CITY OF LEROY

ILLINOIS

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ORDINANCE	NO.	274

RELEASE OF EASEMENTS IN CONSIDERATION OF GRANTING OF NEW EASEMENTS FOR PORTION OF EXTENSION OF THE SEWER SYSTEM OF THE CITY OF LE ROY.

ADOPTED BY THE CITY COUNCIL OF THE CITY OF LEROY, ILLINOIS,

THIS <u>5th</u> DAY OF <u>May</u>, 19 86.

Published in pamphlet form by authority of the City Council of the City of LeRoy, McLean County, Illinois, this 6th day of May, 1986.

ORDINANCE NO. 274

RELEASE OF EASEMENTS IN CONSIDERATION OF GRANTING OF NEW EASEMENTS FOR PORTION OF EXTENSION OF THE SEWER SYSTEM OF THE CITY OF LEROY.

WHEREAS, Glenn Golden and Elba Golden, husband and wife, did, on or about February 18, 1985, grant to the City of LeRoy, McLean County, Illinois, an Illinois municipal corporation, certain easements for use by the City in extending a portion of its sewer line system South from the City sewer plant toward, under and past Interstate Route, 74, and

WHEREAS, the City of LeRoy has now determined that certain portions of those easements are no longer required, and in fact other areas of land owned by Glenn Golden and Elba Golden, husband and wife, are necessary for sewer easements for the proposed expansion of the City sewer system South to Interstate Route 74, under said route and extending further South and West, and

WHEREAS, Glenn Golden and Elba Golden, as Grantors, and the City of LeRoy, as Grantee, have agreed to the granting of certain new easements in consideration for the release by the City of certain existing sewer line easements as previously stated.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and City Council of the City of LeRoy in lawfull meeting assembled:

Section 1. That those easements described in certain documents dated February 18, 1985, recorded February 21, 1985, as Documents No. 85-1882, 85-1883, and 85-1884, all having been recorded in the Office of the Recorder of Deeds of McLean County, Illinois, and describing Easements "D", "E" and "F" respectively, are hereby released and the Mayor and City Clerk of the City of LeRoy, McLean County, Illinois, are hereby directed to execute appropriate Documents of Release of the aforesaid easement ways, such documents being set forth as Exhibits 1, 2, and 3 attached hereto and incorporated herein by reference.

Section 2. That such releases of easement ways shall be executed and delivered to Glenn Golden and Elba Golden upon receipt of the necessary signed Grants of Easement Ways from the aforesaid Grantors to the City of LeRoy for easements being described as "G" and "H", as set forth in Exhibits 4 and 5 attached hereto and incorporated herein by reference.

Section 3. This ordinance shall be in full force and effect after its passage, approval and publication in pamphlet form as required by law.

PASSED by the Mayor and City Council of the City of LeRoy, Illinois, on the $\underline{5th}$ day of \underline{May} , 1986.

Aldermen elected 5

Aldermen present 4.

AYES	David King, Patrick Derby, Gar	y Builta, Jerry Davis
NAYS	None	
		Juanita Sagley Juanita Dagley, City Cleck of the City of LeRoy, Illinois
APPROV of	ED by the Mayor of the City May , 1986.	Jack W. Moss, Mayor of the City of LeRoy, Illinois

ATTEST;

(Seal)

Suanita Angley

Suanita Dagley, City Herb of the

City of LeRoy, Illinois

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Exhibit 1 (group)

STATE OF ILLINOIS)	, * · · · ·
COUNTY OF MC LEAN) I, the undersigned, a Notary	Public in and .
for said County in the State aforesaid, DO HEREBY CERTIFY personally known to me to be the Mayor of the City of Ler Illinois, and JUANITA DAGLEY, personally known to me to be the City of LeRoy, whose names are subscribed to the foreappeared before me this day in person and severally acknowled by the City Clerk, they signed and delivered the of writing as Mayor and as City Clerk of said municipal caused the seal of said municipal corporation to be affix pursuant to authority given by the corporate authorities corporation as their free and voluntary act and as the fract and deed of said municipal corporation for the uses a set forth.	that JACK W. MOSS, Roy, McLean County, be the City Clerk of egoing instrument, bwledged that as said instrument corporation, and ked thereto, of said municipal
GIVEN under my hand and notarial seal, this	lay of May, 1986.
Notary Publi	C
SEND SUBSEQUENT TAX BILLS TO: Glen Golden,	·
111 W. Washington St., Le	Roy, IL 61752
This instrument was prepared by (Name) Hunt Henderson , (Address) 122 N. Chestnu LeRoy, IL 617	t St.,

QUIT - CLAIM DEED BY CORPORATION

140.

Recorder's Office I, MAE DEANE TATE OF ILLINOIS, SS. County of McLean,

.. and for the County and State aforeadd. so hereby certify that the within and foregoing instrument of writing was filed for record on the Recorder of Deeds

day of

M., and duly re-...., A. D. 19..... at.....o'elock

In Testimony Whereof, I hereunto set my hand the day and date aforesaid. corded as Document No.....

Recorder of Deeds.

Hunt Henderson 122 N. Chestnut St. LeRoy, 1L 61752

Mail to

FEB 21 1985 959

GRANT OF SEWER LINE EASEMENT TO MUNICIPALITY Sec. 11.

GRANTOR (S), GLENN & ELBA GOLDEN, husband and wife,

EASEMENT "D"- A strip of land 20 feet in width the centerline of which is described as follows: Commencing at the Southeast corner of the Southwest Quarter of the Northwest Quarter of Section 28, Township 22 North, Range 4 East of the Third Principal Meridian; thence North 0 degrees, 0'-0" West 416.25 feet on the East line of the Southwest Quarter of the said Northwest Quarter to the TRUE POINT OF BEGINNING; thence South 87 degrees, 21'-28" West 1321.15 feet more or less to the West line of the Southwest Quarter of the said Northwest Quarter, in McLean County, Illinois;

and a Temporary Easement effective until completion of construction over the premises described in Exhibit \underline{I} attached hereto and incorporated herein by this reference for the purpose of constructing, reconstructing, installing, repairing and maintaining from time to time any and all utility facilities located in, along and upon the Easement Premises.

- 1. The parties have determined that it is in their best interest for GRANTOR to grant and for MUHICIPALITY to accept this easement in along the Easement Premises for public sewer line purposes. The easement granted herein shall be for the limited and exclusive purposes of surveying, constructing, operating, maintaining, testing, inspecting, repairing, removing, replacing or abondoning in place and controlling, underground pipelines and mains for the conveyance of sewage in, over, across, through and under the Easement Premises, together with all by GRANTOR necessary for the exercise of the rights herein granted. Said easement rights are granted to MUNICIPALITY, its agents, employees, contractors and assignces.
- 2. MUNICIPALITY will save and hold GRANTOR harmless from all claims, causes and actions, and suits, damages or demands whatsover in law and in equity which may arise out of, or as a consequence of the employees, in maintaining, repairing and utilizing said utility facilities and easements.
- assements over, along or upon the Easement Premises; provided, however, that any such other easements shall be subject to the easement hereby granted; and providing further, that MUNICIPALITY shall have first consented in writing to the terms, nature and location of any such other easements as not interfering with the rights granted hereunder.

. .

- 4. Special conditions relating to this Grant of Easement:
- A. All manholes placed in the sewer lines constructed upon the aforesaid easements and located within tillable acreage areas will be buried a minimum of 2 feet below the natural ground surface so as not to interfere with the farming operation.
- B. Where practical, all top soil will be separated and placed at the top portion of the backfill of the excavation.
- C. All areas disturbed not within tillable acreages will be reshaped and seeded with Kentucky Blue grass.
- D. All driveways and lanes crossed by the easement premises will be replaced in kind as to portions crossed and restored to their original condition.
- E. All active drainage tiles encountered within the easement premises during the time of construction will be repaired and restored to their normal service capability.
- F. Care will be taken by City, its agents, employees and contractors to preserve as much of the existing shrubbery and as many of the existing trees as possible between Stations 24+00 and 26+00. City will not be responsible for any damage to such trees or shrubbery and shall not be liable or responsible for replacing any of the same.
- G. If the existing sanitary sewer service from the house located west of Station 24+00 is encountered during construction, it will be connected to the new sewer at no charge. If this sanitary sewer service is not encountered the owner may in the future connect to the new sanitary sewer at his own expense and City will not assess a tap on fee for this connection.
- H. City shall reimburse GRANTOR for any damage caused to GRANTOR's crops during construction of the sewer line or for any damages that may be caused at any later time to GRANTOR's crops during any maintenance work or operations carried out by or for said City on said sewer line or any additional sewer line placed in said easement.

- 6. MUNICIPALITY may assign the rights granted to it hereunder to any assignee who demonstrates sufficient competence to MUNICIPALITY and gives adequate assurances to MUNICIPALITY that any work to be performed pursuant to such assignment shall be conducted in a good and workmanlike manner, and that GRANTOR's interest in the Easement Premises shall be . protected to the extent as set forth in this instrument.
- 7- All rights, titles and priviliges herein granted, including all benefits and burdens, shall run with the land and shall be binding upon and inure to the benefit of the parties to this instrument, their respective heirs, executors, admininstrators, legal representatives, assigns and successors in interest.
- 8. GRANTOR hereby waives any right of homestead with regard to the grant and conveyance herein set forth.

IN WITNESS WHEREOF, the parties hereto have executed this instrument or have caused this instrument to be executed by their proper officers duly authorized to execute the same effective this _____day of ___, 19<u>85</u> .

Mayor of the

CITY OF LE ROY, McLean County, Illinois, an Illinois mynic pal corporation

City of LeRoy

the City of LeRoy, Illinois

Exhibit 1

5.5

A temporary working easement 10 feet in width adjacent to and along the North and South sides of the previously described Easement D.

'STATE OF ILLINOIS)
COUNTY OF MC LEAN)
I, the undersigned, a Notary Public in and for said County and State aforesaid, DO HEREBY CIRTIFY THAT Glonn Golden and Elba Golden, husband and wife, personally known to me to be the same person (s) whose name(s) are subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that they signed, sealed and delivered the said instrument as their free and voluntary act, for the uses and purposes therein set forth, including the release and waiver of the right of homestead.
1985. Given under my hand and notarial scal, this Khy day of Appropriate Street Rawson.
My commission expires: 12-14-87
•
STATE OF HILLIAM A
STATE OF ILLINOIS)
The undersigned a Notary Public in and for said County and State aforesaid, DO HEREBY CERTIFY THAT personally known to me to be the Mayor of the City of LeRoy, and
City Clerk of said city, whose names are subscribed to the foregoing instrument, appeared before me this day in person and severall acknowledged that as such Mayor and City Clerk, they signed and delivered said instrument of writing as Mayor and as City Clerk of said city, and caused the scal of the City of LeRoy to be affixed thereto, pursuant to authority given by the City Council. of said city as a free and voluntary act, and as the free and voluntary act and agreement of the City of LeRoy for the uses and purposes therein set forth.
Given under my hand and notarial seal, thisday of, 19.85.

This instrument prepared by:
Hunt Henderson
Attorney at Law
122 N. Chestnut St.
LeRoy, IL 61752
Phone: (309)962-2791

My commission expires:

c '

: .

Notary Public

MAE DEANE, Recorder of Deeds, McL This Indenture Witnesseth,	That the Company The Company	
	os inquiscidai corporation	
munical and a second		on 4,
a / organized and existi	ng under and by virtue of the Laws of the State of Illinois	Section
One dollar and other	ng under and by virtue of the Laws of the State of Illinois Roy, Illinois, for and in consideration of the sum of ar good and valuable consideration	l w
in hand baid Conveys and Our	it-Claire	MP
ELBA GOLDEN, husban	it-Claims to GLENN GOLDEN and d and wife,	STAMP
****		TAX
of the City of LeRoy,		SR 7 R grap
	real Testale, to-wit:	AFFIX TRANSFER OR Provisions of Paragra, nafer Tax Act.
All right, title, i	nterest, estate, claim and demand,	FRA s of x Ac
poet at law and lineu	uity of Grantor, of, in, and to the easements and premises, and all other	AFFIX TRA provisions of
rights priviledes an	u dubirtenances hald on other life and a	FF
Grantor in the herein	after described real estate:	1.E
		Exempt und Real Estate
Municipality dated	by Grant of Sewer Line Easement to February 18, 1985, recorded February 21,	g G
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	in the State of 1111nois	·

his deed is made, executed and deliv	ered pursuent to authority given by the laws of the S Corporations and by an Ordinance adopted d in the records of the CITY OF LERBY	
lllinois to municipal	corporations and by an Ordinance adopted	tate of May 5
County Illinois and	d in the records of the City of Leroy, M	cLean
TESTIMONY WHEREOF The	llinois municipal corporation, as Ordinan stand City of LeRoy, an Illinois municipal	čeNO:
corporation,	hath hereunto consed its corporate	
	hath hereunto caused its corporate seal to be affixed, and these signed by its	resents to be
EST:	City Clerk, this	illested by its
/	l f May	***************************************
(seal)	CITY OF LE ROY, an Illinois munici	pal
	corporation.	
-	Rv X	

Exhibit 2 (group) -

By X Jack W. Moss, Mayor

Juanita Dagley, City Clerk

COUNTY OF MC LEAM 3 1, the undersigned, a Notary Public in and for said County in the State afaresaid, DO MEREN CERTIFY that JAKK M. MOSS personally known to me to be the Mayor of the City of LeRoy, McLean County in the State afaresaid, DO MEREN CERTIFY that JAKK M. MOSS personally known to me to be the Mayor of the City of LeRoy, McLean County in the State and JUANITA DALEY, personally known to me to be the City of the County in the City of LeRoy, whose names are subscribed to the foregoing instrument of writing as Mayor and as Ity Cierk, they signed and delivered the said instrument of writing as Mayor and as City Cierk, they signed and delivered the said instrument of writing as Mayor and as City Cierk, they signed and delivered the said instrument of writing as Mayor and as City Cierk of said municipal corporation to be affixed thereto, corporated as the free and voluntary act and deed of said municipal corporation for the uses and purposes therein corporated and deed of said municipal corporation for the uses and purposes therein forth. CIVEN under my hand and notarial seal, this			
COUNTY OF MC LEAR } 1, the undersigned, a Notary Public in and for said County in the State aforesaid, DO HEREBY CRATIFY that JACK W. MOSS personally known to me to be the Mayor of the City of LeRoy, McLean County. Illinois, and JUANITA DALEY personalise known to me to be the City Clerk of the City of LeRoy, whose names are something for the City of LeRoy, whose names are something for the City of LeRoy, whose names are something for the City of LeRoy, whose names are something for the City of LeRoy and Survey and City Clerk, they signed and delivered the said in that as such Mayor and City Clerk, they signed and delivered the said in that as such Mayor and City Clerk, they signed and delivered the said undersonant caused the seal of said municipal corporation to be affixed thereto, pursuant to authority given by the Corporate authorities of said municipal corporation as their free and voluntary act and as the free and voluntary act and dead of said municipal corporation for the uses and purposes therein set forth. CIVEN under my hand and notarial seal, this day of May, 1986. **Notary Public** **SEND SUBSEQUENT TAX BILLS TO:	,		
Illinois, and JUANITA DARLEY, personally known to me to be the City Clerk of the City of LeRoy, McLean County, Illinois, and JUANITA DARLEY, personally known to me to be the City Clerk of City Clerk o		l, the undersigned, a Notary Public in an	d ·
SEND SUBSEQUENT TAX BILLS TO: Glen Folden. 111 W. Washington St., LeRoy, IL 61752 112 W. design of Survey and date formed	for said County in the State personally known to me to be Illinois, and JUANITA DAGLEY the City of LeRoy, whose name appeared before me this day is such Mayor and City Clerk, the of writing as Mayor and as Cicaused the seal of said municipal pursuant to authority given to corporation as their free and act and deed of said municipal	aforesaid, DO HEREBY CERTIFY that JACK the Mayor of the City of LeRoy, McLean City of Leroy, McLean City of Leroy, McLean City of Leroy are subscribed to the foregoing instruming person and severally acknowledged that ney signed and delivered the said instrumity Clerk of said municipal corporation, cipal corporation to be affixed thereto, by the corporate authorities of said municipal corporation to be affixed thereto,	W. MOSS, ounty, lerk of ment, as ent and cipal
SEND SUBSEQUENT TAX BILLS TO: Glen Golden. The Composition St., Leroy, IL 61752 Corporation of the County and State alone and the County and the County and State alone and the County	GIVEN under my hand and	notarial seal, this day of May, 1	986.
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GRANT OF
SEWER LINE EASEMENT
TO MUNICIPALITY

GRANTOR (S), GLENN & ELBA GOLDEN, husband and wife,

of LeRoy , McLean County, Illinois (hereinafter referred to as GRANTOR), in consideration of ONE DOLLAR (\$1.00) in hand paid and other good and valuable consideration, doxxxx hereby agree with the CITY OF LEROY, McLean County, Illinois, an Illinois municipal corporation, as follows, and doxxxx hereby grant to the CITY OF LE ROY, McLean County, Illinois (hereinafter referred to as MUNICIPALITY), a referred to as the "Easement across the following described premises (hereinafter referred to as the "Easement Premises"):

EASEMENT "E"- A strip of land 55 feet in width off the East side of the Southwest Quarter of the Northwest Quarter of Section 28, Township 22 North, Range 4 East of the Third Principal Meridian extending from the North line of the previously described Easement D to the South line of the previously described Easement C; in McLean County, Illinois;

and a Temporary Easement effective until completion of construction over the premises described in Exhibit I attached hereto and incorporated herein by this reference for the purpose of constructing, reconstructing, installing, repairing and maintaining from time to time any and all utility facilities located in, along and upon the Easement Premises.

- 1. The parties have determined that it is in their best interest for GRANTOR to grant and fer MUHICIPALITY to accept this easement in and along the Easement Premises for public sewer line purposes. The easement granted herein shall be for the limited and exclusive purposes of surveying, constructing, operating, maintaining, testing, inspecting, repairing, removing, replacing or abondoning in place and controlling, underground pipelines and mains for the conveyance of sewage in, over, across, through and under the tasement Premises, together with all by GRANTOR necessary for the exercise of the rights herein granted. Said easement rights are granted to MUNICIPALITY, its agents, employees, contractors and assignces.
- 2. MUNICIPALITY will save and hold GRANTOR harmless from all claims, causes and actions, and suits, damages or demands whatsover in law and in equity which may arise out of, or as a consequence of the negligence of MUNICIPALITY, or its authorized agents, servants or employees, in maintaining, repairing and utilizing said utility facilities and easements.
- casements over, along or upon the Easement Premises; provided, however, that any such other casements shall be subject to the easement hereby granted; and providing further, that MUNICIPALITY shall have such other easements as not interfering with the rights granted here-

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Special conditions relating to this Grant of Easement:

- A. All manholes placed in the sewer lines constructed upon the aforesaid easements and located within tillable acreage areas will be buried a minimum of 2 feet below the natural ground surface so as not to interfere with the farming operation.
- B. Where practical, all top soil will be separated and placed at the top portion of the backfill of the excavation.
- C. All areas disturbed not within tillable acreages will be reshaped and seeded with Kentucky Blue grass.
- D. All driveways and lanes crossed by the easement premises will be replaced in kind as to portions crossed and restored to their original condition.
- E. All active drainage tiles encountered within the casement premises during the time of construction will be repaired and restored to their normal service capability.
- F. Care will be taken by City, its agents, employees and contractors to preserve as much of the existing shrubbery, and as many of the existing trees as possible between Stations 24+00 and 26+00. City will not be responsible for any damage to such trees or shrubbery and shall not be liable or responsible for replacing any of the same.
- G. If the existing sanitary sewer service from the house located west of Station 24+00 is encountered during construction, it will be connected to the new sewer at no charge. If this sanitary sewer service is not encountered the owner may in the future connect to the new sanitary sewer at his own expense and City will not assess a tap on fee for this connection.
- H. City shall reimburse GRANTOR for any damage caused to GRANTOR's crops during construction of the sewer line or for any damages that may be caused at any later time to GRANTOR's crops during any maintenance work or operations carried out by or for said City on said sewer line or any additional sewer line placed in said casement.

GRANTOR reserves the right to use the Easement Premises in any ier that will not prevent or interfere with the exercise by MUNICIPALLY the rights granted hereunder; provided, however that GRANTOR shall not be obstructed, the Easement Premises at any time whatsoever without the express prior written consent of MUNICIPALITY.

- 6. MUNICIPALITY may assign the rights granted to it hereunder to any assignce who demonstrates sufficient competence to MUNICIPALITY and gives adequate assurances to MUNICIPALITY that any work to be performed pursuant to such assignment shall be conducted in a good and workmanlike manner, and that GRAMTOR's interest in the Easement Premises shall be protected to the extent as set forth in this instrument.
- 7. All rights, titles and priviliges herein granted, including all benefits and burdens, shall run with the land and shall be binding upon and inure to the benefit of the parties to this instrument, their assigns and successors in interest.
- ** 8. GRANTOR hereby waives any right of homestead with regard to the grant and conveyance herein set forth.

IN WITNESS WHEREOF, the parties hereto have executed this instrument or have caused this instrument to be executed by their proper officers duly authorized to execute the same effective this day of

Steren Colden

(SEAL)

Elba Golden

GRANTOR (SEAL)

an Illinois Junic pal corporation

By facts a mos

City of LeRoy

, Mayor of the

Attest: (Seal)

the City of LeRoy, Illinois

Exhibit 1

A temporary working Easement 10 feet in width adjancent to and West of the previously described Easement $\rm E.$

Exhibit ?

EASEMENT C

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A strip of land 30 feet in width adjacent to and immediately South of the South right of way line of L.A.t. Route 74 described as follows: Beginning at the intersection of the said right of way line and the East line of the Southwest Quarter of the Northwest Quarter of Section 28, Fownship 22 florth, Range 4 East of the Third Principal Meridian; thence florthwesterly 560 feet on the said right of way line; thence Southerly 30 feet at right angles to the said right of way line; thence Southeasterly parallel to and 30 feet from the said right of way line to a point on the East line of the Southwest Quarter of the said Northwest Quarter; thence North on the said East line to the Point of Beginning.

Also a temporary working easement to feet in width adjacent to and immediately South of the previously described Easement C.

E OF ILLINOIS)
UNTY OF MC LEAN)

I, the undersigned, a Notary Public in and for said County and State aforesaid, DO HEREBY CERTIFY THAT Glenn Golden and Elba Golden, husband and wife, personally known to me to be the same person(s) whose name(s) are subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that they signed, sealed and delivered the said instrument as their free and voluntary act, for the uses and purposes therein set forth, including the release and waiver of the right of homestead.

1985.

My commission expires: 12-14-87

STATE OF ILLINOIS)
COUNTY OF MC LEAN)

II, the undersigned a Notary Public in and for said County and. State aforesaid, DO HEREBY CERTIFY THAT personally known to me to be the Mayor of the City of LeRoy, and

City Clerk of said city, whose names are subscribed to the foregoing instrument, appeared before me this day in person and severally and delivered said instrument of writing as Mayor and as be affixed thereto, pursuant to authority given by the City Council act and agreement of the City of LeRoy for the uses and purposes

Given under my hand and notarial seal, this _____day of

Notary Public

My commission expires:

This instrument prepared by: Hunt Henderson Attorney at Law 122 N. Chestnut St. LeRoy, IL 61752 Phone: (309)962-2791

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	MAE DEANE, Reco			Grantor	The C	ity of				
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Juanita Dagley, City Clerk

Exhibit 3 (Group) ----

STATE OF ILLINOIS) SS. COUNTY OF MC LEAN) for said County in the Stapersonally known to me to Illinois, and JUANITA DAGL the City of LeRoy, whose mappeared before me this dasuch Mayor and City Clerk, of writing as Mayor and as caused the seal of said mupursuant to authority give corporation as their free act and deed of said munic set forth.	ate aforesaid, be the Mayor of EY, personally mames are subscapy in person and they signed as City Clerk of unicipal corporand voluntary	f the City of Ler known to me to b ribed to the fore d severally acknownd delivered the said municipal c ation to be affix rate authorities act and as the fr	, that JACK W. MOSS oy, McLean County, e the City Clerk of going instrument, wledged that as said instrument orporation, and ed thereto, of said municipal
GIVEN under my hand a	ind notarial se	al, thisd	ay of May, 1986.
		Notary Publi	
		Notary Publi	с ,
			
SEND SUBSEQUENT TAX BILLS TO	O: Glen Gol	den, (NAME)	
• .		(ADDRESS)	Roy, IL 61752
This instrument was prepared by			
(Name) Hunt Henderson		ress) 122 N. Chestnur LeRoy, IL 6179	St.,
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	. No.	.	•
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QUIT - CLAIM DEED BY CORPORATION To	ATE OF ILLINOIS. S. santy of McLean, Ss. Recorder's Office I, MAE DEANE Recorder of Deeds within and for the County and State aforeaid. Seriely certify that the within and foregoing summent of writing was flied for record on the	at	2
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- FFB 21 1985 952 A

SEWER LINE EASEMENT TO MUNICIPALITY

GRANTOR (S), GLENN & ELBA GOLDEN, husband and wife,

of LeRoy , McLean County, IIIInois (hereinafter referred to as GRANTOR), in consideration of ONE DOLLAR (\$1.00) in hand paid and other good and valuable consideration, dox xx hereby agree with the CITY OF LEROY, McLean County, Illinois, an Illinois municipal corporation, as follows, and dox xx hereby grant to the CITY OF LEROY, McLean County, Illinois (hereinafter referred to as MUNICIPALITY), a Permanent Easement across the following described premises (hereinafter referred to as the "Easement Premises"):

EASEMENT "F"- A strip of land 30 feet in width off the West side of the Southwest Quarter of the Northwest Quarter of Section 28, Township 22 North, Range 4 East of the Third Principal Meridian, extending from the South line of the previously described Easement D to the North right of way line of County Highway 21, in McLean County, Illinois;

and a Temporary Easement effective until completion of construction over the premises described in Exhibit 1 attached hereto and incorporated herein by this reference for the purpose of constructing, re- unconstructing, installing, repairing and maintaining from time to time any and all utility facilities located in, along and upon the Easement Premises.

- 1. The parties have determined that it is in their best interest for GRANTOR to grant and for MUNICIPALITY to accept this easement in along the Easement Premises for public sewer line purposes. The easement granted herein shall be for the limited and exclusive purposes of surveying, constructing, operating, maintaining, testing, inspecting, repairing, removing, replacing or abondoning in place and controlling, underground pipelines and mains for the conveyance of sewage in, over, across, through and under the Easement Premises, together with all reasonable rights of ingress and egress across adjoining lands owned by GRANTOR necessary for the exercise of the rights herein granted. Said easement rights are granted to MUNICIPALITY, its agents, employees, contractors and assignces.
- 2. MUNICIPALITY will save and hold-GRANTOR harmless from all claims, causes and actions, and suits, damages or demands whatsover in law and in equity which may arise out of, or as a consequence of the negligence of MUNICIPALITY, or its authorized agents, servants or employees, in maintaining, repairing and utilizing said utility facil-
- easements over, along or upon the Casement Premises; provided, however, that any such other easements shall be subject to the easement hereby granted; and providing further, that MUNICIPALITY shall have first consented in writing to the terms, nature and location of any under.

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- 4. Special conditions relating to this Grant of Easement:
- A. All manholes placed in the sewer lines constructed upon the aforesaid easements and located within tillable acreage areas will be buried a minimum of 2 feet below the natural ground surface so as not to interfere with the farming operation.
- B. Where practical, all top soil will be separated and placed at the top portion of the backfill of the excavation.
- C. All areas disturbed not within tillable acreages will be reshaped and seeded with Kentucky Blue grass.
- D. All driveways and lanes crossed by the easement premises will be replaced in kind as to portions crossed and restored to their original condition.
- E. All active drainage tiles encountered within the easement premises during the time of construction will be repaired and restored to their normal service capability.
- F. Care will be taken by City, its agents, employees and contractors to preserve as much of the existing shrubbery and as many of the existing trees as possible between Stations 24+00 and 26+00. City will not be responsible for any damage to such trees or shrubbery and shall not be liable or responsible for replacing any of the same.
- G. If the existing sanitary sewer service from the house located west of Station 24+00 is encountered during construction, it will be connected to the new sewer at no charge. If this sanitary sewer service is not encountered the owner may in the future connect to the new sanitary sewer at his own expense and City will not assess a tap on fee for this connection.
- H. City shall reimburse GRANTOR for any damage caused to GRANTOR's crops during construction of the sewer line or for any damages that may be caused at any later time to GRANTOR's crops during any maintenance work or operations carried out by or for said City on said sewer line or any additional sewer line placed in said easement.

5. GRANTOR reserves the right to use the Easement Premises in any sanner that will not prevent or interfere with the exercise by MUNICIPALIT of the rights granted hereunder; provided, however that GRANTOR shall not abstruct, or permit to be obstructed, the Easement Premises at any time whatsoever without the express prior written consent of MUNICIPALITY.

- 6. MUNICIPALITY may assign the rights granted to it hereunder to any assignee who demonstrates sufficient competence to MUNICIPALITY and gives adequate assurances to MUNICIPALITY that any work to be performed pursuant to such assignment shall be conducted in a good and workmanlike manner, and that GRANTOR's interest in the Easement Premises shall be protected to the extent as set forth in this instrument.
- 7. All rights, titles and priviliges herein granted, including all benefits and burdens, shall run with the land and shall be binding upon and inure to the benefit of the parties to this instrument, their respective heirs, executors, admininstrators, legal representatives, assigns and successors in interest.
- \$. GRANTOR hereby waives any right of homestead with regard to the grant and conveyance herein set forth.

IN WITNESS WHEREOF, the parties hereto have executed this instrument . or have caused this instrument to be executed by their proper officers duly authorized to execute the same effective this day of

CITY OF 1): ROY, McLean County, Illinois, an Il Vinyis municipal corporation

By Alekku Mass

City of LeRoy

the City of LeRoy, Illinois

Exhibit 1

. • . •

A temporary working easement 10 feet in width adjacent to and East of the previously described Easement F.

STATE OF ILLINOIS)	
) SS COUNTY OF MC LEAN)	• .
whose name(s) are subscribed to the before me this day in person and a	
My *commission expires: 12-14-87	ACCULA LOCATA LOCATA
	Appen A
STATE OF ILLINOIS) COUNTY, OF MC LEAN)	· ·
City Clerk of said city, foregoing instrument, appeared befacknowledged that as such Mayor and and delivered said city, and cause be affixed thereto, pursuant to au of said city as a free and volunta act and agreement of the City of L therein set forth.	ayor of the City of LeRoy, and personally known to me to be the whose names are subscribed to the ore me this day in person and severall d City Clerk, they signed riting as Mayor and as d the seal of the City of LeRoy to thority given by the City Council.
	Notary Public
My commission expires:	

- 4 --

This instrument prepared by:
Hunt Henderson
Attorney at Law
122 N. Chestnut St.
LeRoy, IL 61752
Phone: (309) 962-2791

e C

GRANT OF SEWER LINE EASEMENT TO MUNICIPALITY

GRANTOR (S), GLENN & ELBA GOLDEN, husband and wife,

of LeRoy , McLean County, Illinois (hereinafter referred to as GRANTOR), in consideration of ONE DOLLAR (\$1.00) in hand paid and other good and valuable consideration, do/#DRX hereby agree with the CITY OF LEROY, McLean County, Illinois, an Illinois municipal corporation, as follows, and do/#QRX hereby grant to the CITY OF LEROY, McLean County, Illinois (hereinafter referred to as MUNICIPALITY), a Permanent Easement across the following described premises (hereinafter referred to as the "Easement Premises"):

EASEMENT "G" - A strip of land 55 feet in width off the East side of the Southwest Quarter of the Northwest Quarter of Section 28, Township 22 North, Range 4 East of the Third Principal Meridian described as follows: Beginning at a point on the East line of the Southwest Quarter of said Northwest Quarter of Section 28, a distance of 245.3 feet North of the Southeast corner of the Southwest Quarter of the said Northwest Quarter; thence West 55 feet at right angles to the said East line; thence North on a line parallel with the said East line to the South line of Easement "C" as that easement is described in a Grant of Sewer Line Easement to Municipality dated February 18, 1985, recorded February 21, 1985 as Document No. 85-1881 in the office of the Recorder of Deeds in McLean County, Illinois, being an easement granted by Grantors herein to the City of LeRoy; thence easterly on the South line of the previously described Easement "C" to the said East line; thence South on the said East line to point of beginning, all in McLean County, Illinois; and a Temporary Easement effective until completion of construction, over the premises described in Exhibit \underline{l} attached hereto and incorporated herein by this reference for the purpose of constructing, reconstructing, installing, repairing and maintaining from time to time any and all utility facilities located in, along and upon the Easement Premises.

- 1. The parties have determined that it is in their best interest for GRANTOR to grant and for MUNICIPALITY to accept this easement in and along the Easement Premises for public sewer line purposes. The easement granted herein shall be for the limited and exclusive purposes of surveying, constructing, operating, maintaining, testing, inspecting, repairing, removing, replacing or abondoning in place and controlling, underground pipelines and mains for the conveyance of sewage in, over, across, through and under the Easement Premises, together with all reasonable rights of ingress and egress across adjoining lands owned by GRANTOR necessary for the exercise of the rights herein granted. Said easement rights are granted to MUNICIPALITY, its agents, employees, contractors and assignees.
- 2. MUNICIPALITY will save and hold GRANTOR harmless from all claims, causes and actions, and suits, damages or demands whatsover in law and in equity which may arise out of, or as a consequence of the negligence of MUNICIPALITY, or its authorized agents, servants or employees, in maintaining, repairing and utilizing said utility facilities and easements.
- 3. GRANTOR shall have the right to grant other nonexclusive easements over, along or upon the Easement Premises; provided, however, that any such other easements shall be subject to the easement hereby granted; and providing further, that MUNICIPALITY shall have first consented in writing to the terms, nature and location of any such other easements as not interfering with the rights granted hereunder.

- 4. Special conditions relating to this Grant of Easement:
- A. All manholes placed in the sewer lines constructed upon the aforesaid easements and located within tillable acreage areas will be buried a minimum of 2 feet below the natural ground surface so as not to interfere with the farming operation.
- B. Where practical, all top soil will be separated and placed at the top portion of the backfill of the excavation.
- C. All areas disturbed not within tillable acreages will be reshaped and seeded with Kentucky Blue Grass.
- D. All driveways and lanes crossed by the easement premises will be replaced in kind as to portions crossed and restored to their original condition.
- E. All active drainage tiles encountered within the easement premises during the time of construction will be repaired and restored to their normal service capability.
- f. Care will be taken by City, its agents, employees and contractors to preserve as much of the existing shrubbery and as many of the existing trees as possible between Stations 24+00 and 26+00. City will not be responsible for any damage to such trees or shrubbery and shall not be liable or responsible for replacing any of the same.
- G. If the existing sanitary sewer service from the house located west of Station 24+00 is encountered during construction. It will be connected to the new sewer at no charge. If this sanitary sewer service is not encountered the owner may in the future connect to the new sanitary sewer at his own expense and City will not assess a tap on fee for this connection.
- H. City shall reimburse GRANTOR for any damage caused to GRANTOR's crops during construction of the sewer line or for any damages that may be caused at any later time to GRANTOR's crops during any maintenance work or operations carried out by or for said City on said sewer line or any additional sewer line placed in said easement.

- 5. GRANTOR reserves the right to use the Easement Premises in any manner that will not prevent or interfere with the exercise by MUNICIPAL of the rights granted hereunder; provided, however that GRANTOR shall not obstruct, or permit to be obstructed, the Easement Premises at any time whatsoever without the express prior written consent of MUNICIPALITY.
- 6. MUNICIPALITY may assign the rights granted to it hereunder to any assignee who demonstrates sufficient competence to MUNICIPALITY and gives adequate assurances; to MUNICIPALITY that any work to be performed pursuant to such assignment shall be conducted in a good and workmanlike manner, and that GRANTOR's interest in the Easement Premises shall be protected to the extent as set forth in this instrument.
- 7. All rights, titles and priviliges herein granted, including all benefits and burdens, shall run with the land and shall be binding upon and inure to the benefit of the parties to this instrument, their respective heirs, executors, admininstrators, legal representatives, assigns and successors in interest.
- 8. GRANTOR hereby waives any right of homestead with regard to the grant and conveyance herein set forth.

IN WITNESS WHEREOF, the parties hereto have executed this instrumen or have caused this instrument to be executed by their proper officers duly authorized to execute the same effective this ______ day of

Glenn Golden	GRANTOR	_(SEAL)
Elba Golden	, GRANTOR	_(SEAL)

CITY OF LE ROY, McLean County, Illinois, an Illinois municipal corporation

By

Jack W. Moss , Mayor of the City of LeRoy

Attest: (seal)

Juanita Dagley , City Clerk of the City of LeRoy, Illinois

•		
	STATE OF ILLINOIS)	
	COUNTY OF MC LEAN)	
	I, the undersigned, a Notary Public in and for said County and State aforesaid, DO HEREBY CERTIFY THAT Glenn Golden and Elba Golden, husband and wife, personally known to me to be the same person(s) whose name(s) _are subscribed to the foregoing instrument, appeared before me this day in person and released.)
	before me this day in person and acknowledged that they signed, sealed and delivered the said instrument as their free and voluntary act, for the uses and purposes therein set forth, including the release and waiver of the right of homestead.	
	Given under my hand and notarial seal, thisday of	
	Notary Public	
	My commission expires:	
	A STATE OF THE STA	
	STATE OF ILLINOIS)	
	COUNTY OF MC LEAN)	
	I, the undersigned a Notary Public in and for said County and State aforesaid, DO HEREBY CERTIFY THAT Jack W. Moss personally known to me to be the Mayor of the City of LeRoy, and Juanita Dagley	
	City Clerk of said city, whose names are subscribed to the foregoing instrument, appeared before me this day in person and severally	у
	acknowledged that as such Mayor and and delivered said instrument of writing as Mayor and as City Clerk of said city, and caused the seal of the City of LeRoy to be affixed thereto, pursuant to authority given by the City Council of said city as a free and voluntary act, and as the free and voluntary	
	act and agreement of the City of LeRoy for the uses and purposes therein set forth.	
. •	Given under my hand and notarial seal, this day of, 19_86.	
	Notary Public	
	My commission expires:	

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EXHIBIT 1

A temporary working easement 10 feet in width adjacent to and along both sides of the previously described Easement "G", in McLean County, Illinois.

GRANT OF SEWER LINE EASEMENT TO MUNICIPALITY

GRANTOR (S), GLENN & ELBA GOLDEN, husband and wife,

of LeRoy , McLean County, Illinois (hereinafter referred to as GRANTOR), in consideration of ONE DOLLAR (\$1.00) in hand paid and other good and valuable consideration, do/does hereby agree with the CITY OF LEROY, McLean County, Illinois, an Illinois municipal corporation, as follows, and do/does hereby grant to the CITY OF LEROY, McLean County, Illinois (hereinafter referred to as MUNICIPALITY), a Permanent Easement across the following described premises (hereinafter referred to as the "Easement Premises"):

EASEMENT "H" - A strip of land 25 feet in width adjacent to and immediately North of and West of the Right-of-way line of S.A. Route 22 (County Highway 21) extending through the entire Southwest Quarter of the Northwest Quarter of Section 28, Township 22 North, Range 4 East of the Third Principal Meridian, said easement extends from the West line of said Southwest Quarter easterly and northerly to the North line of Easement "G" as previously described in a Grant of Sewer Line 1986, as Document No. 86-, in the Office of the Recorder of Deeds to the City of LeRoy, and the easement granted by Grantors herein described as per the pictorial description set forth in Exhibit 2 platted easement way giving the dimensions and location of the aforesaid easement being granted herein (Easement "H"), all in McLean County,

and a Temporary Easement effective until completion of construction, over the premises described in Exhibit \underline{l} attached hereto and incorporated herein by this reference for the purpose of constructing, reconstructing, installing, repairing and maintaining from time to time any and all utility facilities located in, along and upon the Easement Premises.

- 1. The parties have determined that it is in their best interest for GRANTOR to grant and for MUNICIPALITY to accept this easement in and along the Easement Premises for public sewer line purposes. The easement granted herein shall be for the limited and exclusive purposes of surveying, constructing, operating, maintaining, testing, inspecting, repairing, removing, replacing or abondoning in place and controlling, underground pipelines and mains for the conveyance of sewage in, over, across, through and under the Easement Premises, together with all reasonable rights of ingress and egress across adjoining lands owned by GRANTOR necessary for the exercise of the rights herein granted. Said easement rights are granted to MUNICIPALITY, its agents, employees, contractors and assignees.
- 2. MUNICIPALITY will save and hold GRANTOR harmless from all claims, causes and actions, and suits, damages or demands whatsover in law and in equity which may arise out of, or as a consequence of the negligence of MUNICIPALITY, or its authorized agents, servants or employees, in maintaining, repairing and utilizing said utility facilities and easements.
- 3. GRANTOR shall have the right to grant other nonexclusive easements over, along or upon the Easement Premises; provided, however, that any such other easements shall be subject to the easement hereby granted; and providing further, that MUNICIPALITY shall have first consented in writing to the terms, nature and location of any such other easements as not interfering with the rights granted hereunder.

- 4. Special conditions relating to this Grant of Easement:
- A. All manholes placed in the sewer lines constructed upon the aforesaid easements and located within tillable acreage areas will be buried a minimum of 2 feet below the natural ground surface so as not to interfere with the farming operation.
- B. Where practical, all top soil will be separated and placed at the top portion of the backfill of the excavation.
- C. All areas disturbed not within tillable acreages will be reshaped and seeded with Kentucky Blue Grass.
- D. All driveways and lanes crossed by the easement premises will be replaced in kind as to portions crossed and restored to their original condition.
- E. All active drainage tiles encountered within the easement premises during the time of construction will be repaired and restored to their normal service capability.
- F. Care will be taken by City, its agents, employees and contractors to preserve as much of the existing shrubbery and as many of the existing trees as possible between Stations 24+00 and 26+00. City will not be responsible for any damage to such trees or shrubbery and shall not be liable or responsible for replacing any of the same.
- G. If the existing sanitary sewer service from the house located west of Station 24+00 is encountered during construction, it will be connected to the new sewer at no charge. If this sanitary sewer service is not encountered the owner may in the future connect to the new sanitary sewer at his own expense and City will not assess a tap on fee for this connection.
- H. City shall reimburse GRANTOR for any damage caused to GRANTOR's crops during construction of the sewer line or for any damages that may be caused at any later time to GRANTOR's crops during any maintenance work or operations carried out by or for said City on said sewer line or any additional sewer line placed in said easement.

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- 5. GRANTOR reserves the right to use the Easement Premises in any manner that will not prevent or interfere with the exercise by MUNICIPALI of the rights granted hereunder; provided, however that GRANTOR shall not obstruct, or permit to be obstructed, the Easement Premises at any time whatsoever without the express prior written consent of MUNICIPALITY.
- 6. MUNICIPALITY may assign the rights granted to it hereunder to any assignee who demonstrates sufficient competence to MUNICIPALITY and gives adequate assurances to MUNICIPALITY that any work to be performed pursuant to such assignment shall be conducted in a good and workmanlike manner, and that GRANTOR's interest in the Easement Premises shall be protected to the extent as set forth in this instrument.
- 7. All rights, titles and priviliges herein granted, including all benefits and burdens, shall run with the land and shall be binding upon and inure to the benefit of the parties to this instrument, their respective heirs, executors, admininstrators, legal representatives, assigns and successors in interest.
- 8. GRANTOR hereby waives any right of homestead with regard to the grant and conveyance herein set forth.

IN WITNESS WHEREOF, the parties hereto have executed this instrument or have caused this instrument to be executed by their proper officers duly authorized to execute the same effective this ______day of

		(SEAL)
Glenn Golden	, GRANTOR	
		(SEAL)
Elba Golden	.GRANTOR	

CITY OF LE ROY, McLean County, Illinois, an Illinois municipal corporation

By

Jack W. Moss , Mayor of the City of LeRoy

Attest: (seal)

Juanita Dagley , City Clerk of the City of LeRoy, Illinois

STATE OF ILLINOIS)	
COUNTY OF MC LEAN)	•
I, the undersigned, a Notary Public State aforesaid, DO HEREBY CERTIFY THAT Ghusband and wife, personally known whose name(s) are subscribed to the foregoes before me this day in person and acknowled and delivered the said instrument as their the uses and purposes therein set forth, waiver of the right of homestead.	to me to be the same person (Ding instrument, appeared lighted that they signed sealed
Given under my hand and notarial seat	, thisday of
	Notes D. M. I.
My complete :	Notary Public
My commission expires:	
	` \
•	
	•
STATE OF ILLINOIS)	
) (0	
COUNTY OF MC LEAN)	
I, the undersigned a Notary Public in State aforesaid, DO HEREBY CERTIFY THAT J personally known to me to be the Mayor of Juanita Dagley	ack W. Moss
City Clerk of said ala	ly known to me to be the
foregoing instrument, appeared before me thacknowledged that as such Mayor and	his day in person and several
and delivered said instrument of	tity tierk, they signed
Lity Clerk of said city and assert	and as
be affixed thereto, pursuant to authority of said city as a free and voluntary act	liven by the City Council
of said city as a free and voluntary act, act and agreement of the City of LeRoy for	and as the free and voluntary
act and agreement of the City of LeRoy for therein set forth.	the uses and purposes
Cluence	
Given under my hand and notarial seal,	thisday of
, 1, 0, 0	
	Notary Public
My commission expires:	

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EXHIBIT 1

A temporary working easement 10 feet in width adjacent to and along both sides of the previously described Easement "H", in McLean County, Illinois.

Exhibita (of Ex.5)

CERTIFICATE

I, Juanita Dagley , certify that I am the duly elected and acting municipal clerk of the City of LeRoy , McLean County, Illinois.
I further certify that on May 5, 19 86, the Corporate Authorities of such municipality passed and approved Ordinance No. 274, entitled:
RELEASE OF EASEMENTS IN CONSIDERATION OF GRANTING OF NEW EASEMENTS FOR PORTION OF EXTENSION OF THE SEWER SYSTEM OF THE CITY OF LE ROY,
which provided by its terms that it should be published in pamphlet form.
The pamphlet form of Ordinance No. 274 , including the Ordinance and a cover sheet thereof was prepared, and a copy of such Ordinance was posted in the municipal building, commencing on May 6 , 19 86 , and continuing for at least ten days thereafter. Copies of such Ordinance were also available for public inspection upon request in the office of the municipal clerk.
of May , 19 86.
(seal)
Rearita Lagley Municipal Clerk

STATE OF ILLINOIS)

SS

COUNTY OF MC LEAN)

I, Juanita Dagley, , do hereby certify that I am the duly qualified and acting City Clerk of the City of LeRoy, McLean County, Illinois, and as such City Clerk that I am the keeper of the records and files of the Mayor and the City Council of said City.

I do further certify that the foregoing is a true, correct and complete copy of an ordinance entitled:

RELEASE OF EASEMENTS IN CONSIDERATION OF GRANTING OF NEW EASEMENTS FOR PORTION OF EXTENSION OF THE SEWER SYSTEM OF THE CITY OF LE ROY.

Dated this 6th day of May , 19 86 .

peanets dagley
City Clerk

(seal)

STATE OF ILLINOIS)

(SS COUNTY OF MC LEAN)

I, Juanita Dagley, , do hereby certify that I am the duly qualified and acting City Clerk of the City of LeRoy, McLean County, Illinois, and as such City Clerk that I am the keeper of the records and files of the Mayor and the City Council of said City.

I do further certify that the foregoing is a true, correct and complete copy of an ordinance entitled:

RELEASE OF EASEMENTS IN CONSIDERATION OF GRANTING OF NEW EASEMENTS FOR PORTION OF EXTENSION OF THE SEWER SYSTEM OF THE CITY OF LE ROY.

That said ordinance was adopted by the Mayor and City Council of the City of LeRoy at a regular meeting on the _5th __day of __May _____, 19_86_, and that a faithful record of said ordinance has been made in the record books.

Dated this 6th day of May , 19 86 .

city Clerk J

(seal)