

ORDINANCE NUMBER 10 - 33

**ORDINANCE APPROVING VILLAGE EASEMENT RIGHTS TO
PLATTED EASEMENT DESIGNATED "VILLAGE WATER MAIN
EASEMENT" LOCATED AT 14N837 ON ROUTE 25.**

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 an easement as set forth on the platted easement designated "Village Water Main" Easement, and said 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 all public water transmission mains of the Village of East Dundee; and

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; and

WHEREAS, it is necessary and appropriate and in the public interest for the Village of East Dundee to approve an easement for the placement of a water main for the property located at 14N837 on Route 25, in unincorporated Kane County; and

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. The village approves the village water main easement located at 14N837 on Route 25 as set forth in the plat of easement attached hereto as Exhibit "A".

Section Two. The Legal Description of the easement is as follows:

LEGAL DESCRIPTION FOR WATER EASEMENT

A 15 FOOT VILLAGE WATER MAIN EASEMENT BEING PART OF THE NORTHEAST QUARTER OF SECTION 35 AND PART OF THE NORTHWEST QUARTER OF SECTION 36, IN TOWNSHIP 42 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN,

DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF LOT 8 IN FOX RIVER BLUFFS UNIT NO. 3, BEING A SUBDIVISION OF PART OF SAID SECTIONS 35 AND 36, ACCORING TO THE PLAT THEREOF RECORDED FEBRUARY 3, 1928 AS DOCUMENTED NO. 1106610, IN PLAT BOOK 24, PAGE 25; THENCE SOUTH 09 DEGREES 05 MINUTES WEST ALONG THE SOUTHERLY EXTENSION OF THE WESTERLY LINE OF SAID LOT 8, A DISTANCE OF 68.86 FEET; THENCE NORTH 78 DEGREES 20 MINUTES WEST ALONG A LINE THAT IF EXTENDED WESTERLY WOULD INTERSECT THE CENTERLINE OF STATE ROUTE 25 AT A POINT 49.34 FEET SOUTHERLY OF AS MEASURED ALONG SAID CENTERLINE, EXTENDED WESTERLY, OF LOT 3 IN SAID FOX RIVER BLUFFS UNIT NO. 3, FOR A DISTANCE OF 149.7 FEET TO THE PLACE OF BEGINNING; THENCE CONTINUNING NORTH 78 DEGREES 20 MINUTES WEST 199.6 FEET TO THE EAST RIGHT-OF-WAY LINE OF STATE ROUTE 25; THENCE SOUTH 09 DEGREES 08 MINUTES WEST ALONG SAID EAST RIGHT-OF-WAY LIN, 15 FEET; THENCE SOUTH 78 DEGREES 20 MINUTES EAST 199.0 FEET; THENCE NORTH 11 DEGREES 40 MINUTES EAST, 15.0 FEET TO THE PLACE OF BEGINNING, IN 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 21st day of June, 2010, pursuant to a roll call vote as follows:

AYES: 6 - Trustees Ruffulo, Gorman, Lynam, Miller & Chowski & VanOstenbridge

NAYES: 0


ABSENT: 1 - President Bartels

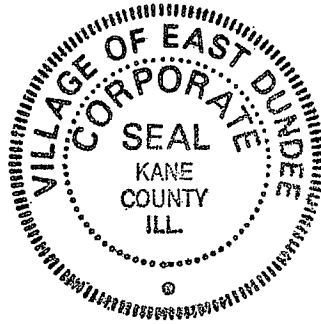
Approved by me this 21st day of June, 2010.


~~JERALD BARTELS, President~~
Michael Ruffulo, President Pro Tem

Published in pamphlet form this 28th day of June, 2010, under the authority of the President and Board of Trustees.

ATTEST:

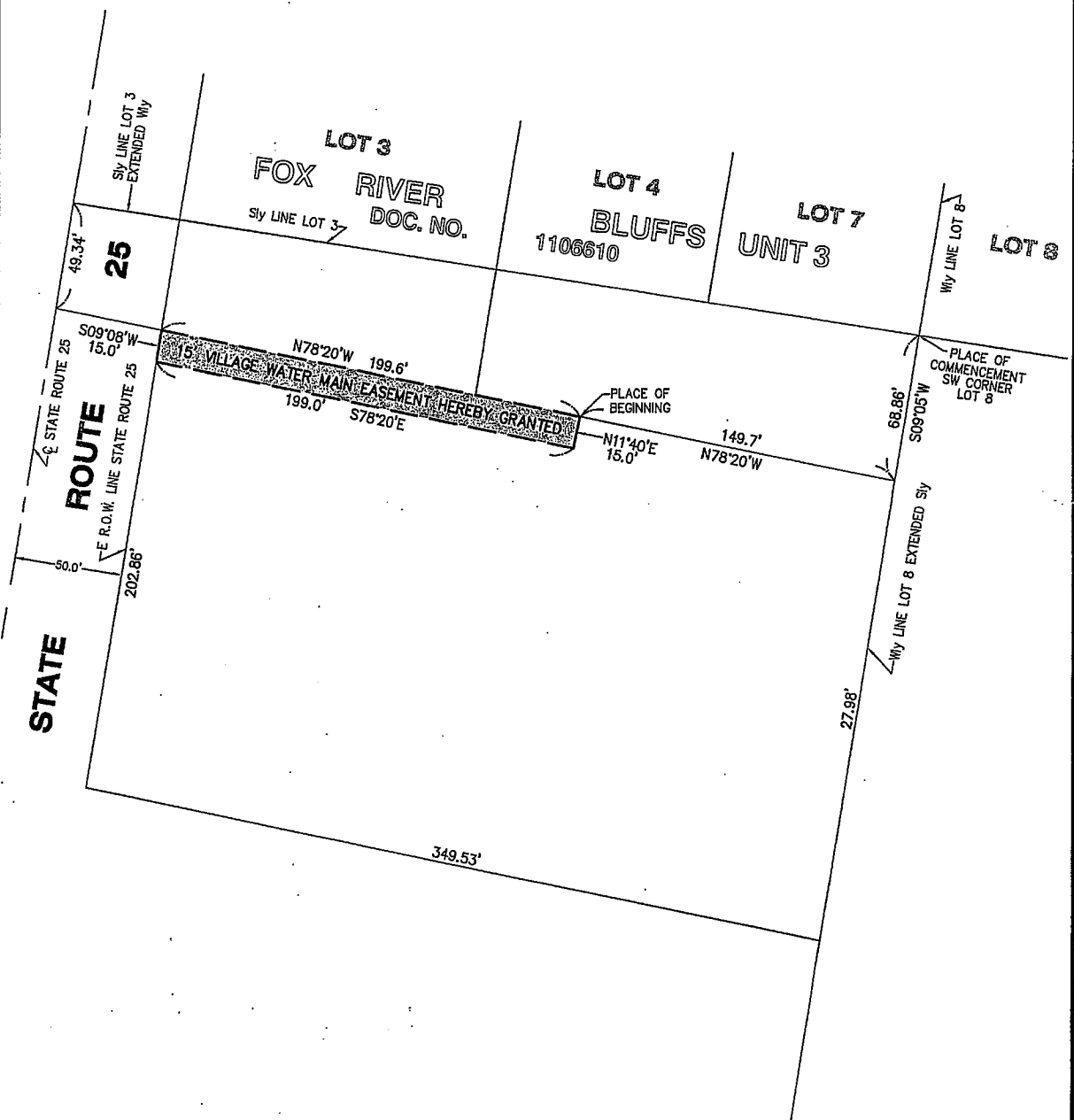

JENNIFER REHBERG, Village Clerk
Recorded in the Village Records on June 28th, 2010.





GRANT OF EASEMENT

SPACE RESERVED FOR RECORDING OFFICE



CLIENT: PAMPERED PET SERVICES RESORT
 DRAWN BY: ST CHECKED BY: WJV
 SCALE: 1"=50' SEC. 35, 36 T. 42 R. 8 E.
 BASIS OF BEARING: ASSUMED
 P.I.N.: DUNDEE TWP.-KANE CO.
 JOB NO.: 100002 I.D. PEA
 FIELDWORK COMP.: BK. PG.
 ALL DISTANCES SHOWN IN FEET AND DECIMAL PARTS THEREOF CORRECTED TO 68° F.

PREPARED BY:
 VANDERSTAPPEN SURVEYING
 & ENGINEERING, INC.
 1316 N MADISON ST.
 WOODSTOCK, IL, 60098



GRANT OF EASEMENT

SPACE RESERVED FOR RECORDING OFFICE

EAST DUNDEE WATER MAIN EASEMENT PROVISIONS

The Village of East Dundee is hereby given easement rights to the Platted Easement designated "Village Water Main Easement" for access, installation, operation, maintenance, repair, replacement, removal and customary servicing from time to time above ground and underground facilities and appurtenances used in connection with all public water transmission mains of the Village of East Dundee. No permanent buildings, fences or trees shall be placed on said Easement, but the same may be used for gardens, shrubs, landscaping and other purposes that do not then or later interfere with the aforesaid uses or rights herein granted. Grantees shall replace and restore any surfaces disturbed by the exercise of the rights herein granted.

A 15 foot Village Water Main Easement being part of the Northeast Quarter of Section 35 and part of the Northwest Quarter of Section 36, in Township 42 North, Range 8 East of the Third Principal Meridian, described as follows: Commencing at the Southwest corner of Lot 8 in Fox River Bluffs Unit No. 3, being a Subdivision of part of said Sections 35 and 36, according to the Plat thereof recorded February 3, 1928 as Document No. 1106610, in Plat Book 24, page 25; thence South 09 degrees 05 minutes West along the Southerly extension of the Westerly line of said Lot 8, a distance of 68.86 feet; thence North 78 degrees 20 minutes West along a line that if extended Westerly would intersect the centerline of State Route 25 at a point 49.34 feet Southerly of as measured along said centerline, extended Westerly, of Lot 3 in said Fox River Bluffs Unit No. 3, for a distance of 149.7 feet to the Place of Beginning; thence continuing North 78 degrees 20 minutes West, 199.6 feet to the East right-of-way line of State Route 25; thence South 09 degrees 08 minutes West along said East right-of-way line, 15.00 feet; thence South 78 degrees 20 minutes East 199.0 feet; thence North 11 degrees 40 minutes East, 15.0 feet to the Place of Beginning, in Kane County, Illinois.

The Grantor represents and warrants to the Grantees that Grantor is the true and lawful owner of the property and has full right and power to grant and convey the rights conveyed herein.

The Easement is binding upon and shall inure to the benefits of the heirs, successors, assigns, and licensees of the parties hereto.

IN WITNESS WHEREOF, the Grantor(s), set(s) _____ hand(s) and seal(s) hereto this _____ day of _____, 20__

Seal

Seal

State of Illinois
and County of Kane

I, the undersigned, a Notary Public in and for the said County and State aforesaid, do hereby certify that _____ are

personally known to me to be the same person(s) whose name(s) is/are subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that he/she/they signed, sealed and delivered this instrument as his/her/their free and voluntary act for the uses and purposes therein set forth.

GIVEN under my hand and NOTARIAL SEAL this _____ day of _____, 20__

Notary Public

CLIENT: PAMPERED PET SERVICES RESORT
DRAWN BY: ST CHECKED BY: WJV
SCALE: 1"=50' SEC. 35, 36 T. 42 R. 8 E.
BASIS OF BEARING: ASSUMED
P.L.N.: DUNDEE TWP.-KANE CO.
JOB NO.: 100002 I.D. PEA
FIELDWORK COMP.: BK. PG.
ALL DISTANCES SHOWN IN FEET AND DECIMAL PARTS THEREOF CORRECTED TO S.P.F.

PREPARED BY:
VANDERSTAPPEN SURVEYING
& ENGINEERING, INC.
1316 N MADISON ST.
WOODSTOCK, IL, 60098

CERTIFICATE OF EASEMENT APPROVAL

State of Illinois

S.S.

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 21st day of June, a.d., 2010

Michael Huff
Village President President Pro-Tem
Anniger Behley
Village Clerk

KANE COUNTY RECORDERS CERTIFICATE

State of Illinois

S.S.

County of Kane

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

REVISED PROVISIONS 5/18/2010 MJV

SURVEYOR'S CERTIFICATE

State of Illinois

S.S.

County of McHenry

I, William J. Vanderstappen, 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.

Dated at Woodstock, McHenry County, Illinois May 10th A.D., 2010.

Vanderstappen Surveying & Engineering, Inc.
Design Firm No. 184-002792

By: William J. Vanderstappen
Illinois Professional Land Surveyor No. 2709

