 <p>CITY OF ST. CHARLES ILLINOIS • 1834</p>	AGENDA ITEM EXECUTIVE SUMMARY		Agenda Item number: IIF
	Title:	Motion to Approve An Ordinance Granting Approval of a Plat of Easement for Pheasant Run Resort Subdivision	
	Presenter:	Russell Colby, Community Development Director	
Meeting: City Council		Date: May 20, 2024	
Proposed Cost: N/A		Budgeted Amount: N/A	Not Budgeted: <input type="checkbox"/>
TIF District: Pheasant Run TIF			
Executive Summary (if not budgeted, please explain):			
<p>The Plat of Subdivision for Pheasant Run Resort, recorded in 2020, established utility easements for construction of required public sanitary sewer and lift station. Construction of the sanitary sewer and lift station are now complete. Record Drawings have been submitted and it has been determined that additional easements are needed.</p> <p>A Plat of Easement has been provided to cover the necessary additional sanitary sewer easements. The easements are acceptable to cover the as-built improvements.</p> <p>Receipt of this Plat of Easement with owner signatures will be a condition for the sanitary sewer and lift station acceptance.</p> <p>Staff recommends approval as presented.</p>			
Attachments (please list):			
Ordinance			
Recommendation/Suggested Action (briefly explain):			
Vote on the Ordinance			

City of St. Charles, IL
Ordinance No. 2024-Z-___

**An Ordinance Granting Approval of a Plat of Easement for Pheasant Run
Resort Subdivision**

WHEREAS, a Plat of Easement was submitted to the City of St. Charles (“City”) for Pheasant Run Resort Subdivision by Saint Charles Resort, LLC, in order to provide needed additional Public Sanitary easement areas for the completed Lift Station and Sanitary Sewer improvements.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ST. CHARLES, KANE AND DUPAGE COUNTIES, ILLINOIS, as follows:

1. That passage of this Ordinance shall constitute approval of the following document, incorporated herein as Exhibit “A”, such that the following document is hereby approved, reduced copies of which are attached hereto, subject to satisfactory resolution of all outstanding staff review comments and compliance with such conditions, corrections, and modifications as may be required by the Director of Community Development and the Director of Public Works to comply with the requirements of the St. Charles Municipal Code:

- Plat of Easement, for Lot 2 & 3 in Pheasant Run Resort Subdivision; SpaceCo Inc.; dated 1/25/2024

2. That after the adoption and approval hereof the Ordinance shall (i) be printed or published in book or pamphlet form, published by the authority of the Council, or (ii) within thirty (30) days after the adoption and approval hereof, be published in a newspaper published in and with a general circulation within the City of St. Charles.

PRESENTED to the City Council of the City of St. Charles, Kane and DuPage Counties, Illinois this 20th day of May 2024.

PASSED by the City Council of the City of St. Charles, Kane and DuPage Counties, Illinois this 20th day of May 2024.

APPROVED by the Mayor of the City of St. Charles, Kane and DuPage Counties, Illinois this 20th day of May 2024.

Lora A. Vitek, Mayor

Attest:

Nancy Garrison, City Clerk

Vote:

Ayes:

Nays:

Absent:

Abstain:

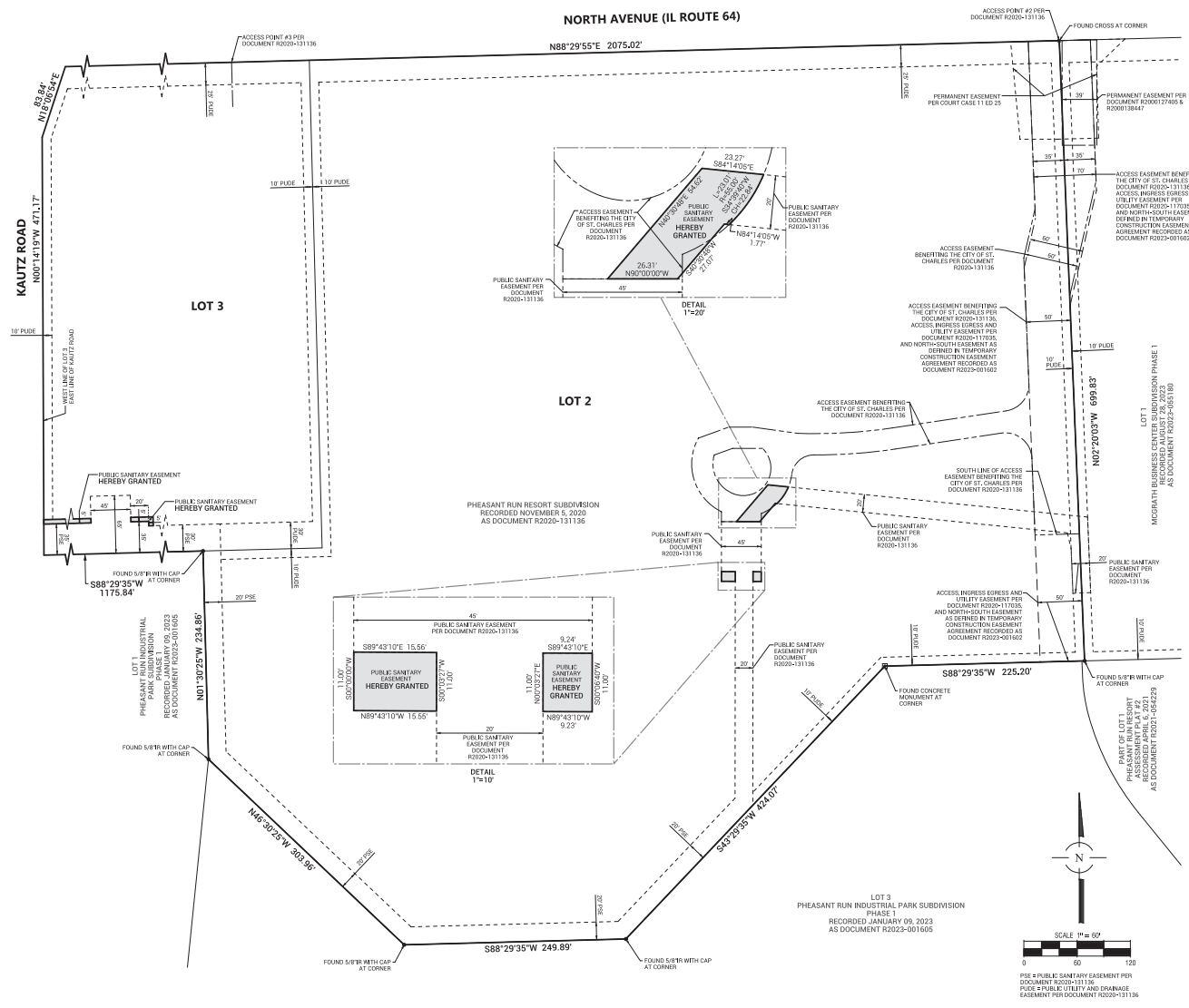
Date: _____

EXHIBIT "A"

PLAT OF EASEMENT

PLAT OF EASEMENT

PNL 01-30-300-052



OWNER'S CERTIFICATE

STATE OF ILLINOIS
 COUNTY OF JEFFERSON

THIS IS TO CERTIFY THAT CHARLES ROBERT, LLC A DELAWARE LIMITED LIABILITY COMPANY IS OWNER OF THE PROPERTY DESCRIBED HEREON AND THAT IT HAS CAUSED THE SURVEY HEREON TO BE PLATTED AS SHOWN HEREON FOR THE USES AND PURPOSES THEREIN SET FORTH AND DOES HEREBY ACKNOWLEDGE AND ADOPT THE SAME UNDER THE TITLE HEREON WORKED.

DATED AT ILLINOIS, THIS _____ DAY OF _____, A.D. 2023

BY _____

TITLE _____

ATTEST _____

TITLE _____

NOTARY CERTIFICATE
 STATE OF ILLINOIS
 COUNTY OF JEFFERSON

I, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID COUNTY, IN THE STATE OF ILLINOIS, DO HEREBY CERTIFY THAT _____ AND _____ PERSONALLY KNOWN TO ME TO BE THE SAME PERSONS WHOSE NAMES ARE SUBSCRIBED TO THE FOREGOING INSTRUMENT AS SUCH THEY SIGNED AND DELIVERED THE INSTRUMENT AS THEIR OWN FREE AND VOLUNTARY ACT FOR THE USES AND PURPOSES THEREIN SET FORTH.

GIVEN UNDER MY HAND AND SEAL THIS _____ DAY OF _____, A.D. 2023

NOTARY _____

MY COMMISSION EXPIRES _____

MORTGAGE'S CERTIFICATE
 STATE OF ILLINOIS
 COUNTY OF JEFFERSON

ACCEPTED AND APPROVED BY _____ AS MORTGAGEE.
 DATED AT ILLINOIS, THIS _____ DAY OF _____, A.D. 2023

BY _____

ATTEST _____

MORTGAGEE'S NOTARY CERTIFICATE
 STATE OF ILLINOIS
 COUNTY OF JEFFERSON

I, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID COUNTY, IN THE STATE OF ILLINOIS, DO HEREBY CERTIFY THAT _____ OR SAID BANK WHOSE NAMES ARE SUBSCRIBED TO THE FOREGOING INSTRUMENT AS SUCH THEY SIGNED AND DELIVERED THE INSTRUMENT AS A FREE AND VOLUNTARY ACT FOR THE USES AND PURPOSES THEREIN SET FORTH.

GIVEN UNDER MY HAND AND SEAL THIS _____ DAY OF _____, A.D. 2023

NOTARY _____

MY COMMISSION EXPIRES _____

UNDERLYING PROPERTY DESCRIPTION
 LOTS 2 AND 3 IN PHEASANT RUN RESORT SUBDIVISION OF THAT PART OF THE SOUTH HALF OF SECTION 30, TOWNSHIP 4 NORTH RANGE 6 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED NOVEMBER 9, 2020 AS DOCUMENT R2020-131136, IN DUPAGE COUNTY, ILLINOIS.

A PERMANENT EXCLUSIVE EASEMENT IS HEREBY GRANTED TO THE CITY OF ST. CHARLES AND TO ITS SUCCESSORS AND ASSIGNS HERETOBY TO BE HEREBY GRANTED AS SHOWN ON THE PLAT HEREON, ABOVE, OVER, UNDER, AND THROUGH THE AREAS SHOWN BY DASHED LINES AND LABELED "PUBLIC SANITARY EASEMENT" ON THE PLAT OF SUBDIVISION HEREON FOR THE PURPOSES OF INSTALLING, CONSTRUCTING, INSPECTING, OPERATING, MAINTAINING, REPAIRING, ENLARGING, REMOVING, REPAIRING, ENLARGING, AND MAINTAINING SANITARY SEWERS AND ALL ALL MANHOLES, PIPES, CONNECTIONS, BURIED BOXES AND WITHOUT LIMITATION, SUCH OTHER INSTALLATIONS AS MAY BE REQUIRED TO FURNISH PUBLIC UTILITY SERVICES TO ADJACENT AREAS TOGETHER WITH THE RIGHT OF ACCESS ACROSS THE REAL ESTATE PLATTED HEREON FOR THE NECESSARY PERSONNEL AND EQUIPMENT FOR THE OPERATION OF AND TO MAKE ANY OR ALL OF THE ABOVE WORK. THE PERMANENT EXCLUSIVE EASEMENT IS HEREBY GRANTED TO THE CITY OF ST. CHARLES AND TO ITS SUCCESSORS AND ASSIGNS, OPERATION OF OR ACCESS TO SAID UTILITY INSTALLATIONS WITHOUT LIMITATION, ON OR UPON OR ACROSS UNDER OR THROUGH SAID EASEMENTS, NO PERMANENT BUILDINGS, TREES, GARDENS, SHOPS, OR BIRDSHEDS SHALL BE PLACED ON OR IN SAID EASEMENTS, BUT THE EASEMENT AREAS MAY BE USED FOR UTILITY CROSSINGS, ACCESS ROADS, DRIVEWAYS, PAVING, FENCE, SIDEWALKS AND OTHER PURPOSES THAT DO NOT INTERFERE WITH THE ABOVE SAID USES AND RIGHTS. ANY USES BY GRANTEE SHALL NOT INTERFERE WITH THE GRANTEE'S OBLIGATION TO MAINTAIN OR REPAIR UTILITY INSTALLATIONS. ALL INSTALLATIONS SHALL BE SUBJECT TO THE ORDINANCES OF THE CITY OF ST. CHARLES, FOLLOWING ANY WORK TO BE PERFORMED BY THE GRANTEE IN THE EASEMENT OF ST. CHARLES, FOLLOWING ANY LANDSCAPING PROVIDED. HOWEVER, THE GRANTEE SHALL BE OBLIGATED FOLLOWING ANY SUCH WORK TO REPAIR, AND MAINTAIN SO AS TO FURNISH SUFFICIENT DRAINAGE, REMOVE DEBRIS, AND LEAVE THE AREA IN GENERALLY CLEAN AND WORKMANLIKE CONDITION.

GRANTOR RESERVES THE FOLLOWING RIGHTS WITH RESPECT TO THE PUBLIC SEWER EASEMENT AREAS, SO LONG AS THE EXERCISE BY GRANTEE OF SUCH RIGHTS DOES NOT SUBSTANTIALLY INTERFERE WITH GRANTEE'S USE OF THE PUBLIC SEWER EASEMENT AREAS OR THE IMPROVEMENTS FOR THE PURPOSES HEREIN GRANTED:
 (A) THE RIGHT TO USE THE SURFACE AND THE SUB-SURFACE AREAS OF THE PUBLIC SEWER EASEMENT AREAS FOR UTILITY CROSSINGS, ACCESS ROADS, DRIVEWAYS, PAVING, FENCES, SIDEWALKS AND OTHER PURPOSES THAT DO NOT INTERFERE WITH THE AFORESAID USES AND RIGHTS IF IN COMPLIANCE WITH CITY ORDINANCES, ANY BUILDING, STRUCTURE OR OTHER IMPROVEMENT LOCATED ON, UNDER OR OVER THE PUBLIC UTILITY SANITARY EASEMENT AREAS AT THE TIME OF EXECUTION OF THIS AGREEMENT BY GRANTEE SHALL NOT BE DEEMED AN ENCROACHMENT BY GRANTEE UPON THE PUBLIC UTILITY SANITARY EASEMENT AREAS NOR A VIOLATION OF ANY OF THE TERMS OR CONDITIONS OF THIS GRANT OF EASEMENT, NOTWITHSTANDING ANYTHING CONTAINED IN THIS GRANT OF EASEMENT TO THE CONTRARY.

(B) THE RIGHT TO GRANT ADDITIONAL OR OTHER EASEMENTS OVER, UNDER, AND UNDER THE RIGHT TO GRANT OTHER THE RIGHT TO USE THE PUBLIC UTILITY SANITARY EASEMENT AREAS AS PERMITTED BY PARAGRAPH A ABOVE, ONLY WITH AGREEMENT FROM THE CITY OF ST. CHARLES.

CITY COUNCIL CERTIFICATE

APPROVED AND ACCEPTED THIS _____ DAY OF _____, A.D. 2023

CITY COUNCIL OF CITY OF ST. CHARLES, ILLINOIS

MAYOR _____

ATTEST: CITY CLERK _____

STATE OF ILLINOIS
 COUNTY OF COOK

WE, SPACECO, INC., AN ILLINOIS PROFESSIONAL DESIGN FIRM, NUMBER 184-00117 DO HEREBY DECLARE THAT WE HAVE PREPARED THE PLAT HEREON FOR THE PURPOSES OF GRANTING AN EASEMENT AS SHOWN, AND THAT THE PLAT IS A TRUE AND CORRECT REPRESENTATION OF THE EASEMENT.

ALL DIMENSIONS ARE IN FEET AND DECIMAL PARTS THEREOF. NO DISTANCES OR ANGLES SHOWN HEREON MAY BE ASSUMED BY SCALING.

GIVEN UNDER OUR HAND AND SEAL THIS _____ DAY OF _____, 2023 IN ROSEMONT, ILLINOIS.

REBECCA T. POPPOL, L.S., No. 055-3542
 LICENSE EXPIRES 11-20-2024
 90969@spaceco.com

COMPARE ALL DIMENSIONS BEFORE BUILDING AND REPORT ANY DISCREPANCIES AS ONE, EITHER TO FIELD OR TITLE POLICY FOR BUILDING LINE AND EASEMENTS.



REVISIONS:	SPACECO INC.		CONSULTING ENGINEERS		DATE: 12/01/2023
01/25/2024			SITE DEVELOPMENT ENGINEERS		JOB NO: 9358.04
			LAND SURVEYORS		FILENAME:
					9575 W. Higgins Road, Suite 700, Rosemont, Illinois 60018
					3352.0424258-03
					SHEET
					1 of 1

**FOR REVIEW
 PURPOSES ONLY**