## **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 prerepair 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:

exitte Obren

DATED: 6/10/11

## **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 day of Commission expires 2/18, 20/5.

Notary Public

"OFFICIAL SEAL"
DENISE R. KALKE
Notary Public, State of Illinois
My Commission Expires 02/18/15

By:

Toron Francesch' uni

Print Name

Title

OWNER: MAJR, Inc.

ATTEST: Contheines Lurano
CATHERINE TURANO Print Name
Secretary Print Name
Title
DATED: $\frac{5/3}{1/1}$

STATE OF ILLINOIS )

SS

COUNTY OF DUPAGE )

I, the undersigned, a Notary Public, in and for the County and State aforesaid, DC
HEREBY CERTIFY that the above-named Joseph Flanceschini and
Catherine Tolono, are personally known to me to be the
President and Secretary of Majr
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 315t day of May
Commission expires 17 / 29, 2012. Notary Public
Notary Public

OFFICIAL SEAL
CHRISTOPHER STILLING
NOTARY PUBLIC - STATE OF ILLINOIS
MY COMMISSION EXPIRES: 2/29/12

OWNER: MAJR, Inc.

Joseph Franceschini Print Name

President Title

ATTEST:	·
Print Name	
Secretary Print Name	 
Title	
DATED:	 _