

TEMPORARY CONSTRUCTION EASEMENT

WHEREAS, the Village of Lombard (hereinafter the "VILLAGE") has agreed to repair the damaged portion of the eight (8)-foot tall decorative privacy wall (hereinafter the "Wall") and install several bollards (hereinafter the "Bollards") along the southern boundary of the property commonly known as 1 East St. Charles Road (P.I.N. 06-01-108-010) (hereinafter the "Subject Property"); and

WHEREAS, MAJR, Inc., the owner of the Subject Property and the Wall (hereinafter the "Owner") desires that the VILLAGE repair said Wall and construct Bollards; and

WHEREAS, the VILLAGE needs a temporary easement over the South ten (10) feet of the Subject Property for the purpose of repairing the Wall and constructing the Bollards; and

WHEREAS, the VILLAGE has agreed to repair the Wall and install Bollards, at no cost to the Owner, but subject to the Owner being required to reimburse the VILLAGE for the cost of the repair to the Wall to the extent that the Owner receives any insurance proceeds relative to the damage to the Wall that is being repaired by the VILLAGE (hereinafter the "Insurance Proceeds"); and

WHEREAS, the VILLAGE has agreed to restore the Subject Property to its pre-repair condition after the repair of the Wall and construction of the Bollards;

NOW, THEREFORE, MAJR, Inc., as Owner of the Subject Property, hereby grants a temporary easement to the VILLAGE to facilitate repair of the Wall and construction of the Bollards on the Subject Property, and agrees to transfer the Insurance Proceeds to the VILLAGE upon receipt of same. This Temporary Construction Easement shall expire one (1) year from the date set forth below, under the signature of the Village Clerk, however, the Owner's obligation to transfer the Insurance proceeds to the VILLAGE, upon receipt of same, shall survive to termination of the Temporary Construction Easement.

VILLAGE OF LOMBARD

ATTEST:

By: _____
Village President

Village Clerk

DATED: _____

OWNER: MAJR, Inc.

By: _____

Print Name

Title

ATTEST: _____

Print Name

Secretary

Print Name

Title

DATED: _____

ACKNOWLEDGMENTS

STATE OF ILLINOIS)
) SS
COUNTY OF DUPAGE)

I, the undersigned, a Notary Public, in and for the County and State aforesaid, DO HEREBY CERTIFY that William J. Mueller, personally known to me to be the President of the Village of Lombard, and Brigitte O'Brien, personally known to me to be the Village Clerk of said municipal corporation, and personally known to me to be the same persons whose names are subscribed to the foregoing instrument, appeared before me this day in person and severally acknowledged that as such President and Village Clerk, they signed and delivered the said instrument and caused the corporate seal of said municipal corporation to be affixed thereto, pursuant to authority given by the Board of Trustees of said municipal corporation, as their free and voluntary act, and as the free and voluntary act and deed of said municipal corporation, for the uses and purposes therein set forth.

GIVEN under my hand and official seal, this _____ day of _____, _____.
Commission expires _____, 20____. _____

Notary Public

STATE OF ILLINOIS)
) SS
COUNTY OF DUPAGE)

I, the undersigned, a Notary Public, in and for the County and State aforesaid, DO HEREBY CERTIFY that the above-named _____ and _____, are personally known to me to be the _____ President and _____ Secretary of _____ and also personally known to me to be the same persons whose names are subscribed to the foregoing instrument as such _____ and _____ respectively, and that they appeared before me this day in Person and severally acknowledged that as such _____ President and _____ Secretary they signed and delivered the said instrument, pursuant to authority given by the Board of Directors of said Corporation as their free and voluntary act, and as the free and voluntary act and deed of said Corporation, for the uses and purposes therein set forth, and the said _____, then and there acknowledged that said _____ Secretary as custodian of the corporate seal of said Corporation caused said seal to be affixed to said instrument as said _____ Secretary's own free and voluntary act and as the free and voluntary act of said Corporation, for the uses and purposes therein set forth.

GIVEN under my hand and Notary Seal this ____ day of _____, _____.

Commission expires _____, _____.

Notary Public