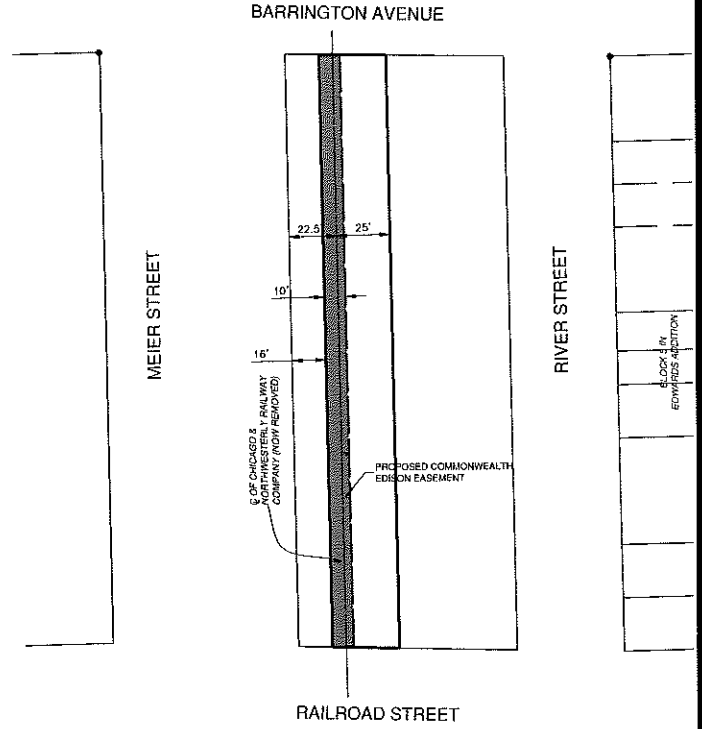
STATE OF ILLINOIS )  
COUNTY OF KANE ) S.S.

I, JOSEPH D. HEINZ, AN ILLINOIS PROFESSIONAL LAND SURVEYOR, HEREBY CERTIFY THAT THE PLAT HEREOF 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.

Illinois Professional Land Surveyor No. 3551  
License Expires 11-30-15  
Design Firm Registration No. 164-002948

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.



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

PLAT OF EASEMENT  
DEPOT

VILLAGE OF EAST DUNDEE

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DATE: 03/05/2015  
JOB NO.: ED-1954  
SCALE: 1"=40'  
SHEET 1 OF 1