

**VILLAGE OF LOMBARD**  
**REQUEST FOR BOARD OF TRUSTEES ACTION**  
**For Inclusion on Board Agenda**

\_\_\_ Resolution or Ordinance (Blue) \_\_\_ Waiver of First Requested  
\_\_\_ Recommendations of Boards, Commissions & Committees (Green)  
X Other Business (Pink)

**TO :** PRESIDENT AND BOARD OF TRUSTEES

**FROM:** Scott R. Niehaus, Village Manager

**DATE :** September 27, 2021 **(BOT) Date:** October 7, 2021

**SUBJECT:** 880 E. Roosevelt Road – Plat of Easement (Public Storage)

**SUBMITTED BY:** William J. Heniff, AICP, Director of Community Development 

**BACKGROUND/POLICY IMPLICATIONS:**

Attached is a Plat of Easement for public utilities and drainage, landscaping, water service, and stormwater. Said stormwater detention is required to be within an easement that provides the Village with access for inspections and the right, but not the responsibility, to maintain. The proposed easement areas are consistent with Village Code provisions as well as the approved Zoning petition for the subject property in 2020.

The Board of Trustees is requested to approve the Plat of Easement by motion at the October 7, 2021 meeting.

**Fiscal Impact/Funding Source:**

Review (as necessary):

Finance Director \_\_\_\_\_ Date \_\_\_\_\_  
Village Manager \_\_\_\_\_ Date \_\_\_\_\_

**NOTE:** All materials must be submitted to and approved by the Village Manager's Office by 12:00 noon, Wednesday, prior to the agenda distribution.



## MEMORANDUM

**TO:** Scott R. Niehaus, Village Manager

**FROM:** William J. Heniff, AICP, Director of Community Development

**MEETING DATE:** October 7, 2021

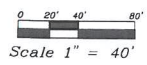
**SUBJECT:** **Motion to Approve a Plat of Easement – 880 E. Roosevelt Road, Public Storage**

The construction of the Public Storage project requires easements for public utilities and drainage, landscaping, water service, and stormwater. Said stormwater detention is required to be within an easement that provides the Village with access for inspections and the right, but not the responsibility, to maintain.

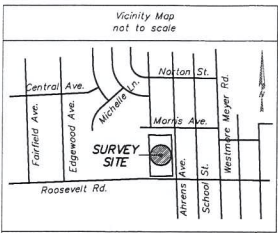
### **ACTION REQUESTED**

The attached Plat of Easement was prepared and signed by the property owner. Please request the Board of Trustees to approve the Plat of Easement by motion at their October 7, 2021 meeting.

# PLAT OF EASEMENT GRANT



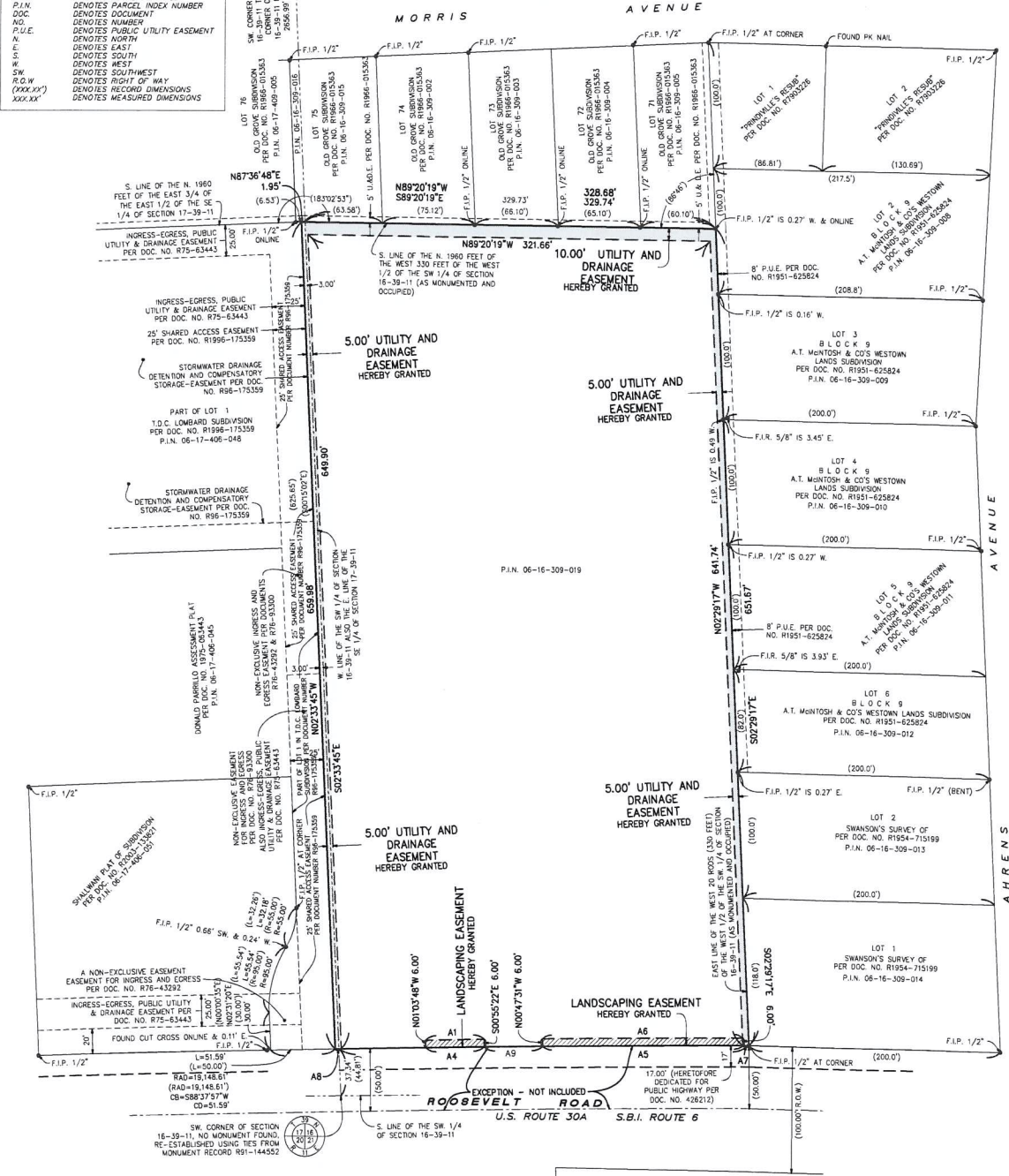
OF  
 THE WEST 20 RODS (330 FEET) OF THE WEST 1/2 OF THE SOUTHWEST 1/4 LYING SOUTH OF THE NORTH 1,960 FEET OF SECTION 16 AND THE EAST 3 FEET OF THE EAST 3/4 OF THE EAST 1/2 OF THE SOUTHWEST 1/4 LYING SOUTH OF THE NORTH 1,960 FEET, OF SECTION 17, ALL IN TOWNSHIP 39 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, (EXCEPT THAT PART DEDICATED FOR HIGHWAY) IN DU PAGE COUNTY, ILLINOIS.



ABBREVIATIONS

RAD	DENOTES RADIUS
L	DENOTES ARCH LENGTH
CB	DENOTES CHORD BEARING
CD	DENOTES CHORD LENGTH
F.I.P.	DENOTES FOUND IRON PIPE
F.I.R.	DENOTES FOUND IRON ROD
P.I.N.	DENOTES PARCEL INDEX NUMBER
DOC.	DENOTES DOCUMENT
NO.	DENOTES NUMBER
P.U.E.	DENOTES PUBLIC UTILITY EASEMENT
N	DENOTES NORTH
E	DENOTES EAST
S	DENOTES SOUTH
W	DENOTES WEST
SW	DENOTES SOUTHWEST
R.O.W.	DENOTES RIGHT OF WAY
(XXX.XX)	DENOTES RECORD DIMENSIONS
XXX.XX	DENOTES MEASURED DIMENSIONS

ARC - A1	RAD=19,154.61	ARC - A7	RAD=19,148.61
L=47.00'		L=5.00'	
CB=S89°00'25"W		CB=S89°41'56"W	
CD=47.00'		CD=5.00'	
ARC - A4	RAD=19,148.61	ARC - A8	RAD=19,148.61
L=46.99'		L=5.00'	
CB=S89°00'25"W		CB=S89°08'47"W	
CD=46.98'		CD=46.22'	
ARC - A5	RAD=19,148.61	ARC - A9	RAD=19,148.61
L=159.03'		L=46.22'	
CB=S89°27'13"W		CB=S89°08'47"W	
CD=159.05'		CD=46.22'	
ARC - A6	RAD=19,154.61		
L=158.88'			
CB=S89°27'11"E			
CD=1158.87'			



Survey No.:	F735
Ordered By:	NORTHPOINT DEVELOPMENT
Description:	PLAT OF EASEMENT GRANT
Date Prepared:	JUNE 5, 2020
Scale:	1" = 40'
Prepared By:	JR

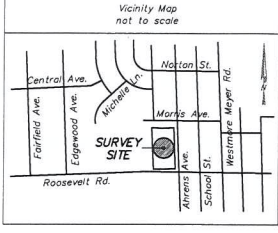
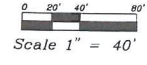
SHEET 1 OF 3

REVISED: 08/19/20

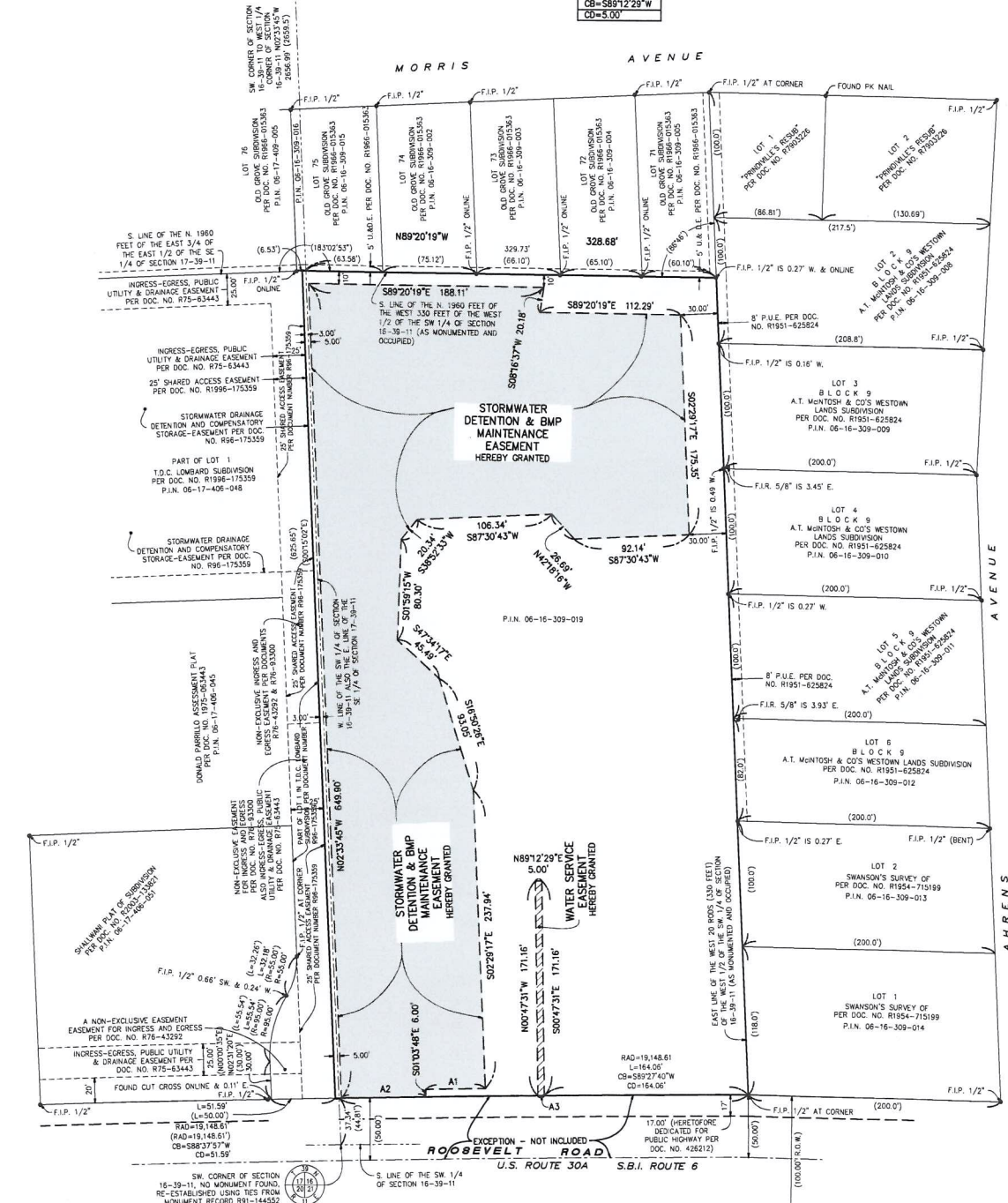
**JACOB & HEFNER ASSOCIATES**  
 1133 Waterfield Road, Suite 300, Downers Grove, IL 60155  
 PHONE: (630) 433-8800 FAX: (630) 433-8441  
 www.jacobandhefner.com  
 Illinois Professional Geomatics License No. 184-063073 ELP 4/30/21

# PLAT OF EASEMENT GRANT

OF  
 THE WEST 20 ROADS (330 FEET) OF THE WEST 1/2 OF THE SOUTHWEST 1/4 LYING SOUTH OF THE NORTH 1,960 FEET OF SECTION 16 AND THE EAST 3 FEET OF THE EAST 3/4 OF THE EAST 1/2 OF THE SOUTHEAST 1/4 LYING SOUTH OF THE NORTH 1,960 FEET, OF SECTION 17, ALL IN TOWNSHIP 39 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, (EXCEPTING THAT PART DEDICATED FOR HIGHWAY) IN DU PAGE COUNTY, ILLINOIS.



<b>ARC - A1</b>	<b>RAD=19,154.61</b>
<b>L=47.00'</b>	<b>CB=S89°00'25" W</b>
<b>CD=47.00'</b>	
<b>ARC - A2</b>	<b>RAD=19,148.61</b>
<b>L=68.21'</b>	<b>CB=S88°50'04" W</b>
<b>CD=68.21'</b>	
<b>ARC - A3</b>	<b>RAD=19,148.61</b>
<b>L=5.00'</b>	<b>CB=S89°12'29" W</b>
<b>CD=5.00'</b>	



Survey No.:	F735
Ordered By:	NORTHPOINT DEVELOPMENT
Description:	PLAT OF EASEMENT GRANT
Date Prepared:	JUNE 5, 2020
Scale:	1" = 40'
Prepared By:	JH

# PLAT OF EASEMENT GRANT

OF  
THE WEST 20 RODS (330 FEET) OF THE WEST 1/2 OF THE SOUTHWEST 1/4 LYING SOUTH OF THE NORTH 1.960 FEET OF SECTION 16 AND THE EAST 3 FEET OF THE EAST 3/4 OF THE EAST 1/2 OF THE SOUTHEAST 1/4 LYING SOUTH OF THE NORTH 1.960 FEET, OF SECTION 17, ALL IN TOWNSHIP 39 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, (EXCEPTING THAT PART DEDICATED FOR HIGHWAY) IN DU PAGE COUNTY, ILLINOIS.

**OWNER'S CERTIFICATE**  
STATE OF \_\_\_\_\_ )  
                                  ) SS  
COUNTY OF \_\_\_\_\_ )

THIS IS TO CERTIFY THAT \_\_\_\_\_ IS THE OWNER OF THE LAND DESCRIBED IN THE FOREGOING CERTIFICATE, AND HAVE CAUSED THE SAME TO BE SURVEYED, AS INDICATED ON THE PLAT, FOR THE USES AND PURPOSES THEREIN SET FORTH, AND THAT I HEREBY ACKNOWLEDGE AND ADOPT THE SAME UNDER THE TITLE AND TITLE THEREON INDICATED, AS MY OWN FREE AND VOLUNTARY ACT AND DEED.

DATED THIS \_\_\_\_ DAY OF \_\_\_\_\_ A.D. 20\_\_.

**OWNER'S ADDRESS**  
855 LOWBAR, LLC  
4825 NW 41ST STREET, SUITE 500  
RIVERSIDE, WI 54150

By \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_

**CERTIFICATE OF NOTARY**  
STATE OF \_\_\_\_\_ )  
                                  ) SS  
COUNTY OF \_\_\_\_\_ )

I, \_\_\_\_\_, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, DO HEREBY

CERTIFY THAT \_\_\_\_\_ PERSONALLY KNOWN TO ME TO BE THE SAME PERSON WHOSE NAME IS SUBSCRIBED TO THE ABOVE CERTIFICATE, APPEARED BEFORE ME THIS DAY IN PERSON AND ACKNOWLEDGED THAT HE (SHE, THEY) SIGNED THE ABOVE CERTIFICATE AS HIS OWN FREE AND VOLUNTARY ACT AND DEED FOR THE USES AND PURPOSES THEREIN SET FORTH.

GIVEN UNDER MY HAND AND NOTARIAL SEAL THIS \_\_\_\_ DAY OF \_\_\_\_\_ A.D. 2017.

\_\_\_\_\_  
(SEAL)  
NOTARY PUBLIC

**VILLAGE PRESIDENT**  
STATE OF ILLINOIS         )  
                                      ) SS  
COUNTY OF DUPAGE     )

APPROVED BY THE VILLAGE PRESIDENT OF THE VILLAGE OF LOWBAR, DUPAGE COUNTY, ILLINOIS, AT A MEETING,

HELD THIS \_\_\_\_ DAY OF \_\_\_\_\_ 20\_\_ A.D.

SIGNED: \_\_\_\_\_  
PRESIDENT

**CITY CLERK**  
STATE OF ILLINOIS         )  
                                      ) SS  
COUNTY OF DUPAGE     )

I, \_\_\_\_\_ VILLAGE CLERK FOR THE VILLAGE OF LOWBAR, DO HEREBY CERTIFY THAT THERE ARE NO DELINQUENT OR UNPAID CURRENT OR FORFEITED SPECIAL ASSESSMENTS OR ANY DEFERRED INSTALLMENTS THEREOF THAT HAVE BEEN APPORTIONED AGAINST THE TRACT OF LAND IN THE ANNEXED.

DATED THIS \_\_\_\_ DAY OF \_\_\_\_\_ 20\_\_ A.D.

\_\_\_\_\_  
CITY CLERK  
VILLAGE OF LOWBAR

**RECORDER'S CERTIFICATE**

STATE OF ILLINOIS         )  
                                      ) SS  
COUNTY OF DUPAGE     )

THIS INSTRUMENT NO. \_\_\_\_\_ WAS FILED FOR RECORD IN THE RECORDER'S OFFICE OF DUPAGE COUNTY, ILLINOIS AFORESAID ON THIS \_\_\_\_ DAY OF \_\_\_\_\_ 20\_\_ O'CLK.

By \_\_\_\_\_  
RECORDER OF DEEDS

**WATER SERVICE EASEMENT PROVISIONS:**

Easements are reserved for the Village of Lombard and their successors and assigns over all areas marked, "Water Service Easement" on the plat for the perpetual right, privilege and authority to construct, reconstruct, repair, inspect, maintain, and operate potable water transmission and distribution systems together with any and all necessary connections, appurtenances and other structures and appurtenances as may be deemed necessary by said Village, over upon, along, under and through said indicated easement, together with 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 sewers or other utilities. No permanent buildings shall be placed on said easement, but same may be used for gardens, shrubs, landscaping, and other purposes that do not then or later interfere with the aforesaid uses or rights.

Easements are hereby reserved for and granted to the Village of Lombard and other governmental authorities having jurisdiction of the land subdivided hereby, over the entire easement area for ingress, egress, and the performance of municipal and other governmental services including water, storm, and sanitary sewer service and maintenance.

**EASEMENT TO THE VILLAGE FOR STORMWATER DETENTION AND BMP MAINTENANCE EASEMENT PROVISIONS**

Decedent hereby reserves and grants to the Village of Lombard (i.e. the Village) an easement over the stormwater detention and best-management practices (BMP) facilities (i.e. "stormwater detention easement") (specify storm water outlets, e.g. Outlet A, and drainage easements) for purposes of providing adequate stormwater drainage control and treatment together with reasonable access thereto. Said easements shall be perpetual and shall run with the land and shall be binding upon the decedent, its successors, heirs, executors and assigns. To ensure the integrity of the stormwater facilities, no obstruction shall be placed, nor alterations made, including alterations in the final topographical grading plan which in any manner impede or diminish stormwater drainage or detention to, over, under, through or upon said easement areas. In the event such obstruction or alterations are found to exist, or if the property owner or Homeowners Association otherwise fails to properly maintain the stormwater facilities on (specify storm water outlets, e.g. Outlet A, and drainage easements), the Village shall, upon seventy-two (72) hours prior notice to the property owner and/or Homeowners Association (or any owner of property within the subdivision in the event that no information relative to a contact person for the Homeowners Association is provided to the Village), have the right, but not the duty, to perform, or have performed on its behalf, any maintenance work to or upon the stormwater facilities on (specify storm water outlets, e.g. Outlet A, and drainage easements) or to remove said obstruction or alterations or to perform other maintenance, repair, alteration or replacement, as may reasonably be necessary to ensure that adequate stormwater storage, storm drainage, detention and retention facilities and appurtenances thereto remain fully operational and that the condition of said (specify storm water outlets, e.g. Outlet A, and drainage easements) complies with all applicable Village codes. In the event of an emergency situation, as determined by the Village, the seventy-two (72) hours prior notice requirement set forth above shall not apply, and the Village shall have the right, but not the duty, to proceed without notice to the property owner or Homeowners Association.

In the event the Village shall be required to perform, or have performed on its behalf, any maintenance work to or upon the stormwater facilities on (specify storm water outlets, e.g. Outlet A, and drainage easements) as set forth in this declaration, or any repairs or alterations, the cost of such work shall, upon recordation of Notice of Lien with the Recorder of Deeds of DuPage County, Illinois, constitute a lien against the assets of the Homeowners Association and against (specify storm water outlets, e.g. Outlet A, and drainage easements) as well as each and every lot within the subdivision.

The cost of the work incurred by the Village shall include all expenses and costs associated with the performance of such work including, but not limited to, reasonable engineering, consulting and attorneys' fees related to the planning and actual performance of the work.

If it is determined by the Homeowners Association that alterations to the stormwater facilities within (specify storm water outlets, e.g. Outlet A, and drainage easements) are necessary to properly maintain the integrity of the stormwater facilities, the Village shall have the right, but not the duty, to alter, modify, repair, reconstruct, or replace any such facilities. No such alteration shall take place without the prior approval of the Village. The Village may, in its discretion, require the submittal of plans and specifications for Village approval before said alteration may take place.

**UTILITY AND DRAINAGE EASEMENT PROVISIONS**

Easements are reserved for the Village of Lombard and to those public utility companies operating under franchises from the Village of Lombard including, but not limited to, Commonwealth Edison Company, Illinois Bell Telephone Company, Northern Illinois Gas Company, Continental Cablevision, and their successors and assigns over all areas marked, "Easement for Public Utilities and Drains" on the plat for the perpetual right, privilege and authority to construct, reconstruct, repair, inspect, maintain, and operate various utility transmission and distribution systems, and including overhead drainage, storm and/or sanitary sewers, together with any and all necessary manholes, catch basins, connections, appurtenances and other structures and appurtenances as may be deemed necessary by said Village and/or utility companies, over upon, along, under and through said indicated easement, together with 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 sewers or other utilities. No permanent buildings shall be placed on said easement, but same may be used for gardens, shrubs, landscaping and other purposes that do not then or later interfere with the aforesaid uses or rights. Where an easement is used for both sewer and other utilities, the other utility installation shall be subject to the ordinances of the Village of Lombard.

Easements are hereby reserved for and granted to the Village of Lombard and other governmental authorities having jurisdiction of the land subdivided hereby, over the entire easement area for ingress, egress, and the performance of municipal and other governmental services including water, storm, and sanitary sewer service and maintenance.

Easements also are reserved for cable communication companies along with the public utilities already referenced.

**SURVEY CERTIFICATE**

STATE OF ILLINOIS         )  
                                      ) SS  
COUNTY OF DUPAGE     )

I, CARL J. COOK, AN ILLINOIS PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY THAT, UNDER THE DIRECTION OF THE OWNERS THEREOF, THIS PLAT OF EASEMENT GRANT HAS BEEN PREPARED UNDER MY DIRECTION FOR THE PURPOSE OF GRANTING EASEMENTS ON THE FOLLOWING DESCRIBED PARCEL:

THE WEST 20 RODS (330 FEET) OF THE WEST 1/2 OF THE SOUTHWEST 1/4 LYING SOUTH OF THE NORTH 1.960 FEET OF SECTION 16 AND THE EAST 3 FEET OF THE EAST 3/4 OF THE EAST 1/2 OF THE SOUTHEAST 1/4 LYING SOUTH OF THE NORTH 1.960 FEET, OF SECTION 17, ALL IN TOWNSHIP 39 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, (EXCEPTING THAT PART DEDICATED FOR HIGHWAY) IN DU PAGE COUNTY, ILLINOIS.

(P.L.N. 06-16-309-019)

DATED AT DOWNERS GROVE, ILLINOIS, THIS 6th DAY OF JUNE, 2020, A.D.

CARL J. COOK  
JACOB & HEFNER ASSOCIATES, INC.  
ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 35-003543  
MY LICENSE EXPIRES NOVEMBER 30, 2020



Survey No.:	F736
Ordered By:	NORTHPOINT DEVELOPMENT
Description:	PLAT OF EASEMENT GRANT
Date Prepared:	JUNE 5, 2020
Scale:	1" = 40'
Prepared By:	JB

**JACOB & HEFFNER ASSOCIATES**  
1133 Bentonsville Road, Suite 200, Downers Grove, IL 60515  
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www.jacobandheffner.com  
Illinois Professional Designation  
License No. 184-962073 Exp. 4/30/21