

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: David A. Hulseberg, Village Manager
DATE: January 24, 2012 (B of T) Date: February 2, 2012
TITLE: Watermain Easement for Yorktown Mall (Bon Ton/Carson Pirie Scott)
SUBMITTED BY: Department of Community Development *WJH*

BACKGROUND/POLICY IMPLICATIONS:

Please find attached staff's recommendation relative to approving a Plat of Easement for public watermain on Lot 3 at Yorktown Mall.

Staff recommends approval of this request.

Please place this item on the February 2, 2012 Board of Trustees agenda.

Fiscal Impact/Funding Source:

Review (as necessary):

Village Attorney X _____ Date _____

Finance Director X _____ Date _____

Village Manager X _____ 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: David A. Hulseberg, Village Manager

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

DATE: February 2, 2012

SUBJECT: **Plat of Easement – Yorktown Mall**

The property owner, Bon Ton (Carson Pirie Scott) is requesting approval of a Plat of Easement associated with the reconstruction of the public watermain in Yorktown Mall which began in 2006. As part of the acceptance of this newly constructed watermain, the respective owner transmits the attached Plat of Easement which identifies two different easement areas over a portion of Lot 3. Please request the Board of Trustees to accept the easement by motion at their February 2, 2012 meeting.

Should you have any questions regarding this matter, please feel free to contact me.

BH:jd

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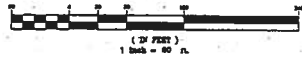
PLAT OF EASEMENT

PLAN: 06-29-101-006

GENTILE AND ASSOCIATES, INC. PROFESSIONAL LAND SURVEYORS



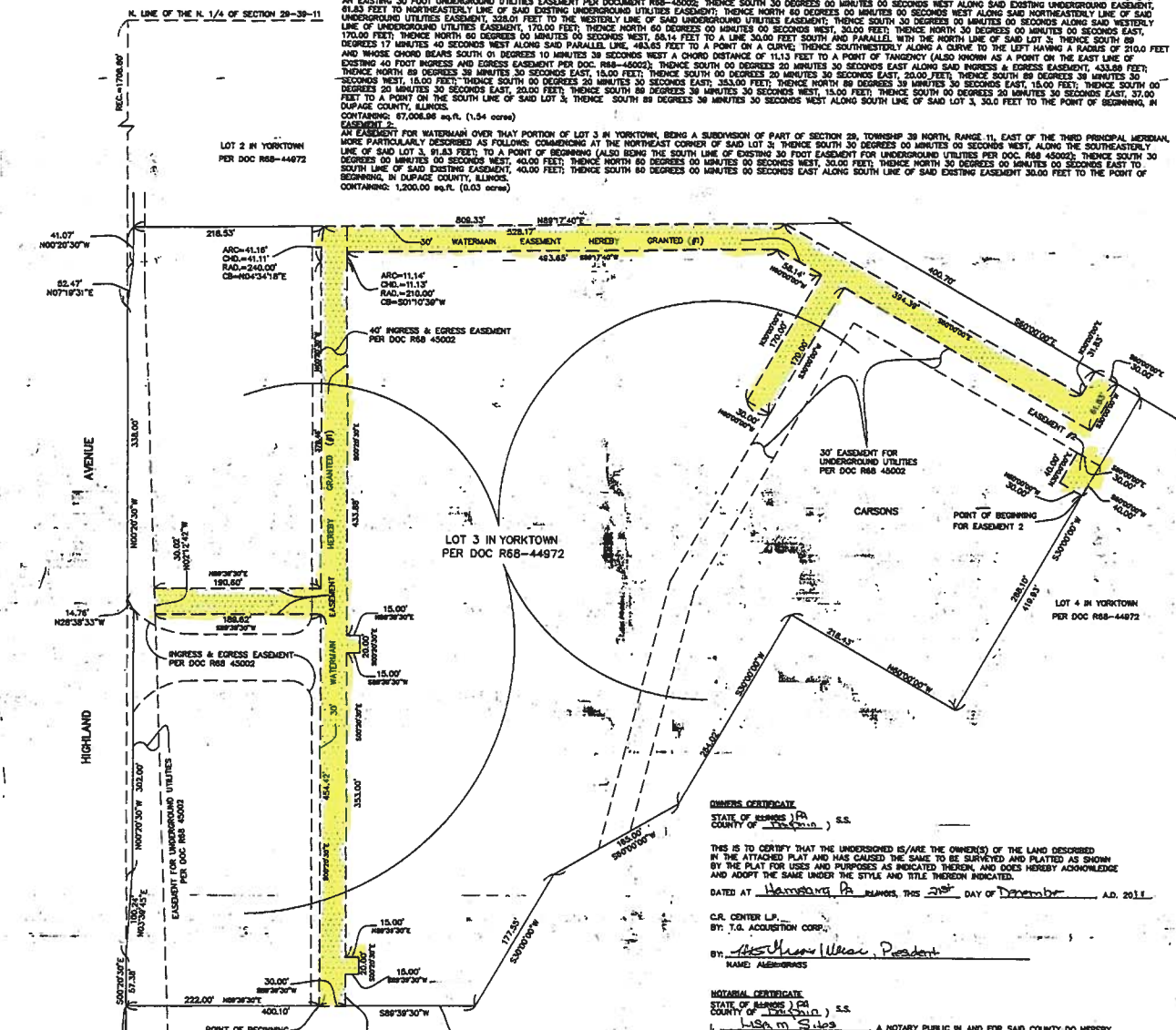
GRAPHIC SCALE



LEGAL DESCRIPTION

EASEMENT 1: AN EASEMENT FOR WATERMAIN OVER THAT PORTION OF LOT 3 IN YORKTOWN, BEING A SUBDIVISION OF PART OF SECTION 28, TOWNSHIP 38 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SAID LOT 3; THENCE NORTH 89 DEGREES 38 MINUTES 30 SECONDS EAST, ALONG THE SOUTH LINE OF SAID LOT 3, 222.00 FEET TO THE POINT OF BEGINNING; THENCE NORTH 00 DEGREES 20 MINUTES 30 SECONDS WEST, 454.42 FEET; THENCE SOUTH 89 DEGREES 38 MINUTES 30 SECONDS WEST, 185.83 FEET TO A POINT ON THE EAST LINE OF AN EXISTING UNDERGROUND UTILITIES EASEMENT; THENCE NORTH 02 DEGREES 12 MINUTES 49 SECONDS WEST ALONG THE EAST LINE OF SAID EASEMENT, 30.00 FEET; THENCE NORTH 88 DEGREES 30 MINUTES 30 SECONDS EAST, 190.60 FEET; THENCE NORTH 00 DEGREES 20 MINUTES 30 SECONDS WEST, 378.48 FEET TO A POINT OF CURVE; THENCE NORTHEAST ALONG A CURVE TO THE POINT HAVING A RADIUS OF 20.00 FEET AND PARALLEL WITH THE NORTH LINE OF SAID LOT 3, 22.17 FEET; THENCE SOUTH 80 DEGREES 00 MINUTES 00 SECONDS WEST, 30.00 FEET; THENCE NORTH 88 DEGREES 17 MINUTES 40 SECONDS EAST ALONG A POINT ON THE NORTHEASTERN LINE OF SAID LOT 3, 218.53 FEET EAST OF THE NORTH WEST CORNER OF SAID LOT 3; THENCE NORTH 30 DEGREES 00 MINUTES 00 SECONDS EAST, 31.83 FEET TO AN EXISTING 30 FOOT UNDERGROUND UTILITIES EASEMENT PER DOCUMENT R88-44872; THENCE SOUTH 30 DEGREES 00 MINUTES 00 SECONDS WEST ALONG SAID EXISTING UNDERGROUND UTILITIES EASEMENT, 61.83 FEET TO NORTHEASTERN LINE OF SAID EXISTING UNDERGROUND UTILITIES EASEMENT; THENCE NORTH 40 DEGREES 00 MINUTES 00 SECONDS WEST ALONG SAID NORTHEASTERN LINE OF SAID UNDERGROUND UTILITIES EASEMENT, 17.00 FEET; THENCE NORTH 60 DEGREES 00 MINUTES 00 SECONDS WEST, 58.14 FEET TO LINE 30.00 FEET SOUTH AND PARALLEL WITH THE NORTH LINE OF SAID LOT 3; THENCE SOUTH 89 DEGREES 38 MINUTES 30 SECONDS WEST, 15.00 FEET; THENCE NORTH 60 DEGREES 00 MINUTES 00 SECONDS WEST, 58.14 FEET TO A POINT ON A CURVE; THENCE SOUTHWEST ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 21.00 FEET, 20.00 FEET; THENCE NORTH 89 DEGREES 38 MINUTES 30 SECONDS WEST, 30.00 FEET; THENCE SOUTH 30 DEGREES 00 MINUTES 00 SECONDS WEST, 30.00 FEET; THENCE SOUTH 89 DEGREES 38 MINUTES 30 SECONDS WEST, 15.00 FEET; THENCE SOUTH 00 DEGREES 20 MINUTES 30 SECONDS EAST, 20.00 FEET; THENCE SOUTH 89 DEGREES 38 MINUTES 30 SECONDS WEST, 15.00 FEET; THENCE SOUTH 00 DEGREES 20 MINUTES 30 SECONDS EAST, 20.00 FEET; THENCE SOUTH 89 DEGREES 38 MINUTES 30 SECONDS WEST, 15.00 FEET; THENCE SOUTH 00 DEGREES 20 MINUTES 30 SECONDS EAST, 20.00 FEET TO A POINT ON SOUTH LINE OF SAID LOT 3; THENCE SOUTH 89 DEGREES 38 MINUTES 30 SECONDS WEST ALONG SOUTH LINE OF SAID LOT 3, 30.00 FEET TO THE POINT OF BEGINNING, IN DUPAGE COUNTY, ILLINOIS. CONTAINING: 67,006.98 sq.ft. (1.34 acres)

EASEMENT 2: AN EASEMENT FOR WATERMAIN OVER THAT PORTION OF LOT 3 IN YORKTOWN, BEING A SUBDIVISION OF PART OF SECTION 28, TOWNSHIP 38 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF SAID LOT 3; THENCE SOUTH 30 DEGREES 00 MINUTES 00 SECONDS WEST, ALONG THE SOUTHEASTERN LINE OF SAID LOT 3, 81.83 FEET; TO A POINT OF BEGINNING (ALSO BEING THE SOUTH LINE OF EXISTING 30 FOOT EASEMENT FOR UNDERGROUND UTILITIES PER DOC. R88-44872); THENCE SOUTH 30 DEGREES 00 MINUTES 00 SECONDS WEST, 40.00 FEET; THENCE NORTH 80 DEGREES 00 MINUTES 00 SECONDS WEST, 30.00 FEET; THENCE NORTH 30 DEGREES 00 MINUTES 00 SECONDS EAST, 30.00 FEET; THENCE SOUTH 30 DEGREES 00 MINUTES 00 SECONDS WEST, 30.00 FEET; THENCE SOUTH 89 DEGREES 38 MINUTES 30 SECONDS WEST, 15.00 FEET; THENCE SOUTH 00 DEGREES 20 MINUTES 30 SECONDS EAST, 20.00 FEET; THENCE SOUTH 89 DEGREES 38 MINUTES 30 SECONDS WEST, 15.00 FEET; THENCE SOUTH 00 DEGREES 20 MINUTES 30 SECONDS EAST, 20.00 FEET TO A POINT ON SOUTH LINE OF SAID LOT 3; THENCE SOUTH 89 DEGREES 38 MINUTES 30 SECONDS WEST ALONG SOUTH LINE OF SAID LOT 3, 30.00 FEET TO THE POINT OF BEGINNING, IN DUPAGE COUNTY, ILLINOIS. CONTAINING: 1,200.00 sq.ft. (0.03 acres)



OWNER CERTIFICATE

STATE OF ILLINOIS)
COUNTY OF DUPAGE) S.S.
THIS IS TO CERTIFY THAT THE UNDERSIGNED IS/ARE THE OWNER(S) OF THE LAND DESCRIBED IN THE ATTACHED PLAT HAS GAUDED THE SAME TO BE SURVEYED AND PLATED AS SHOWN BY THE PLAT FOR USES AND PURPOSES AS INDICATED THEREIN, AND DOES HEREBY KNOWLEDGE AND ADOPT THE SAME UNDER THE STYLE AND TITLE THEREIN INDICATED.
DATED AT HAWKINSVILLE, ILLINOIS, THIS 29th DAY OF DECEMBER, A.D. 2011.

C.R. CENTER L.P.

BY: T.O. ACQUISITION CORP.
NAME: ALBEMARLUS

NOTARIAL CERTIFICATE

STATE OF ILLINOIS)
COUNTY OF DUPAGE) S.S.
I, Lisa M. Sileo, a Notary Public in and for said County do hereby certify that the above named person(s) whose name(s) is/are subscribed to the foregoing certificate is/are the owner(s) of the above described premises and that he/she/they own free and voluntary act for the uses and purposes therein set forth. (S) President.
GIVEN UNDER MY HAND AND NOTARIAL SEAL THIS 29th DAY OF DECEMBER, A.D. 2011.

COMMISSION EXPIRES

DATE: 11/30/2012

CLERK AND RECORDER CERTIFICATE

STATE OF ILLINOIS)
COUNTY OF DUPAGE) S.S.
THIS INSTRUMENT NUMBER _____ WAS FILED FOR RECORD IN THE RECORDER'S OFFICE OF DUPAGE COUNTY, ILLINOIS, AT _____ O'CLOCK _____ A.M. ON THE _____ DAY OF _____, A.D. 20____.

DUPAGE COUNTY RECORDER OF DEEDS

DATE: 03/07/2012

DEPARTMENT OF COMMUNITY DEVELOPMENT

STATE OF ILLINOIS)
COUNTY OF DUPAGE) S.S.
APPROVED BY THE DEPARTMENT OF COMMUNITY DEVELOPMENT OF THE VILLAGE OF LOMBARD, ILLINOIS, THIS _____ DAY OF _____, A.D. 20____.

DIRECTOR OF COMMUNITY DEVELOPMENT

DATE: 03/07/2012

SURVEYOR'S CERTIFICATE

STATE OF ILLINOIS)
COUNTY OF DUPAGE) S.S.
I, _____, AN ILLINOIS PROFESSIONAL LAND SURVEYOR HAVE PREPARED THE PLAT FROM AVAILABLE RECORDS FOR THE PURPOSE OF DEDICATING EASEMENTS OF THE ABOVE DESCRIBED PROPERTY IN THE VILLAGE OF LOMBARD, ILLINOIS. I FURTHER CERTIFY THAT THE PLAT HEREON DRAWN IS A CORRECT REPRESENTATION THEREOF.

DATED AT LOMBARD THIS 7TH DAY OF MARCH, A.D. 2011

BY: _____
ILLINOIS PROFESSIONAL LAND SURVEYOR NUMBER 32325
MY LICENSE EXPIRES NOVEMBER 30, 2012

NOTE:
BASIS OF BEARINGS:
YORKTOWN SUBDIVISION PER DOCUMENT NUMBER R88-44872

WATERMAIN EASEMENT PROVISIONS

EASEMENTS ARE RESERVED FOR THE VILLAGE OF LOMBARD AND ITS SUCCESSORS AND AGENTS OVER ALL AREAS MARKED "WATERMAIN EASEMENT" ON THE PLAT FOR THE PERPETUAL RIGHT, PRIVILEGE AND AUTHORITY TO CONTRACT, RECONSTRUCT, REPAIR, INSPECT, MAINTAIN, AND OPERATE WATERMANS AND A WATER DISTRIBUTION SYSTEM, TOGETHER WITH ANY AND ALL NECESSARY 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 ADJACENT 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 TREES, TEMPORARY STRUCTURES, TREES, SHRUBS, OR OTHER PLANTS WITHOUT NEED FOR PROVIDING COMPENSATION THEREFOR ON SAID EASEMENT THAT INTERFERE WITH THE OPERATION OF THE WATERMANS, NO PERMANENT BUILDINGS SHALL BE PLACED ON SAID EASEMENT, BUT SAME MAY BE USED FOR CARPOUSES, SHRUBS, LANDSCAPE, AND OTHER PURPOSES THAT DO NOT THEN OR LATER INTERFERE WITH THE AFORESAID USES OR RIGHTS.

Table with 3 columns: No., Description, Date. Contains entries for various documents and dates.

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FAX (630) 918-0284

