

**RESOLUTION
R 141-13**

A RESOLUTION AUTHORIZING AN AGREEMENT

WHEREAS, the Corporate Authorities of the Village of Lombard have received a proposed Agreement between the Village of Lombard and YTC Mall Owner, LLC. regarding the granting of a permanent grant of easement for the construction of a water main as attached hereto, marked Exhibit "A" and made part hereof (the "Agreement"); and

WHEREAS, the Corporate Authorities deem it to be in the best interests of the Village of Lombard to approve said Agreement;

NOW, THEREFORE, BE IT RESOLVED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF LOMBARD, DU PAGE COUNTY, ILLINOIS as follows:

SECTION 1: That the Agreement attached hereto as Exhibit "A" is hereby approved.

SECTION 2: That the Village President and the Village Clerk be and hereby are authorized and directed to execute the Agreement attached hereto as Exhibit "A", as well as any and all other documents necessary to carry out the provisions of said Agreement.


Adopted this 19th day of September, 2013, pursuant to a roll call vote as follows:

Ayes: Trustee Whittington, Fugiel, Foltyniewicz, Breen, Fitzpatrick, and Ware

Nays: None

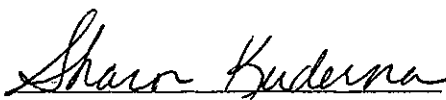
Absent: None

Approved by me this 19th day of September, 2013.



Keith Giagnorio
Village President

ATTEST:



Sharon Kuderna
Village Clerk

PERMANENT WATER MAIN EASEMENT PROVISIONS

AN EASEMENT IS HEREBY GRANTED TO THE VILLAGE OF LOMBARD OVER THAT PORTION OF PROPERTY SHOWN HEREON WITH THE LANGUAGE "WATER MAIN EASEMENT HEREBY GRANTED," AND LEGALLY DESCRIBED HEREON, FOR THE VILLAGE OF LOMBARD ON THE PLAT FOR THE PERPETUAL RIGHT, PRIVILEGE AND AUTHORITY TO CONSTRUCT, RECONSTRUCT, REPAIR, INSPECT, MAINTAIN, AND OPERATE A PUBLIC WATER MAIN, TOGETHER WITH ANY AND ALL NECESSARY APPURTENANCES AS MAY BE DEEMED NECESSARY BY SAID VILLAGE OVER, UPON, ALONG, UNDER AND THROUGH SAID INDICATED EASEMENT, TOGETHER WITH THE RIGHT OF ACCESS ACROSS THE PROPERTY FOR NECESSARY PERSONNEL AND EQUIPMENT TO DO ANY OF THE ABOVE WORK. THE RIGHT IS ALSO GRANTED TO CUT DOWN AND TRIM OR REMOVE ANY FENCES, TEMPORARY STRUCTURES, TREES, SHRUBS, OR OTHER PLANTS WITHOUT NEED FOR PROVIDING COMPENSATION THEREFOR ON THE EASEMENT THAT INTERFERE WITH THE OPERATION OF THE WATER MAIN. NO PERMANENT BUILDINGS OR STRUCTURES SHALL BE PLACED ON SAID EASEMENT, BUT SAME MAY BE USED FOR PAVEMENT, GARDENS, SHRUBS, LANDSCAPING, AND OTHER PURPOSES THAT DO NOT THEN OR LATER INTERFERE WITH THE AFORESAID USES OR RIGHTS.

COUNTY RECORDER CERTIFICATE

STATE OF ILLINOIS)

COUNTY OF DUPAGE)

THIS INSTRUMENT NO. _____ WAS FILED FOR RECORD IN

THE RECORDER'S OFFICE OF DUPAGE COUNTY, ILLINOIS, ON THIS _____

DAY OF _____ 20 ____ A.D., AT _____ O'CLOCK,

AND WAS RECORDED IN BOOK _____ OF PLATS ON PAGE _____

BY: _____

RECORDER OF DEEDS
DUPAGE COUNTY

COMMUNITY DEVELOPMENT CERTIFICATE

STATE OF ILLINOIS)

COUNTY OF DUPAGE)

APPROVED BY THE DEPARTMENT OF COMMUNITY DEVELOPMENT OF THE VILLAGE

OF LOMBARD THIS _____ DAY OF _____ A.D. 2013.

DIRECTOR OF COMMUNITY DEVELOPMENT, VILLAGE OF LOMBARD

VILLAGE BOARD CERTIFICATE

STATE OF ILLINOIS)

COUNTY OF DUPAGE)

APPROVED AND ACCEPTED BY THE VILLAGE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE

OF LOMBARD, ILLINOIS, AT A MEETING HELD THIS _____ DAY OF _____ 2013

BY: _____

VILLAGE PRESIDENT

ATTEST: _____

VILLAGE CLERK

OWNER'S CERTIFICATE

STATE OF ILLINOIS)

COUNTY OF DUPAGE)

THIS IS TO CERTIFY THAT, GARY KARL IS/ARE THE OWNER(S) OF THE PROPERTY SHOWN AND DESCRIBED ON THE PLAT OF EASEMENT AND THAT THEY HAVE CAUSED THE SAME TO BE PLATTED AS INDICATED HEREON FOR THE USES AND PURPOSES HEREIN SET FORTH, AND DO HEREBY ACKNOWLEDGE AND ADOPT THE SAME UNDER THE STYLE AND TITLE HEREON INDICATED.

THIS 2TH DAY OF AUGUST 2013.

BY: _____

TITLE: OPERATING MEMBER

ATTEST: _____

TITLE: OPERATING MEMBER

OWNER'S NOTARY

STATE OF ILLINOIS)

COUNTY OF DUPAGE)

THIS IS TO CERTIFY THAT I, _____ A NOTARY PUBLIC IN AND FOR SAID COUNTY, IN THE STATE AFORESAID, DO HEREBY CERTIFY THAT

_____ PERSONALLY KNOWN TO ME TO BE THE SAME PERSONS WHOSE NAMES ARE SUBSCRIBED TO THE FOREGOING INSTRUMENT AS SUCH OWNERS, APPEARED BEFORE ME THIS DAY IN PERSON AND ACKNOWLEDGED THAT THEY SIGNED AND DELIVERED SAID INSTRUMENT AS THEIR OWN FREE AND VOLUNTARY ACT FOR THE USES AND PURPOSES THEREIN SET FORTH, GIVEN UNDER MY HAND AND

NOTARIAL SEAL THIS _____ DAY OF _____ 2013.

NOTARY PUBLIC

MY COMMISSION EXPIRES: _____

Engineering Enterprises, Inc.

CIVIL ENGINEERS & LAND SURVEYORS

52 Wheeler Road

Sugar Grove, Illinois 60554

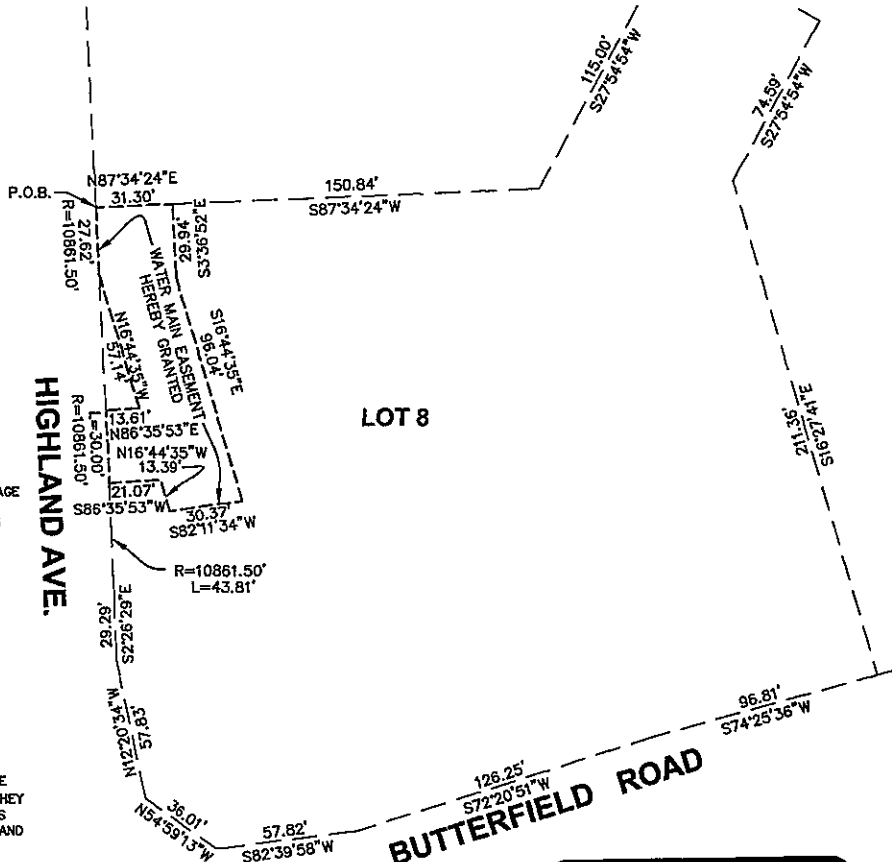
630.466.6700 / www.eelweb.com

Grant of Easement

WATER MAIN EASEMENT LEGAL DESCRIPTION

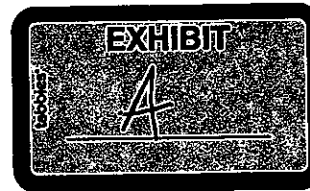
THAT PART OF LOT 8 IN YORKTOWN SUBDIVISION BEING A SUBDIVISION IN THAT PART OF SECTION 29, TOWNSHIP 39 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN ACCORDING TO THE PLAT THEREOF RECORDED SEPTEMBER 27, 1968 AS DOCUMENT NO R68-44972 IN DUPAGE COUNTY ILLINOIS DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID LOT 8; THENCE NORTH 87 DEGREES 34 MINUTES 24 SECONDS EAST, ALONG THE NORTH LINE OF SAID LOT 8, 31.30 FEET; THENCE SOUTH 03 DEGREES 36 MINUTES 52 SECONDS EAST, 29.94 FEET; THENCE SOUTH 16 DEGREES 44 MINUTES 35 SECONDS EAST, 96.04 FEET; THENCE SOUTH 82 DEGREES 11 MINUTES 34 SECONDS WEST, 30.37 FEET; THENCE NORTH 16 DEGREES 44 MINUTES 35 SECONDS WEST, 13.39 FEET; THENCE SOUTH 86 DEGREES 35 MINUTES 53 SECONDS WEST, 21.07 FEET TO THE EAST LINE OF HIGHLAND AVE; THENCE NORTH 30.00 FEET ALONG SAID EAST LINE BEING A CURVE TO THE LEFT WITH RADIUS OF 10861.50 FEET AND CHORD BEARING NORTH 02 DEGREES 44 MINUTES 52 SECONDS WEST, CHORD LENGTH OF 30.00 FEET; THENCE NORTH 86 DEGREES 35 MINUTES 53 SECONDS EAST, 13.61 FEET; THENCE NORTH 16 DEGREES 44 MINUTES 35 SECONDS WEST, 57.14 FEET TO THE EAST LINE OF HIGHLAND AVE; THENCE NORTH 27.62 FEET ALONG SAID EAST LINE BEING A CURVE TO THE LEFT WITH RADIUS OF 10861.50 FEET AND CHORD BEARING NORTH 03 DEGREES 11 MINUTES 07 SECONDS WEST, CHORD LENGTH OF 27.62 FEET TO THE POINT OF BEGINNING



SCALE 0 40 80 FEET

AREA OF EASEMENT = 4384 SF
P.I.N. = 06-29-301-007



STATE OF ILLINOIS)

COUNTY OF KANE)

THIS IS TO CERTIFY THAT ENGINEERING ENTERPRISES, INC. HAS PREPARED THIS GRANT OF EASEMENT AS SHOWN BY THE ANNEXED PLAT WHICH IS A TRUE AND CORRECT REPRESENTATION OF SAID PROPERTY, FOR THE USES AND PURPOSES DESCRIBED HEREIN. ALL DISTANCES SHOWN ARE IN FEET AND DECIMALS THEREOF.

GIVEN UNDER MY HAND AND SEAL AT SUGAR GROVE, ILLINOIS,

THIS 11TH DAY OF JULY, 2013.

By _____

PROFESSIONAL LAND SURVEYOR #3581
EXP-11-30-14

ENGINEERING ENTERPRISES INC.
PROFESSIONAL DESIGN FIRM # 184-002003
EXP-04-30-15

PROJECT NO: LM1202
FILE NO: LM1202-EASE