

**AGENDA ITEM EXECUTIVE SUMMARY**

Agenda Item number: 5.f

Title:

Recommendation to Approve Acceptance of Electric Easement at Metro Self Storage (2623 Lincoln Hwy)

Presenter:

Tom Bruhl

Meeting: Government Services Committee

Date: October 23, 2017

Proposed Cost: \$0

Budgeted Amount: \$0

Not Budgeted: ☐**Executive Summary** (*if not budgeted please explain*):

The Electric Utility recently extended the City's electrical system onto the Metro Self Storage property. The developer has provided an easement for the new underground lines and equipment to give the City the right to own and operate the utility infrastructure.

Attachments (*please list*):

* Plat of Easement

Recommendation/Suggested Action (*briefly explain*):

Recommendation to Authorize Mayor and City Clerk to Execute Electric Utility Easement at Metro Self Storage (2623 Lincoln Hwy).

PLAT OF EASEMENT GRANT

TO
THE CITY OF ST. CHARLES, ILLINOIS
FOR UTILITY PURPOSES

LINCOLN

(ILLINOIS RT. 38)

HIGHWAY



1" = 40'

LOT 1
METRO STORAGE ST. CHARLES SUBDIVISION
RECORDED SEPTEMBER 30, 2016 AS DOC. 2016K053063

3 STORY SELF STORAGE BUILDING

EASEMENT PREMISES

18.58
N09°09'18"E
P.O.B.
89.39
S86°07'54"E
P.O.C. SE CORNER OF LOT 1
25.47
N83°21'38"W
64.70
N86°07'54"W
19.75
S06°39'22"W

MAYOR

CITY CLERK

STATE OF ILLINOIS)
COUNTY OF KANE) SS

I, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR THE COUNTY AND STATE AFORESAID,
DO HEREBY CERTIFY THAT _____ PERSONALLY
KNOWN TO ME TO BE THE MAYOR OF THE CITY OF ST. CHARLES, A MUNICIPAL CORPORATION

AND _____ THE CITY CLERK
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
MAYOR AND CITY CLERK OF SAID CORPORATION, AND CAUSED THE CORPORATE SEAL OF SAID
CORPORATION TO BE AFFIXED THERETO, PURSUANT TO AUTHORITY, GIVEN BY THE COUNCIL OF THE
CITY OF ST. CHARLES 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.

GIVEN UNDER MY HAND AND OFFICIAL SEAL THIS _____ DAY OF _____, A.D. 2017
MY COMMISSION EXPIRES: _____

NOTARY PUBLIC

TAX PARCEL PERMANENT INDEX NUMBER: 09-32-400-030-0000

PREPARED BY:
EDWARD J. MOLLOY & ASSOCIATES

A DIVISION OF THOMAS A. MOLLOY, LTD. - PROFESSIONAL LAND SURVEYING
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BY LIMITED LIABILITY COMPANY

CITY OF ST. CHARLES, ILLINOIS

UTILITY EASEMENT

THIS INDENTURE, MADE IN THE CITY OF ST. CHARLES, STATE OF ILLINOIS BY AND BETWEEN METRO
STORAGE ST CHARLES LLC, (HEREINAFTER REFERRED TO AS "LIMITED LIABILITY COMPANY") AND THE
CITY OF ST. CHARLES, A MUNICIPAL CORPORATION, ORGANIZED AND EXISTING UNDER THE LAWS OF
THE STATE OF ILLINOIS, OF KANE AND DUPAGE COUNTIES, ILLINOIS (HEREINAFTER REFERRED TO AS
"CITY")

WITNESSETH: THAT LIMITED LIABILITY COMPANY IN CONSIDERATION OF THE SUM OF TEN(\$10.00)
DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION PAID TO HIM BY CITY. THE RECEIPT AND
SUFFICIENCY OF WHICH IS HEREBY ACKNOWLEDGED DOES HEREBY GRANT AND GIVE UNTO THE CITY A
PERPETUAL EASEMENT OVER, UNDER AND UPON THE FOLLOWING DESCRIBED REAL ESTATE FOR THE
CONSTRUCTION, RECONSTRUCTION, RESTORATION, MAINTENANCE, REVIEW, ACCESS AND REPAIR OF
PUBLIC ELECTRIC UTILITY FACILITIES INCLUDING, BUT NOT LIMITED TO POLES, COMMUNICATION
EQUIPMENT, CABLE TELEVISION, SERVICE CONNECTIONS, AND SUCH APPURTENANCES AND ADDITIONS
THERETO AS SAID CITY MAY DEEM NECESSARY, TOGETHER WITH THE RIGHT OF ACCESS THERETO FOR
THE NECESSARY PERSONNEL AND EQUIPMENT TO DO ANY OR ALL OF THE ABOVE WORK PROVIDED,
THE RIGHT IS ALSO HEREBY GRANTED TO THE CITY TO CUT DOWN, TRIM OR REMOVE ANY TREES,
SHRUBS OR OTHER PLANTS THAT INTERFERE WITH THE OPERATION OF OR ACCESS TO SAID
INSTALLATIONS IN, ON, UPON, ACROSS, UNDER, OR THROUGH SAID EASEMENT. THE REAL ESTATE
DESCRIBED HEREFTER MAY BE USED BY LIMITED LIABILITY COMPANY FOR SHRUBS, LANDSCAPING,
AND OTHER PURPOSES THAT DO NOT THEN OR LATER INTERFERE WITH THE AFORESAID USES AND
RIGHTS.

EASEMENT PREMISES HEREIN GRANTED:

THAT PART OF LOT 1 IN METRO STORAGE ST. CHARLES SUBDIVISION, BEING A SUBDIVISION OF PART
OF THE SOUTHEAST QUARTER OF SECTION 32, TOWNSHIP 40 NORTH, RANGE 8, EAST OF THE THIRD
PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED SEPTEMBER 30, 2016 AS
DOCUMENT NO. 2016K053063, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER
OF SAID LOT 1; THENCE NORTH 09 DEGREES 09 MINUTES 18 SECONDS EAST ALONG THE EASTERLY
LINE OF SAID LOT 1, A DISTANCE OF 48.58 FEET TO A POINT OF BEGINNING OF THE EASEMENT
PREMISES HEREIN DESCRIBED; THENCE CONTINUING NORTH 09 DEGREES 09 MINUTES 18 SECONDS
EAST ALONG THE EASTERLY LINE OF SAID LOT 1, A DISTANCE OF 18.58 FEET; THENCE NORTH 86
DEGREES 07 MINUTES 54 SECONDS WEST, A DISTANCE OF 64.70 FEET TO THE SOUTHEAST CORNER
OF A BUILDING; THENCE NORTH 83 DEGREES 21 MINUTES 38 SECONDS WEST ALONG THE
SOUTHERLY FACE OF SAID BUILDING, A DISTANCE OF 25.47 FEET; THENCE SOUTH 06 DEGREES 38
MINUTES 22 SECONDS WEST, A DISTANCE OF 19.75 FEET; THENCE SOUTH 86 DEGREES 07 MINUTES
54 SECONDS EAST, A DISTANCE OF 89.39 FEET TO THE POINT OF BEGINNING, IN KANE COUNTY,
ILLINOIS.

THE PROPERTY IS COMMONLY KNOWN AS: 2623 LINCOLN HIGHWAY, ST. CHARLES, ILLINOIS

THAT LIMITED LIABILITY COMPANY HEREBY RETAINS THE RIGHT TO ENJOY SAID EASEMENT AND
RIGHT OF WAY FOR ITS OWN PURPOSES, PROVIDED THAT SUCH PURPOSES SHALL NOT INTERFERE
WITH THE USES AND RIGHT-OF-WAY GRANTED TO THE CITY HEREIN. ALL CONSTRUCTION BY THE CITY
SHALL BE DONE IN A GOOD WORKMANLIKE MANNER AND THE CITY ALSO AGREES THAT THE PREMISES
WILL BE LEFT IN A NEAT AND PRESENTABLE CONDITION.

WITNESS OUR HANDS AND SEALS THIS 26TH DAY OF SEPT., A.D. 2017

NAME OF LIMITED LIABILITY COMPANY: METRO STORAGE ST CHARLES LLC

BY: [Signature] PRESIDENT

ATTEST: [Signature] VP OF DEVELOPMENT

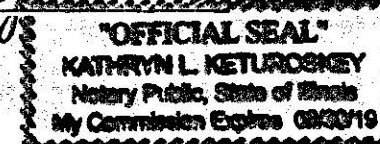
NOTARY PUBLIC CERTIFICATE

STATE OF ILLINOIS)
COUNTY OF LAKE) SS

I, KATHY KETUR-SKEY, A NOTARY PUBLIC IN AND FOR SAID COUNTY,
IN THE STATE AFORESAID, DO HEREBY CERTIFY THAT MARTIN J. GALLAGHER
AND ROBERT M. HEALMAN PERSONALLY KNOWN TO ME TO BE THE
SAME PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AS SUCH OWNERS,
APPEARED BEFORE ME THIS DAY IN PERSON AND ACKNOWLEDGED THAT THEY SIGNED AND DELIVERED
THE ANNEXED PLAT AS THEIR OWN FREE AND VOLUNTARY ACT FOR THE USES AND PURPOSES
THEREIN SET FORTH.

GIVEN UNDER MY HAND AND OFFICIAL SEAL THIS 26TH DAY OF SEPT., A.D. 2017
MY COMMISSION EXPIRES: 8-30-19

NOTARY PUBLIC



SURVEYOR'S CERTIFICATE

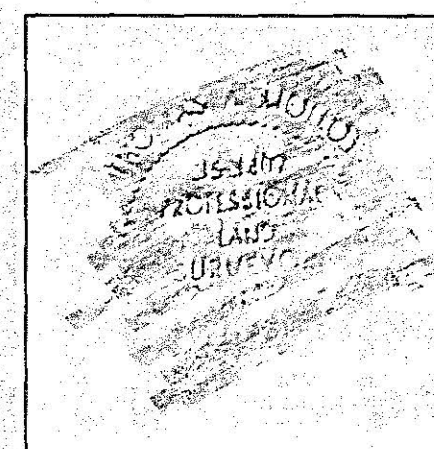
STATE OF ILLINOIS)
COUNTY OF DUPAGE) SS

I, THOMAS A. MOLLOY, AN ILLINOIS PROFESSIONAL LAND SURVEYOR HEREBY CERTIFY THAT
THE PLAT HEREON DRAWN HAS BEEN PREPARED UNDER MY DIRECTION FROM EXISTING
SURVEYS AND INSTRUMENTS OF PUBLIC RECORD FOR THE USES AND PURPOSES THEREIN
SET FORTH AND THAT THE PLAT HEREON DRAWN IS A CORRECT REPRESENTATION OF THE
PROPERTY DESCRIBED HEREON. DIMENSIONS ARE SHOWN IN FEET AND DECIMAL PARTS THEREOF.

SIGNED AT BENSENVILLE, ILLINOIS THIS 21ST DAY OF SEPTEMBER, A.D. 2017

EDWARD J. MOLLOY AND ASSOCIATES, A DIVISION OF THOMAS A. MOLLOY, LTD.
AN ILLINOIS PROFESSIONAL DESIGN FIRM - LICENSE NO. 184-004840

THOMAS A. MOLLOY
ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 35-3409
(EXPIRES NOVEMBER 30, 2018 AND IS RENEWABLE)



VALID ONLY WITH EMBOSSED SEAL

DRAFTED BY: BJE
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ORDER NO.: 170198
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