



ST. CHARLES
SINCE 1834

AGENDA ITEM EXECUTIVE SUMMARY

Title: Recommendation to Approve a Plat of Easement for Stormwater Detention between the St. Charles Public Library and the City of St. Charles.

Presenter: Christopher Tiedt

Please check appropriate box:

	Government Operations		Government Services
X	Planning & Development (5/13/13)		City Council

Estimated Cost: N/A Budgeted: YES NO

If NO, please explain how item will be funded:

Executive Summary:

The St. Charles Public Library recently completed the construction of a new parking lot and associated stormwater detention facility. The stormwater detention easement will grant to the City of St. Charles the rights, but not the obligation, to access or maintain the constructed stormwater facility should the St. Charles Public Library fail to do so at any point in the future.

Staff has reviewed the attached Plat of Easement and finds it acceptable.

Attachments: *(please list)*

Grantor approved and executed Plat of Easement for Stormwater Detention

Recommendation / Suggested Action *(briefly explain):*

Recommendation to approve a plat of easement for stormwater detention between the St. Charles Public Library and the City of St. Charles.

For office use only: Agenda Item Number: 4a

PLAT OF EASEMENT

FOR
STORMWATER DETENTION
LEGAL DESCRIPTION



THAT PART OF LOTS 9, 10, 11 AND 12 IN BLOCK 16 OF MINARD, FERSON AND HUNT'S ADDITION TO ST CHARLES DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHEAST CORNER OF SAID BLOCK; THENCE SOUTH 64 DEGREES 09 MINUTES 44 SECONDS WEST ALONG THE SOUTH LINE OF SAID BLOCK 160.00 FEET; THENCE NORTH 26 DEGREES 31 MINUTES 56 SECONDS WEST 71.00 FEET; THENCE NORTH 64 DEGREES 09 MINUTES 44 SECONDS EAST 27.00 FEET; THENCE SOUTH 79 DEGREES 13 MINUTES 33 SECONDS EAST 25.14 FEET; THENCE NORTH 64 DEGREES 09 MINUTES 44 SECONDS EAST 113.00 FEET TO THE EASTERLY LINE OF BLOCK 16, THENCE SOUTH 26 DEGREES 31 MINUTES 56 SECONDS ALONG THE EASTERLY LINE OF SAID BLOCK 56.00 FEET TO THE POINT OF BEGINNING, IN THE CITY OF ST CHARLES, KANE COUNTY, ILLINOIS.

SCALE: 1" = 40'

STORM WATER DETENTION EASEMENT PROVISIONS

A PERMANENT NON-EXCLUSIVE EASEMENT IS HEREBY GRANTED TO THE CITY OF ST. CHARLES AND TO THEIR SUCCESSORS AND ASSIGNS, IN, UPON, ACROSS, OVER, UNDER, AND THROUGH THE AREAS SHOWN BY DASHED LINES AND LABELED "STORMWATER DETENTION EASEMENT" ON THE PLAT HEREON DRAWN FOR THE PURPOSE OF INSTALLING, CONSTRUCTING, INSPECTING, OPERATING, REPLACING, RENOVATING, ALTERING, ENLARGING, REMOVING, REPAIRING, CLEANING, AND MAINTAINING STORM SEWERS, DRAINAGE WAYS, STORM WATER DETENTION AND RETENTION AND ANY AND ALL MANHOLES, PIPES, CONNECTIONS, CATCH BASINS, AND WITHOUT LIMITATION, SUCH OTHER INSTALLATIONS AS MAY BE REQUIRED TO FURNISH STORMWATER DETENTION. THE RIGHT OF ACCESS ACROSS THE REAL ESTATE PLATTED HEREIN FOR THE NECESSARY PERSONNEL AND EQUIPMENT TO MAKE ANY OR ALL OF THE ABOVE WORK (HEREIN COLLECTIVELY REFERRED TO AS "GRANTEES") IS ALSO GRANTED. NO BUILDING SHALL BE PLACED ON SAID EASEMENT PREMISES WITHOUT PRIOR WRITTEN CONSENT FROM THE CITY OF ST. CHARLES. THE RESPONSIBILITY OF MAINTAINING THE DETENTION AREA EASEMENT SHALL BE BINDING ON THE HEIRS, EXECUTORS, ADMINISTRATORS, SUCCESSORS AND ASSIGNS OF THE LANDOWNERS. NO PERSON SHALL DESTROY OR MODIFY SLOPES OR OTHERWISE AFFECT THE DETENTION VOLUME WITHOUT FIRST RECEIVING WRITTEN APPROVAL FROM THE CITY OF ST. CHARLES. THE CITY SHALL HAVE THE RIGHT BUT NOT THE OBLIGATION TO RESTORE ANY DETENTION VOLUME LOST THROUGH UNAUTHORIZED ACTIVITIES.

OWNER'S CERTIFICATE

THE ST. CHARLES PUBLIC LIBRARY DISTRICT, DO HEREBY CERTIFY THAT WE ARE THE OWNERS OF THE LAND DESCRIBED HEREON FOR THE USES AND PURPOSES THEREIN SET FORTH AS ALLOWED AND PROVIDED BY STATUTE AND HEREBY ACKNOWLEDGES AND ADOPTS THE SAME UNDER THE STYLE AND TITLE AFORESAID.

BY: Victoria A. Haines DATE 2/19/13
BY: Victoria A. Haines TITLE President DATE 2/19/13

NOTARY'S CERTIFICATE

STATE OF ILLINOIS)
COUNTY OF KANE) SS

Virginia F. Tsipras A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE AFORESAID, DO HEREBY CERTIFY THAT

Diana Brown Director (TITLE) AND

Victoria A. Haines Board President (TITLE) OF

SAID ST. CHARLES PUBLIC LIBRARY DISTRICT, A CORPORATION, PERSONALLY KNOWN TO BE THE SAME PERSONS WHOSE NAMES ARE SUBSCRIBED TO THE FOREGOING OWNER'S CERTIFICATE AS SUCH, APPEARED BEFORE ME THIS DAY IN PERSON AND ACKNOWLEDGED THEY SIGNED AND DELIVERED THE SAID INSTRUMENT AS THEIR OWN FREE AND VOLUNTARY ACT FOR USES AND PURPOSES THEREIN SET FORTH.

GIVEN UNDER MY HAND AND NOTARIAL SEAL THIS 19th DAY OF

February A.D. 2013

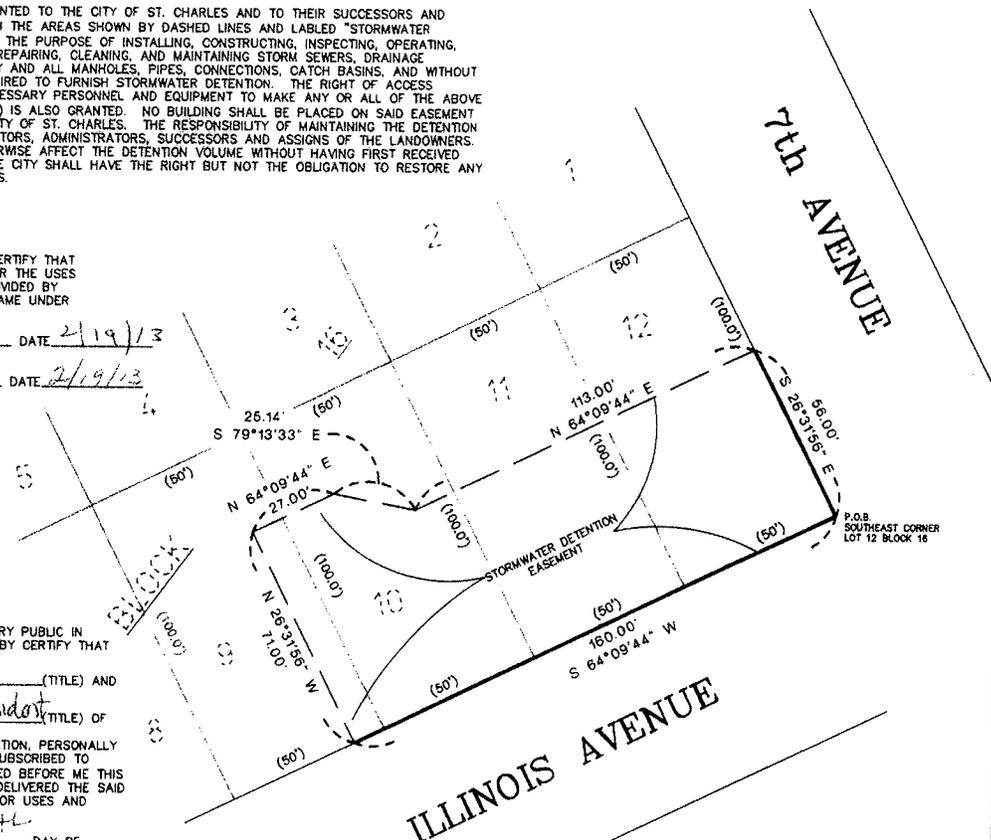
Virginia F. Tsipras

(SEAL)
NOTARY PUBLIC



ILLINOIS AVENUE

7111 AVENUE



P.O.B. SOUTHEAST CORNER LOT 12 BLOCK 16

COUNTY CLERK'S CERTIFICATE

STATE OF ILLINOIS)
COUNTY OF KANE) SS

I, _____ COUNTY CLERK OF KANE COUNTY, ILLINOIS, DO HEREBY CERTIFY THAT THERE ARE NO DELINQUENT TAXES, NO UNPAID FORFEITED TAXES, NO UNPAID CURRENT GENERAL TAXES AND NO REDEEMABLE TAX SALES AGAINST ANY OF THE LAND INCLUDED IN THE ANNEX PLAT.

I, FURTHER, CERTIFY THAT I HAVE RECEIVED AS STATUTORY FEES IN CONNECTION WITH THE ANNEX PLAT.

GIVEN UNDER MY HAND AND SEAL OF THE COUNTY CLERK AT _____ ILLINOIS.

THIS DAY OF _____ A.D. 2013.

COUNTY CLERK

CORPORATE AUTHORITY'S CERTIFICATE

STATE OF ILLINOIS)
COUNTY OF KANE) SS

ACCEPTED AND APPROVED BY THE CITY OF ST. CHARLES, KANE COUNTY, ILLINOIS.

THIS _____ DAY OF _____ 20 _____

BY: _____ MAYOR

ATTEST: _____ CITY CLERK

RECORDERS CERTIFICATE

STATE OF ILLINOIS)
COUNTY OF KANE) SS

THIS INSTRUMENT NO. _____ WAS FILED FOR RECORD IN THE RECORDER'S OFFICE OF KANE COUNTY, ILLINOIS ON THE _____ DAY OF _____ A.D. _____

AT _____ O'CLOCK _____ M.

(COUNTY RECORDER)



Job No. 13-9974

FJM LAND SURVEYING

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ST. CHARLES, ILLINOIS 60175

SURVEYOR'S STATEMENT

THE ABOVE PLAT WAS PREPARED UNDER MY DIRECT SUPERVISION FROM EXISTING RECORDS, MAPS AND PLATS.

All dimensions shown in feet and decimal parts thereof

Given under my hand and seal in St. Charles, Illinois, this 16th day of January, A.D. 2013.

Frank J. McDaniel
Frank J. McDaniel, P.L.S. #3256

License Renewal/Date of