

**RESOLUTION NUMBER 04 -14**

**A RESOLUTION ACCEPTING A TEMPORARY CONSTRUCTION  
EASEMENT OR GRADING AT LOT 2, UNIT 2, NORTHGATE MANOR  
IN THE VILLAGE OF EAST DUNDEE, ILLINOIS**

**WHEREAS**, the Village of East Dundee, Kane and Cook Counties, Illinois (the “Village”) 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**, it has become necessary for the Village of East Dundee to grade a storm water drainage swale across certain property as described in the Grant of Temporary Construction Easement For Grading attached hereto and made a part hereof (the “Easement”), and

**WHEREAS**, in order to proceed with the grading of the swale, it is necessary for the owner of the property to deliver the Easement to the Village of East Dundee thereby granting the Village a temporary construction easement over said property as hereinafter set forth.

**NOW THEREFORE BE IT RESOLVED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF EAST DUNDEE, COOK AND KANE COUNTIES, ILLINOIS, AS FOLLOWS:**

**Section One.** The Easement attached hereto and made a part hereof is hereby approved and accepted in order to grant to the Village a temporary construction easement upon, across, under and through the property described therein for the purpose of grading a storm water drainage swale.

**Section Two. Severability.** If any section, paragraph or provision of this Resolution 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 resolution.

**Section Three. Repeal.** If any section, paragraph, clause, or provision of this Resolution shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of

such section, paragraph, clause, or provision shall not affect any of the remaining provisions of this Resolution.

Adopted this 3rd day of February, 2014, pursuant to a roll call vote as follows:

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

NAYES: Ø

ABSENT: Trustee Ruffalo

Approved by me this 3rd day of February, 2014.

  
LAEL MILLER, President

ATTEST:

  
Heather Maieritsch, Village Clerk

Recorded in the Village Records on February 4, 2014.