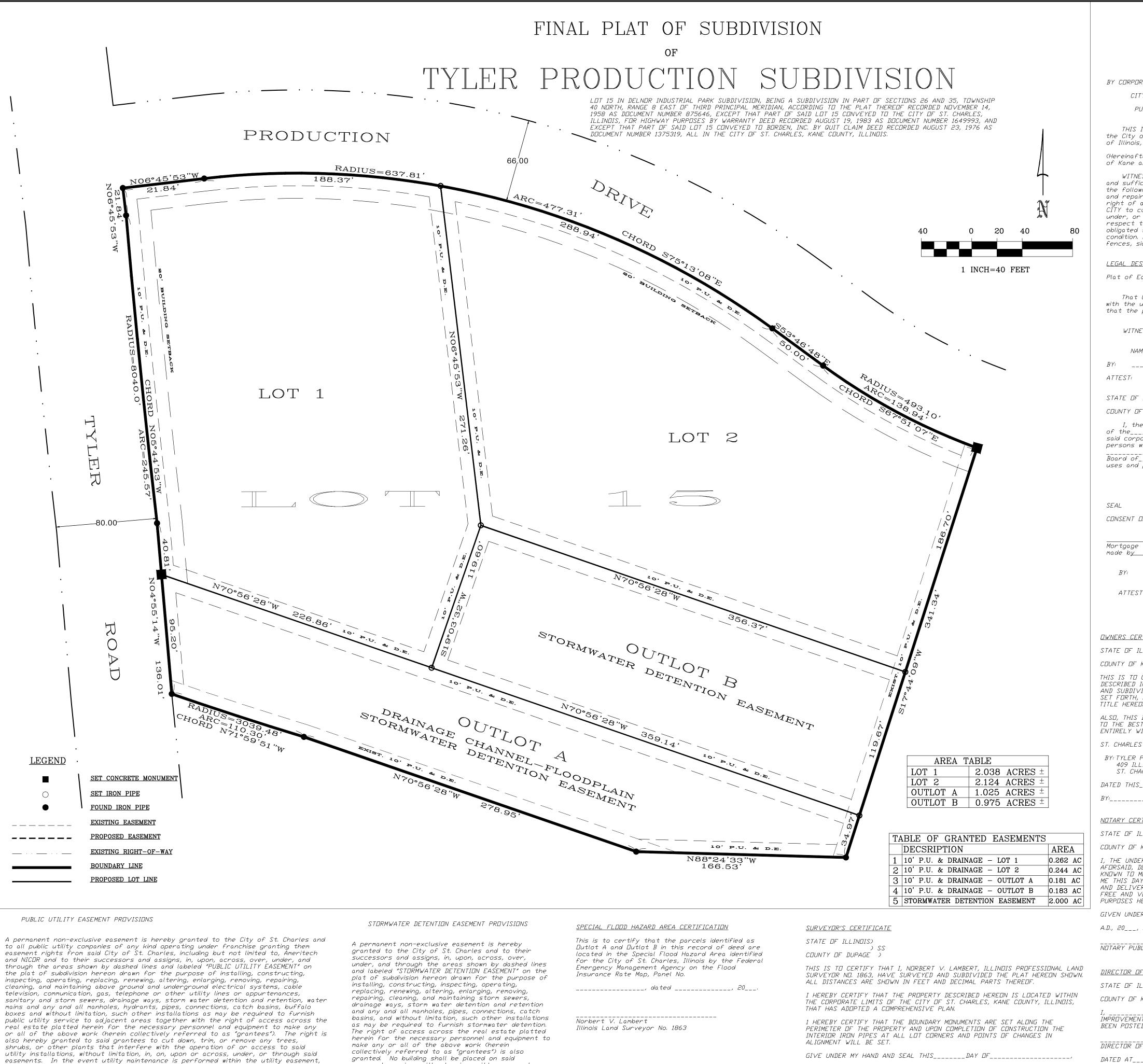
			AGENDA I	тем Е	XECU	TIVE S	UMMAI	RY				
Title:			Recommendation to Purchase One Acre (+/-) Parcel and									
	PC R		associated Easement from Tyler/Production LLC, for regional stormwater management facility									
ST	CHARLES	Presenter:	Chris Aiston									
	CHARLES I C E 1 8 3 4											
Pleas	e check appro	opriate box:										
Government Operations				Government Services								
X Planning & Devel		Development (05	velopment (05/14/12)		City Council							
	Public Hearing											
Estimated Cost: \$160,000				Budg	eted:	YES		NO	X			
If NO	If NO, please explain how item will be funded:											
Evec	ıtive Summa	P\$7.*										
Executive Summary: The City is interested in purchasing the southerly one acre (+/-) tract ("Outlot A") of the Tyler Production Subdivision for the purpose of constructing an open channel, drainage facility to better convey stormwater runoff through the Seventh Avenue Creek watershed. The agreed price for such land purchase is \$130,000. Tyler/Production, LLC is the seller. Further, the City has agreed to purchase from Tyler/Production, LLC an easement across its adjacent property or properties (namely Lot 1 and Lot 2 of the Tyler Production Subdivision) to provide access for construction and later for maintenance of the above-described drainage channel. The agreed purchase price of this easement is \$30,000.												
	hments: <i>(ple</i> of Survey der	ase list) oicting Outlot A o	of Tyler Product	tion Sul	hdivie	ion						
1 Iat (i bui vey uch	June Outlot A	or Tyler Froude	aon Du	V41 1 13.							
		/ Suggested Action							irect staff			
and legal counsel to draft Land Purchase Agreement, including Purchase of Easement												

For office use only:

Agenda Item Number: 4c



A.D., 20____.

ILLINDIS LAND SURVEYOR NO. 1863

REFER TO DEED OR GUARANTEE POLICY FOR RESTRICTIONS NOT SHOWN ON

easement premises without prior written consent

maintaining the detention area easement shall be

binding on the heirs, executors, administrators,

successors and assigns of the landowners. No

received written approval from the City of St.

obligation to restore any detention volume lost

through unauthorized activities.

from the City of St. Charles. The responsibility of

person shall destroy or modify slopes or otherwise

Charles. The City shall have the right but not the

affect the detention volume without having first

the City of St. Charles will have no obligation with respect to surface restoration

area in generally clean and workmanlike condition. No permanent buildings or trees

shrubs, landscaping, paving, fences, sidewalks, curbing, and other purposes that do

not interfere with the aforesaid uses and rights. Where an easement is used for

storm or sanitary sewers, other utility installations shall be subject to the prior

approval of said City of St. Charles so as not to interfere with the gravity flow in

said sewer or sewers. Utility installations, other than those managed by the City of

St. Charles, shall be subject to the approval of the City of St. Charles, as to design

and location, and all other installations are subject to the ordinances of the City of

landscaping provided, however, the grantees shall be obligated following any such work,

to backfill and mound so as to retain suitable drainage, remove debris, and leave the

shall be placed on said easements, but the easement areas may be used for gardens,

including, but not limited to, the restoration, repair, or replacement of any

			CONST	
BY CORPORATION CITY OF ST. CHARLES, ILLINOIS		 ပ		
PUBLI UTILITY AND ELECTRIC UTILITY EASEMENT			50134	
THIS INDENTURE, made in the City of St. Charles, State of Illinois, by and between		ENGINEERS	, ILLINOIS 60134	
Hereinafter referred to as "CORPORATION") and the CITY OF ST. CHARLES, a MUNICIF of Kane and DuPage Counties, Illinois, (hereinafter referred to as "CITY").	PAL CORPORATION, organized and existing under the laws of the State of Illinois,	NGI]	GENEVA,	!
WITNESSETH: That CORPORATION in consideration of the sum of One (\$1.00) Dollar and sufficiency of which is hereby acknowledged does hereby grant and give unto the following real estate described on the Plat of Easement, attached hereto, for	the CITY DF St. CHARLES a permanent, exclusive easement over, under and upon		IGINEERING RY LANE,))
and repair of public utilities, to include electric utilities, also to include future co right of access thereto for the necessary personnel and equipment to do any or CITY to cut down, trim or remove any trees, shrubs or other plants that interfer under, or through said easement. In the event utility maintenance is performed wit.	ommunication cables, thereto as said CITY may deem necessary, together with the all of the above work provided. The right is also hereby granted to said are with the operation of or access to said installations in, on, upon, across,	COUN	DESIGN/ENGINEERING 2202 GARY LANE, C	1771
respect to surface restoration including, but not limited to, the restoration, repo poligated following any such work, to backfill and mound so as to retain suitable d condition. No permanent buildings or trees shall be placed on said easements, but t	air, or replacement of any landscaping provided, however, the grantees shall be drainage, remove debris, and leave the area in a generally clean and workmanlike			
ences, sidewalks, and other purposes that do not interfere with aforesaid uses of			.1 "=40,	 -
EGAL DESCRIPTION		ION	٥	
Plat of Easement with said easement provisions shown and described is attached he		DUC	<i>\overline{\pi}</i>	์ —
That CORPORATION hereby retains the right to enjoy said easement and right of its vith the uses and right-of-way granted to the CITY herein. All construction by that the premises will be left in a neat and presentable condition.		-PRODUCTION		
WITNESS our hands and seals thisday of, 20		TYLER	INC.	
NAME OF CORPORATION MAYOR			JRD	
3Y:		 	٦	
STATE OF ILLINOIS)		Address		
COUNTY OF >			/Client	
I, the undersigned, a Notary Public, in and for the County and State aforesai	id, DO HEREBY CERTIFY, that personally known to me to be thePresidentpersonally known to me to be the Secretary of	Common	Builder/(; ?
said corporation, and personally known to me to be the same persons whose names are subscribed to the foregoing instrument, appeared before second of the Corporate seal of the Corporation as the corporation as the corporate the corporate seal of the corporate seal	f said corporation to be affixed thereto, pursuant to authority, given by the	Con	Buil	
Given under my hand and seal thisday of, 20				
SEAL NOTARY PUBLIC				
CONSENT OF MORTGAGEE			+	_
does hereby consent to and approve of the Mortgage dated, 20, and recorded, 20, as Documer made by, to secure a note for\$, this	e within described Utility Easement and subordinates the following thereto: nt No. day of			
BY:				_
ATTEST:	<u>PLAN COMMISSION CERTIFICATE</u>			
	STATE OF ILLINOIS) > SS		\perp	_
<u>'NERS CERTIFICATE</u>	COUNTY OF KANE) APPROVED THISDAY OF, A.D., 20			
ATE OF ILLINOIS) > SS	CITY OF ST. CHARLES PLAN COMMISSION	ing	gage ation	;
UNTY OF KANE) IS IS TO CERTIFY THAT TYLER PRODUCTION LLC IS OWNER OF THE LAND		Grading	Mortgage Foundation	j J
IS IS ID CERTIFY THAIT THEE FREDUCTION ELC IS DWNER OF THE LAND SCRIBED IN THE PLAT, AND THAT IT HAS CAUSED THE SAME TO BE SURVEYED D SUBDIVIDED AS INDICATED HEREON. FOR THE USES AND PURPOSES HEREIN T FORTH, AND DOES HEREBY ACKNOWLEDGE AND ADOPT THE SAME UNDER THE TLE HEREON INDICATED.	CHAIRMAN CITY COUNCIL CERTIFICATE			•
SD, THIS IS TO CERTIFY THAT PROPERTY BEING SUBDIVIDED AFORESAID, AND	STATE OF ILLINOIS)) S	์ ^
THE BEST OF OWNER'S KNOWLEDGE AND BELIEF, SAID SUBDIVISION LIES TIRELY WITHIN THE LIMITS OF:) SS COUNTY OF KANE)			Ξ:
CHARLES COMMUNITY UNIT SCHOOL DISTRICT 303	APPROVED AND ACCEPTED THISDAY OF			בע
409 ILLINDIS AVENUE, UNIT 1D ST. CHARLES, ILLINDIS 60174	CITY COUNCIL OF THE CITY OF ST. CHARLES			
TED THIS, A.D., 20				
;	$MAY\square R$			<u>:</u>
TARY CERTIFICATE	CITY CLERK			_
ATE OF ILLINOIS) > SS UNTY OF KANE >				フロこう
THE UNDERSIGNED, A NOTARY PUBLIC, IN AND FOR SAID COUNTY, IN THE STATE ORSAID, DO HEREBY CERTIFY THAT PERSONALLY	COUNTY CLERK'S CERTIFICATE STATE OF ILLINOIS)			
'OWN TO ME TO BE THE MANAGER OF TYLER PRODUCTION LLC, APPEARED BEFORE THIS DAY IN PERSON AND ACKNOWLEDGED THAT AS SUCH MANAGER, SIGNED	COUNTY OF KANE >			Ď
D DELIVERED THE PLAT OF HIS OWN FREE AND VOLUNTARY ACT. AND AS THE EE AND VOLUNTARY ACT OF SAID TYLER PRODUCTION LLC FOR THE USES AND RPOSES HEREIN SET FORTH.	I,COUNTY CLERK OF KANE COUNTY, ILLINOIS, DO HEREBY CERTIFY THAT THERE ARE NO DELINQUENT GENERAL TAXES,		cant f Survey	
VEN UNDER MY HAND AND NOTARIAL SEAL THISDAY OF	NO UNPAID CURRENT TAXES, NO UNPAID FORFEITED TAXES AND NO REDEEMABLE TAX SALES AGAINST ANY OF THE LAND INCLUDED IN THE PLAT HEREIN DRAWN. I FURTHER CERTIFY THAT I HAVE RECEIVED ALL STATUORY FEES IN CONNECTION		Vacce of	- 5 0
D., 20, AT	WITH THE PLAT HEREIN DRAWN. GIVEN UNDER MY HAND AND SEAL OF THE COUNTY CLERK AT GENEVA, ILLINOIS.		5	- ح
TARY PUBLIC				_
RECTOR OF PUBLIC WORKS CERTIFICATE	THISDAY	5	-	
ATE OF ILLINOIS) > SS	COUNTY CLERK]. [2	
UNTY OF KANE), DO HEREBY CERTIFY THAT THE REQUIRED	COUNTY RECORDER'S CERTIFICATE	.[→ → >	
PROVEMENTS HAVE BEEN INSTALLED, OR THE REQUIRED GUARANTEE BOND HAS EN POSTED FOR THE COMPLETION OF ALL REQUIRED LAND IMPROVEMENTS.	STATE OF ILLINOIS) > SS	ا بر	J	
RECTOR OF PUBLIC WORKS	COUNTY OF KANE) THIS INSTRUMENT NOWAS FILED FOR RECORD IN	S_{11}	ン ゴ	
TED AT, ILLINGIS, THISDAY OF	THE RECORDER'S OFFICE OF KANE COUNTY, ILLINOIS ON THISDAY OF	\[\sqrt{1}	2	
D., 20,	OʻCLOCKM.	ا پ	7	_
		`		Ē

KANE COUNTY RECORDER

Revised 2-1-2012 December 27, 2011