

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

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

TO: PRESIDENT AND BOARD OF TRUSTEES  
FROM: David A. Hulseberg, Village Manager *DAH*  
DATE: September 8, 2010 (B of T) Date: September 16, 2010  
TITLE: Grant of Easement for Watermain Within the Regency Place  
Development, located in Oakbrook Terrace, Illinois

SUBMITTED BY: Department of Community Development *WJD*

BACKGROUND/POLICY IMPLICATIONS:

Please find attached staff's recommendation relative to approving a Plat of Easement for watermain and fire hydrants located at the Regency Place Development in Oakbrook Terrace, Illinois.

Staff recommends approval of this request.

Please place this item on the September 16, 2010 Board of Trustees agenda.

Fiscal Impact/Funding Source:

Review (as necessary):

Village Attorney X \_\_\_\_\_ Date \_\_\_\_\_

Finance Director X \_\_\_\_\_ Date \_\_\_\_\_

Village Manager X *DAH* \_\_\_\_\_ Date 9/8/10

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

**DATE:** August 26, 2010

**SUBJECT: GRANT OF EASEMENT – REGENCY PLACE, WITHIN THE CORPORATE BOUNDARIES OF OAKBROOK TERRACE, ILLINOIS (PINS: 06-21-308-021, 06-21-308-022 and 06-21-308-023)**

The attached Grant of Easement is for the public watermain and fire hydrants that were constructed on the Regency Place Development in Oakbrook Terrace, Illinois. Please present the attached resolution to the Board of Trustees at their September 16, 2010 meeting.

Please call either Nick Hatfield or myself if you have any questions.

/jd

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**RESOLUTION**  
**R \_\_\_\_\_ 11**

**A RESOLUTION AUTHORIZING SIGNATURE OF  
PRESIDENT AND CLERK ON A GRANT OF EASEMENT AGREEMENT**

WHEREAS, the Corporate Authorities of the Village of Lombard have received a Grant of Easement Agreement from Regency Place, LLC for construction of a public watermain and fire hydrants associated with the Regency Place Development (parcel numbers 06-21-308-02, 06-21-308-022 and 06-21-308-023) located in the City of Oakbrook Terrace, as attached hereto and marked Exhibit "A"; and

WHEREAS, the Corporate Authorities deem it to be in the best interest of the Village of Lombard to authorize the Grant of Easement 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 Village President be and hereby is authorized to sign on behalf of the Village of Lombard said document as attached hereto.

SECTION 2: That the Village Clerk be and hereby is authorized to attest said Agreement as attached hereto.

Adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2010.

Ayes: \_\_\_\_\_

Nayes: \_\_\_\_\_

Absent: \_\_\_\_\_

Approved this \_\_\_\_\_ day of \_\_\_\_\_, 2010.

\_\_\_\_\_  
William J. Mueller, Village President

ATTEST:

\_\_\_\_\_  
Brigitte O'Brien, Village Clerk



This instrument prepared by and after recording please return to:

Jesse Dodson, Esq.  
DLA Piper LLP (US)  
203 North LaSalle Street  
Suite 1900  
Chicago, Illinois 60601

PINs:

06-21-308-021

06-21-308-022

06-21-308-023

*This space reserved for Recorder's use only.*

### GRANT OF EASEMENT

**REGENCY PLACE LLC**, an Illinois limited liability company ("Grantor"), the owner of the following property in the City of Oakbrook Terrace, DuPage County, Illinois:

LOTS ONE, TWO AND THREE OF REGENCY PLACE SUBDIVISION, BEING A SUBDIVISION IN PART OF THE SOUTHWEST 1/4 OF SECTION 21 AND PART OF THE NORTHWEST 1/4 OF SECTION 28, ALL IN TOWNSHIP 39 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED SEPTEMBER 7, 2005 AS DOCUMENT NO. R2005-196921, IN DUPAGE COUNTY, ILLINOIS,

hereby grants to and for the benefit of the **VILLAGE OF LOMBARD**, an Illinois municipal corporation ("Grantee"), a perpetual, non-exclusive easement for the maintenance, operation, repair and replacement of an underground watermain with all necessary appurtenances (the "Watermain") within that portion of the Property described and/or depicted on Exhibit A attached hereto (the "Easement Area").

IN WITNESS WHEREOF, Grantor has caused this Grant of Easement to be executed and delivered as of July 28, 2010.

#### **REGENCY PLACE, L.L.C.**

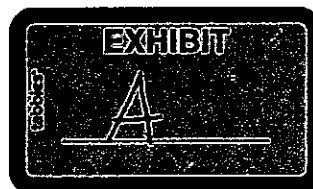
By: M&R Regency Place, LLC, Managing Member

By: The Rossi Group, L.L.C., its Managing Member

By: 

Name: Anthony R. Rossi, Sr.

Its: Manager



STATE OF ILLINOIS        )  
  ) SS  
COUNTY OF COOK        )

I, the undersigned, a Notary Public in and for the said County and State aforesaid, do hereby certify that Anthony R. Rossi, Sr., Manager of the Managing Member of the Managing Member of Regency Place LLC, an Illinois limited liability company, personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that he signed and delivered said instrument as his own free and voluntary act and as the free and voluntary act of said limited liability company for the uses and purposes therein set forth.

GIVEN under my hand and notarial seal this 28 day of July, 2010.

Deborah A. Fowler  
Notary Public





**EXHIBIT A**  
**EASEMENT AREA**

[attached]

**DESCRIPTION OF WATER MAIN EASEMENT**

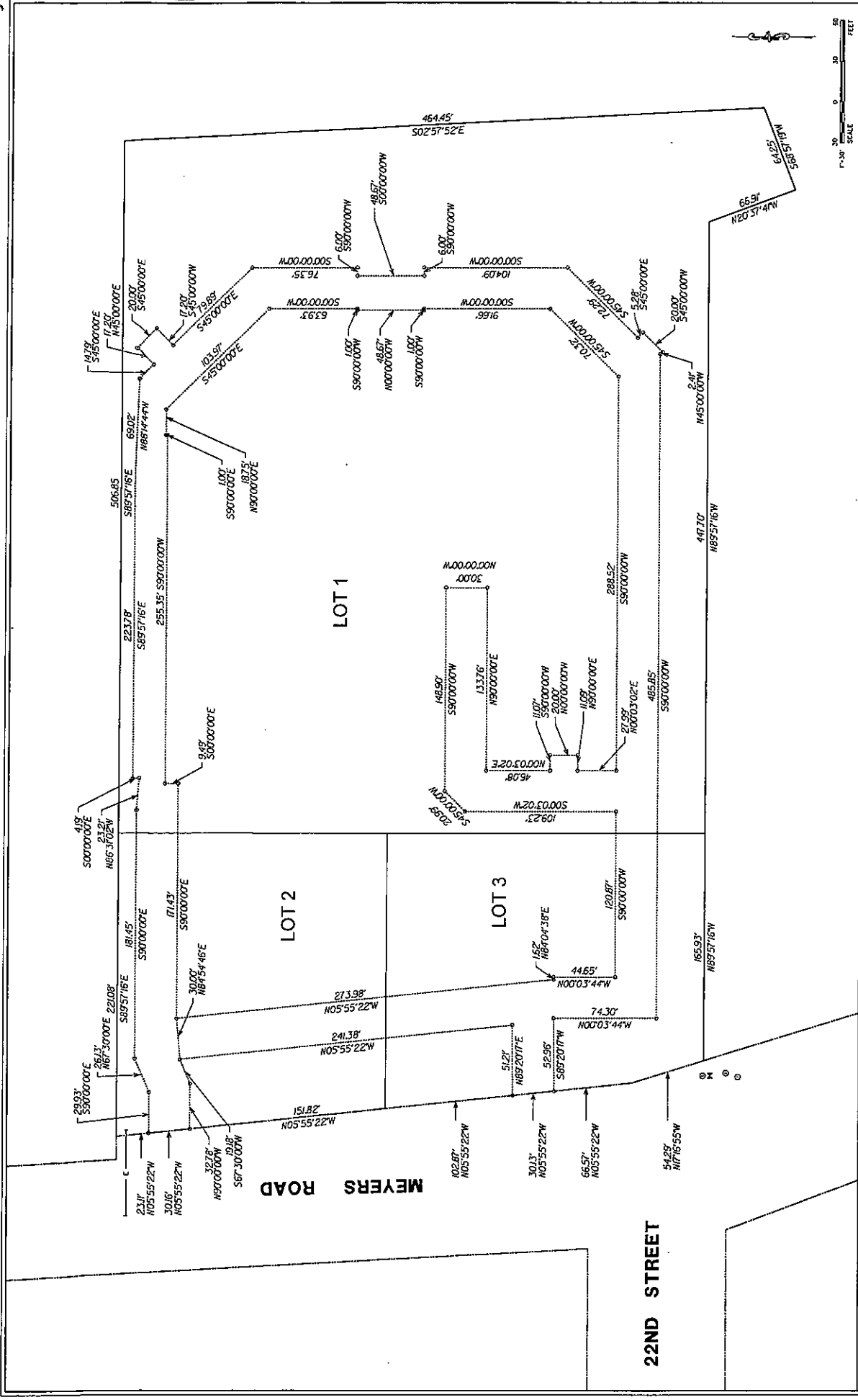
07-30-2010

THOSE PARTS OF LOTS 1, 2 AND 3 IN THE FINAL P.U.D. PLAT OF SUBDIVISION OF REGENCY PLACE, BEING A SUBDIVISION OF PART OF THE SOUTHWEST QUARTER OF SECTION 21 AND PART OF THE NORTHWEST QUARTER OF SECTION 28, ALL IN TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED SEPTEMBER 7, 2005 AS DOCUMENT NUMBER R2005-196921, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID LOT 2; THENCE SOUTH 05 DEGREES 55 MINUTES 22 SECONDS EAST ALONG THE WEST LINE OF SAID LOT 2, A DISTANCE OF 23.11 FEET TO THE PLACE OF BEGINNING;

THENCE SOUTH 90 DEGREES 00 MINUTES 00 SECONDS EAST, 29.93 FEET;  
THENCE NORTH 67 DEGREES 30 MINUTES 00 SECONDS EAST, 26.13 FEET;  
THENCE SOUTH 90 DEGREES 00 MINUTES 00 SECONDS EAST, 181.45 FEET;  
THENCE SOUTH 86 DEGREES 31 MINUTES 02 SECONDS EAST, 23.21 FEET;  
THENCE NORTH 00 DEGREES 00 MINUTES 00 SECONDS WEST, 4.19 FEET;  
THENCE SOUTH 89 DEGREES 57 MINUTES 16 SECONDS EAST, 223.78 FEET;  
THENCE SOUTH 88 DEGREES 14 MINUTES 44 SECONDS EAST, 69.02 FEET;  
THENCE SOUTH 45 DEGREES 00 MINUTES 00 SECONDS EAST, 14.79 FEET;  
THENCE NORTH 45 DEGREES 00 MINUTES 00 SECONDS EAST, 17.20 FEET;  
THENCE SOUTH 45 DEGREES 00 MINUTES 00 SECONDS EAST, 20.00 FEET;  
THENCE SOUTH 45 DEGREES 00 MINUTES 00 SECONDS WEST, 17.20 FEET;  
THENCE SOUTH 45 DEGREES 00 MINUTES 00 SECONDS EAST, 79.89 FEET;  
THENCE SOUTH 00 DEGREES 00 MINUTES 00 SECONDS WEST, 76.35 FEET;  
THENCE SOUTH 90 DEGREES 00 MINUTES 00 SECONDS WEST, 6.00 FEET;  
THENCE SOUTH 00 DEGREES 00 MINUTES 00 SECONDS WEST, 48.67 FEET;  
THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS EAST, 6.00 FEET;  
THENCE SOUTH 00 DEGREES 00 MINUTES 00 SECONDS WEST, 104.09 FEET;  
THENCE SOUTH 45 DEGREES 00 MINUTES 00 SECONDS WEST, 72.29 FEET;  
THENCE SOUTH 45 DEGREES 00 MINUTES 00 SECONDS EAST, 5.28 FEET;  
THENCE SOUTH 45 DEGREES 00 MINUTES 00 SECONDS WEST, 20.00 FEET;  
THENCE NORTH 45 DEGREES 00 MINUTES 00 SECONDS WEST, 2.41 FEET;  
THENCE SOUTH 90 DEGREES 00 MINUTES 00 SECONDS WEST, 485.85 FEET;  
THENCE NORTH 00 DEGREES 03 MINUTES 44 SECONDS WEST, 74.30 FEET;  
THENCE SOUTH 89 DEGREES 20 MINUTES 17 SECONDS WEST, 52.96 FEET;  
THENCE NORTH 05 DEGREES 55 MINUTES 22 SECONDS WEST, 30.13 FEET;  
THENCE NORTH 89 DEGREES 20 MINUTES 17 SECONDS EAST, 51.21 FEET;  
THENCE NORTH 05 DEGREES 55 MINUTES 22 SECONDS WEST, 241.38 FEET;  
THENCE NORTH 84 DEGREES 54 MINUTES 46 SECONDS EAST, 30.00 FEET;  
THENCE SOUTH 05 DEGREES 55 MINUTES 22 SECONDS EAST, 273.98 FEET;

THENCE NORTH 84 DEGREES 04 MINUTES 38 SECONDS EAST, 1.62 FEET;  
THENCE SOUTH 00 DEGREES 03 MINUTES 44 SECONDS EAST, 44.65 FEET;  
THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS EAST, 120.87 FEET;  
THENCE NORTH 00 DEGREES 03 MINUTES 02 SECONDS EAST, 109.23 FEET;  
THENCE NORTH 45 DEGREES 00 MINUTES 00 SECONDS EAST, 20.99 FEET;  
THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS EAST, 148.90 FEET;  
THENCE SOUTH 00 DEGREES 00 MINUTES 00 SECONDS EAST, 30.00 FEET;  
THENCE SOUTH 90 DEGREES 00 MINUTES 00 SECONDS WEST, 133.76 FEET;  
THENCE SOUTH 00 DEGREES 03 MINUTES 02 SECONDS WEST, 46.08 FEET;  
THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS EAST, 11.07 FEET;  
THENCE SOUTH 00 DEGREES 00 MINUTES 00 SECONDS EAST, 20.00 FEET;  
THENCE SOUTH 90 DEGREES 00 MINUTES 00 SECONDS WEST, 11.09 FEET;  
THENCE SOUTH 00 DEGREES 03 MINUTES 02 SECONDS WEST, 27.99 FEET;  
THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS EAST, 288.52 FEET;  
THENCE NORTH 45 DEGREES 00 MINUTES 00 SECONDS EAST, 70.32 FEET;  
THENCE NORTH 00 DEGREES 00 MINUTES 00 SECONDS EAST, 91.66 FEET;  
THENCE SOUTH 90 DEGREES 00 MINUTES 00 SECONDS WEST, 1.00 FEET;  
THENCE NORTH 00 DEGREES 00 MINUTES 00 SECONDS WEST, 48.67 FEET;  
THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS EAST, 1.00 FEET;  
THENCE NORTH 00 DEGREES 00 MINUTES 00 SECONDS EAST, 63.93 FEET;  
THENCE NORTH 45 DEGREES 00 MINUTES 00 SECONDS WEST, 103.97 FEET;  
THENCE SOUTH 90 DEGREES 00 MINUTES 00 SECONDS WEST, 18.75 FEET;  
THENCE SOUTH 00 DEGREES 00 MINUTES 00 SECONDS EAST, 1.00 FEET;  
THENCE SOUTH 90 DEGREES 00 MINUTES 00 SECONDS WEST, 255.35 FEET;  
THENCE SOUTH 00 DEGREES 00 MINUTES 00 SECONDS EAST, 9.49 FEET;  
THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS WEST, 171.43 FEET;  
THENCE SOUTH 84 DEGREES 54 MINUTES 46 SECONDS WEST, 30.00 FEET;  
THENCE SOUTH 67 DEGREES 30 MINUTES 00 SECONDS WEST, 19.18 FEET;  
THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS WEST, 32.78 FEET;  
THENCE NORTH 05 DEGREES 55 MINUTES 22 SECONDS WEST, 30.16 FEET  
TO THE PLACE OF BEGINNING, IN DUPAGE COUNTY, ILLINOIS.



**EXA**

**WATERMAIN EASEMENT EXHIBIT**

**REGENCY PLACE**

ILJUN05

CAMBRIDGE TERRACE

NO.	DATE	DESCRIPTION	BY	CHKD.

**REVISIONS**

Engineers: 1222 First Avenue, Suite 100  
 Scientists: 834 1/2 4th Street  
 Surveyors: 627 1/2 4th Street  
 Consultants: 1010 1/2 4th Street

Scale: 1" = 30'

Project: 20100715 - HW

Date: July 8, 2010

Drawn by: JMD

Checked by: JMD

Scale: 1" = 30'