

VILLAGE OF GILBERTS

RESOLUTION 32-2024

A RESOLUTION ACCEPTING A GRANT OF EASEMENT FOR AN ELECTRICAL CONDUIT (FREEMAN PARK)

WHEREAS, the Village of Gilberts (“*Village*”) is a non-home rule municipality organized and operating pursuant to the Constitution and laws of the State of Illinois; and

WHEREAS, pursuant to the Illinois Municipal Code, the Village may accept easements and public grounds located within its corporate limits via dedication, 65 ILCS 5/11-105-1; and

WHEREAS, Conservancy Townhome Rentals, LLC (“*Owner*”) is the legal title owner of the property known as Outlot B2 in the Conservancy Neighborhood 2B-1 (“*Property*”); and

WHEREAS, the Owner desires to grant and dedicate, and the Village desires to accept, a permanent easement for the Village to construct, reconstruct, repair, inspect, maintain, and operate an electrical conduit on the Property (“*Easement*”); and

WHEREAS, the Village Board of Trustees hereby find and determine that it is in the Village’s best interests to accept the grant of the Easement and that approving and accepting the Easement will advance the Village’s interests and promote the public health, safety, and welfare.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE VILLAGE OF GILBERTS, IN KANE COUNTY, ILLINOIS, as follows:

Section 1. **Recitals.** The recitals set forth above are hereby incorporated into this Resolution as if set forth in full herein.

Section 2. **Approval.** The Village hereby accepts the grant of the Easement from the Owner, pursuant to the Grant of Easement attached hereto and incorporated herein as **Exhibit A**, and the Village President and Village Clerk are authorized and directed to execute the Easement on the Village’s behalf.

Section 3. **Authority.** The Village President and Village Administrator are authorized and directed to take all steps necessary to implement and enforce the Easement.

Section 4. **Conflict.** All resolutions, or parts thereof, in conflict with the provisions of this Resolution are, to the extent of the conflict, expressly repealed on the effective date of this resolution.

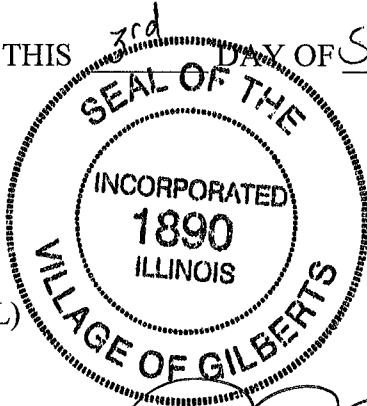
Section 5. **Severability.** All provisions of this Resolution shall be deemed severable. In the event any provision of this Resolution, or any application thereof, shall be found invalid or unenforceable, such finding shall not affect all other provisions of this Resolution and all other lawful applications thereof.

Section 6. Effective Date. This Resolution shall be in full force and effect from and after its passage and approval.


PASSED BY THE BOARD OF TRUSTEES of the Village of Gilberts, Kane County, Illinois, this 3rd day of September, 2024.

	<u>Ayes</u>	<u>Nays</u>	<u>Absent</u>	<u>Abstain</u>
Trustee Robert Vanni	X	_____	_____	_____
Trustee Robert Chapman	X	_____	_____	_____
Trustee Justin Redfield	X	_____	_____	_____
Trustee Jeanne Allen	X	_____	_____	_____
Trustee Frank Marino	X	_____	_____	_____
Trustee Brandon Coats	X	_____	_____	_____
President Guy Zambetti	_____	_____	_____	_____

APPROVED THIS 3rd DAY OF September, 2024.




(SEAL)



 Guy Zambetti, Village President

ATTEST:



 Lynda Lange, Village Clerk

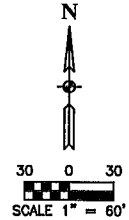
Exhibit A

Grant of Easement

(See attached)

GRANT OF EASEMENT

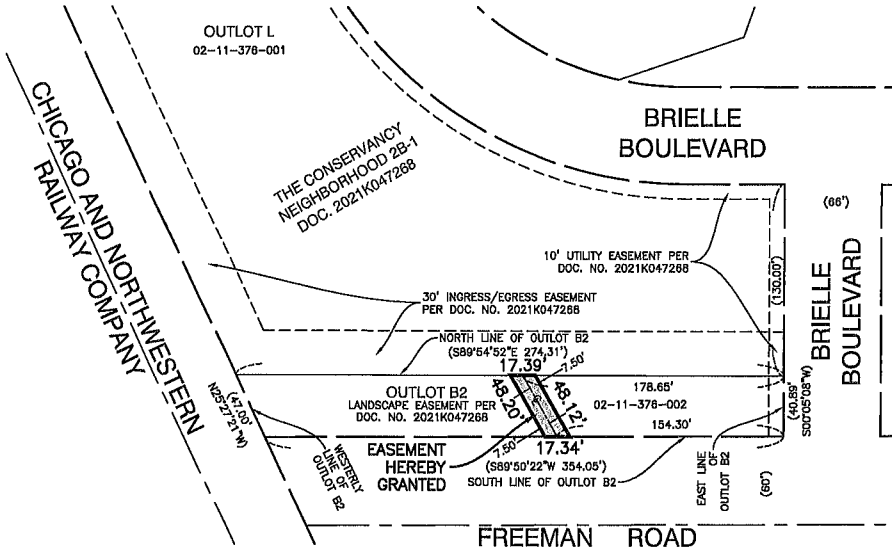
TO THE VILLAGE OF GILBERTS FOR AN ELECTRICAL CONDUIT



THAT PART OF OUTLOT B2 IN THE CONSERVANCY NEIGHBORHOOD 2B-1 SUBDIVISION BEING PART OF SECTION 11, TOWNSHIP 42 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JUNE 21, 2021 AS DOCUMENT 2021K047268, BEING A 15.00 FEET WIDE STRIP OF LAND LYING 7.50 FEET ON BOTH SIDES OF A CENTER LINE DESCRIBED AS BEGINNING AT A POINT ON THE SOUTH LINE OF SAID OUTLOT B2 WHICH POINT IS 184.30 FEET WEST OF THE SOUTHEAST CORNER OF SAID OUTLOT B2 TO A POINT ON THE NORTH LINE OF SAID OUTLOT B2 WHICH POINT IS 178.65 FEET WEST OF THE NORTHEAST CORNER OF SAID OUTLOT B2, BOTH SIDES BEING EXTENDED TO OR TRUNCATED BY SAID SOUTH AND NORTH LINES OF OUTLOT B2, IN KANE COUNTY, ILLINOIS.

AREA = 722 SQ. FT. OR 0.017 ACRES

AFFECTS PIN: 02-11-378-002



State of Illinois }
County of Will } SS

I, Bradley K. Lueders, an Illinois Professional Land Surveyor, do hereby state that I have prepared the hereon drawn plat, for the purpose of granting an easement as described hereon for an electrical conduit.

Dated in Frankfort, Illinois, May 3, 2024.

Bradley K. Lueders
License Number 035-003408
Expires November 30, 2024



Approved by the President and the Board of Trustees of the

Village of Gilberts, Illinois, at a meeting held this _____

day of _____ of 20____.

By: _____
Village President

Attest: _____
Village Clerk

EASEMENT PROVISIONS

AN EASEMENT IS RESERVED FOR AND GRANTED TO THE VILLAGE OF GILBERTS AND THEIR SUCCESSORS AND ASSIGNS OVER THE AREA MARKED "EASEMENT HEREBY GRANTED" ON THE PLAT FOR THE PERPETUAL RIGHT, PRIVILEGE AND AUTHORITY TO CONSTRUCT, RECONSTRUCT, REPAIR, INSPECT, MAINTAIN, AND OPERATE AN ELECTRICAL CONDUIT AND RELATED ELECTRICAL LINES 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 WORKERS AND EQUIPMENT TO DO ANY OF THE ABOVE WORK. THE RIGHT IS ALSO GRANTED TO CUT DOWN, TRIM, OR REMOVE ANY TREES, SHRUBS, PLANTS, OR OTHER APPURTENANCES ON THE EASEMENT THAT INTERFERE WITH THE OPERATION OF THE ELECTRICAL CONDUIT, LINES AND STRUCTURES. NO PERMANENT STRUCTURES SHALL BE PLACED ON SAID EASEMENT BUT SAME MAY BE USED AT THE RISK OF THE OWNER FOR GARDENS, SHRUBS, LANDSCAPING, OR OTHER PURPOSES THAT DO NOT THEN OR LATER INTERFERE WITH THE AFORESAID USES OR RIGHTS, WITHOUT PRIOR WRITTEN AUTHORIZATION FROM THE VILLAGE OF GILBERTS.

State of _____ }
County of _____ } SS

The undersigned, Midland State Bank, 1201 Network Centre Drive, Effingham, Illinois, 62401, does hereby certify that they are a mortgagee under a mortgage agreement dated October 29, 2020, and recorded November 4, 2020 as Document No. 2020K088440 of the property described hereon and does hereby agree and consent to said property being granted for an easement as shown hereon.

Dated this _____ day of _____, 20____.

By: _____ Attest: _____

Title: _____ Title: _____

State of Illinois }
County of _____ } SS

This instrument was acknowledged before me on the _____ day

of _____, 20____.

by _____

Notary Public
My Commission Expires _____

State of _____ }
County of _____ } SS

The undersigned, Conservancy Townhome Rentals, LLC, does hereby certify that it is the owner of the property described hereon and that it has caused said property to be granted for an easement as shown hereon.

Dated this _____ day of _____, 20____.

Conservancy Townhome Rentals, LLC
340 West Butterfield Road 2D
Elmhurst, Illinois 60126-5042

By: _____

Attest: _____

State of _____ }
County of _____ } SS

This instrument was acknowledged before me on the _____ day

of _____, 20____ by _____

Notary Public
My Commission Expires _____

Note:
(XXX.XX') Denotes record dimension or dimension computed from record dimension values.
XXX.XX' Denotes measured dimension or dimension computed from measured dimension values.

Do not fold original mylar plat.

Upon recordation of this document, return signed original or copy thereof to the following:

Robinson Engineering, Ltd.
10045 W. Lincoln Highway
Frankfort, Illinois 60423
(815) 806-0300

Attention: Survey Department

DISCLAIMER:

Robinson Engineering, Ltd., and the employees do not warrant or guarantee the accuracy of the information relative to the ownership of the property covered by this instrument.

A thorough search of the title should be made prior to any reliance on the ownership indicated herein. Use of this instrument as evidence of title is done at the user's risk.

My Commission Expires **23-R0321**

ROBINSON ENGINEERING, LTD.		REVISIONS	
CONSULTING REGISTERED PROFESSIONAL ENGINEERS AND PROFESSIONAL LAND SURVEYORS		No.	Date
10045 W. LINCOLN HIGHWAY FRANKFORT, ILLINOIS 60423 (815) 806-0300 Web: www.relltd.com		Remarks	
© COPYRIGHT 2024 ILLINOIS DESIGN FIRM REGISTRATION NO. 184001128.			
FOR: THE VILLAGE OF GILBERTS 87 GALLIGAN ROAD GILBERTS, IL 60136			
Drawn by: B.K.L.	Date: 5-3-2024		
Checked by: K.M.	Scale: 1" = 60'		
Sheet 1 of 1	Project No. 23-R0321		