



**AGENDA ITEM EXECUTIVE SUMMARY**

**Agenda Item number: \*5.M**

Title:

Recommendation to Approve a Resolution Authorizing Construction Temporary Easements for the Well #7 to Well #13 Project

Presenter:

Tim Wilson

Meeting: Government Services Committee

Date: June 27, 2022

Proposed Cost: \$0

Budgeted Amount: 0

Not Budgeted:

**Executive Summary** *(if not budgeted please explain):*

As part of the Well #7 to Well #13 Construction Project, it was determined that easements would be required for both the demolition of the existing building and installation of underground piping.

Staff worked with property owners to secure the necessary easements which will allow the City to construct the project.

**Attachments** *(please list):*

\* Plat of Easement

**Recommendation/Suggested Action** *(briefly explain):*

Recommendation to approve a Resolution Authorizing Construction Temporary Easements for the Well #7 to Well #13 Project.

**GRANT OF  
TEMPORARY EASEMENT**

The City of St. Charles, an Illinois municipal corporation (“City”), and BNB Partners, LLC, an Illinois limited liability company (“BNB”), agree that BNB providing a Temporary Construction Easement over the portion of its property (“Property”) to permit the City, as part of the City’s Well #7 & 13 Interconnect Project (“Project”), to construct, maintain, replace and repair a public watermain is in the best interest of both parties.

The City shall have the right to enter upon the Temporary Construction Easement solely for the purpose associated with Project as outlined in the construction plans. Upon the completion of the work and restoration by the City, the Temporary Construction Easement shall be deemed terminated and shall have no further force or effect.

The City agrees to restore all disturbed land to original condition or better, to the approval of the BNB. This shall include removal and replacement of the asphalt paving parking area as indicated on the construction plans. The City shall install one (1) catch basin located within the northwest portion of the asphalt paved parking area with gravity storm sewer conveyance to an adjacent storm structure within the Right-of-Way (“City Work”). The City shall hold BNB, its successors and assigns, harmless and indemnify it from any liability, causes, claims or damage that may arise as a result of activities undertaken by the City or agents thereof in connection with the Project.

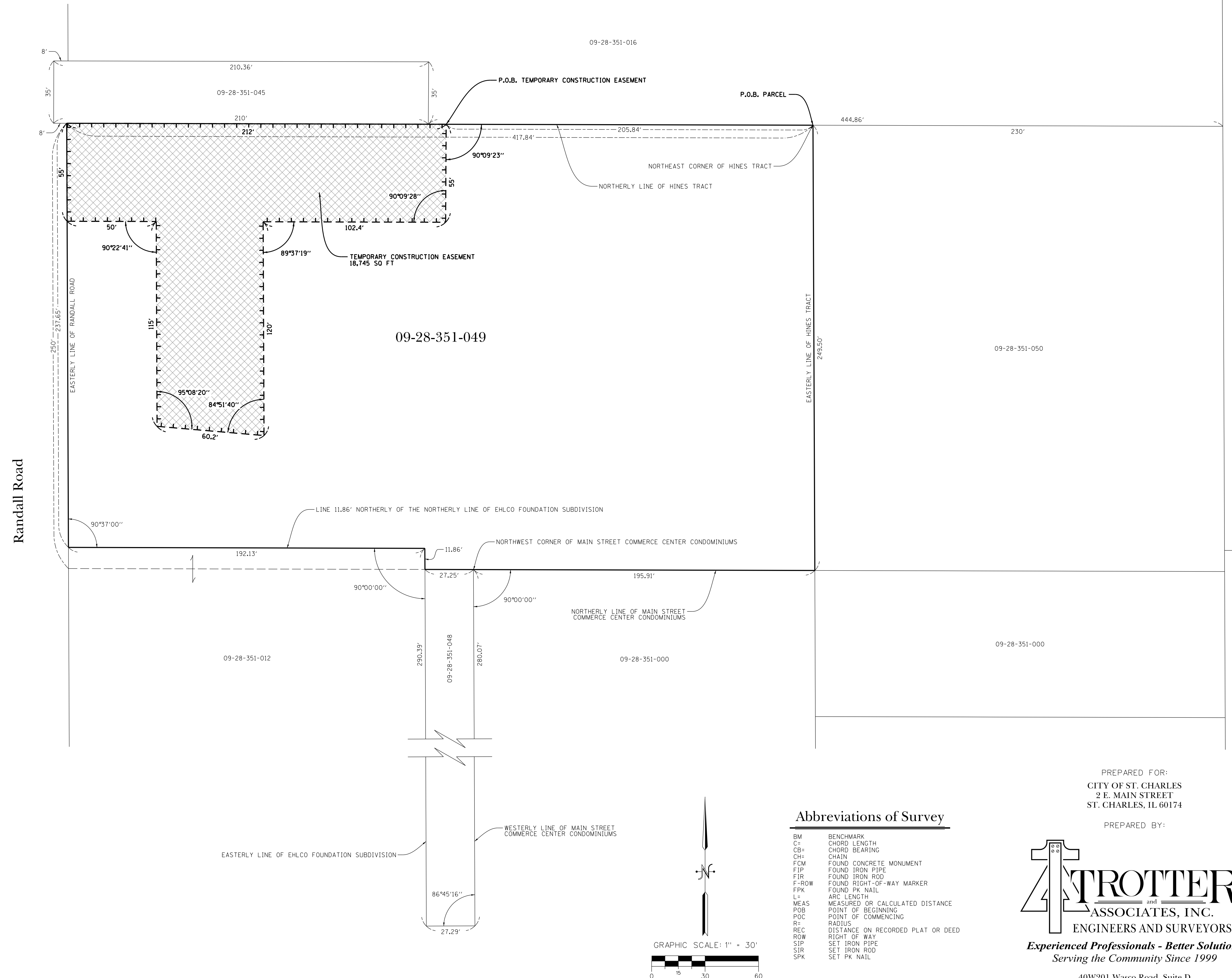
This easement granted this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

\_\_\_\_\_  
Property Owner(s)

\_\_\_\_\_  
City of St. Charles

# Easement Exhibit

THAT PART OF THE SOUTHWEST QUARTER OF SECTION 28, TOWNSHIP 40 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS: COMMENCING AT THE INTERSECTION OF THE EAST LINE OF SAID QUARTER WITH THE NORTHERLY LINE OF ILLINOIS STATE ROUTE 64 (MAIN STREET) BEING 40.0 FEET NORMALLY DISTANT FROM THE CENTER LINE OF SAID ROUTE; THENCE WESTERLY ALONG SAID NORTHERLY LINE, 1932.11 FEET TO THE SOUTHEAST CORNER OF A TRACT OF LAND CONVEYED TO EDWARD HINES LUMBER COMPANY BY DOCUMENT 880278, BOOK 1941, PAGE 247; THENCE NORTHERLY ALONG THE EASTERLY LINE OF SAID HINES TRACT PERPENDICULAR TO THE LAST DESCRIBED COURSE, 541.52 FEET TO THE NORTHEAST CORNER THEREOF; THENCE WESTERLY ALONG THE NORTHERLY LINE OF SAID TRACT PERPENDICULAR TO THE LAST DESCRIBED COURSE, 230.00 FEET FOR A POINT OF BEGINNING; THENCE SOUTHERLY PERPENDICULAR TO THE LAST DESCRIBED COURSE, 249.50 FEET TO THE NORTHERLY LINE OF MAIN STREET COMMERCE CENTER CONDOMINIUMS, ST. CHARLES, KANE COUNTY, ILLINOIS; THENCE WESTERLY ALONG SAID NORTHERLY LINE, 195.91 FEET TO THE NORTHWEST CORNER THEREOF; THENCE SOUTHERLY ALONG THE WESTERLY LINE OF SAID MAIN STREET COMMERCE CENTER CONDOMINIUMS PERPENDICULAR TO THE LAST DESCRIBED COURSE, 280.07 FEET TO A POINT THAT IS 11.95 FEET NORTHERLY OF THE NORTHERLY LINE OF SAID ILLINOIS STATE ROUTE 64; THENCE WESTERLY ALONG A LINE FORMING AN ANGLE OF 93 DEGREES 14 MINUTES 44 SECONDS FROM THE PROLONGATION OF THE LAST DESCRIBED COURSE (MEASURED CLOCKWISE THEREFROM) 27.29 FEET TO THE EASTERLY LINE OF THE EHLCO FOUNDATION SUBDIVISION, KANE COUNTY, ILLINOIS; THENCE NORTHERLY ALONG SAID EASTERLY LINE AND ITS NORTHERLY EXTENSION PARALLEL WITH THE PENULTIMATE DESCRIBED COURSE, 290.39 FEET TO A LINE PARALLEL WITH AND 11.86 FEET NORTHERLY OF THE NORTHERLY LINE OF SAID SUBDIVISION; THENCE WESTERLY ALONG SAID PARALLEL LINE PERPENDICULAR TO THE LAST DESCRIBED COURSE, 192.13 FEET TO THE EASTERLY LINE OF RANDALL ROAD (BEING 48.0 FEET EASTERLY OF THE CENTER LINE OF SAID ROAD); THENCE NORTHERLY ALONG SAID EASTERLY LINE FORMING AN ANGLE OF 90 DEGREES 37 MINUTES 00 SECONDS FROM THE LAST DESCRIBED COURSE (MEASURED COUNTERCLOCKWISE THEREFROM), 237.65 FEET TO THE NORTHERLY LINE OF SAID HINES TRACT; THENCE EASTERLY ALONG SAID NORTHERLY LINE FORMING AN ANGLE OF 90 DEGREES 37 MINUTES 00 SECONDS FROM THE PROLONGATION OF THE LAST DESCRIBED COURSE (MEASURED COUNTERCLOCKWISE THEREFROM), 417.84 FEET TO THE POINT OF BEGINNING, IN THE CITY OF ST. CHARLES, KANE COUNTY, ILLINOIS.



### TEMPORARY CONSTRUCTION EASEMENT LEGAL DESCRIPTION

THAT PART OF THE SOUTHWEST QUARTER OF SECTION 28, TOWNSHIP 40 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS: COMMENCING AT THE INTERSECTION OF THE EAST LINE OF SAID QUARTER WITH THE NORTHERLY LINE OF ILLINOIS STATE ROUTE 64 (MAIN STREET) BEING 40.0 FEET NORMALLY DISTANT FROM THE CENTER LINE OF SAID ROUTE; THENCE WESTERLY ALONG SAID NORTHERLY LINE, 1932.11 FEET TO THE SOUTHEAST CORNER OF A TRACT OF LAND CONVEYED TO EDWARD HINES LUMBER COMPANY BY DOCUMENT 880278, BOOK 1941, PAGE 247; THENCE NORTHERLY ALONG THE EASTERLY LINE OF SAID HINES TRACT PERPENDICULAR TO THE LAST DESCRIBED COURSE, 541.52 FEET TO THE NORTHEAST CORNER THEREOF; THENCE WESTERLY ALONG THE NORTHERLY LINE OF SAID TRACT PERPENDICULAR TO THE LAST DESCRIBED COURSE, 230.00 FEET TO THE NORTHWEST CORNER THEREOF; THENCE CONTINUING WESTERLY ALONG SAID NORTHERLY LINE, 205.84 FEET FOR A POINT OF BEGINNING; THENCE SOUTHERLY ALONG A LINE FORMING AN ANGLE OF 90 DEGREES 09 MINUTES 23 SECONDS WITH THE LAST DESCRIBED COURSE (MEASURED CLOCKWISE THEREFROM), 55.00 FEET; THENCE WESTERLY ALONG A LINE FORMING AN ANGLE OF 90 DEGREES 09 MINUTES 28 SECONDS WITH THE LAST DESCRIBED COURSE (MEASURED COUNTERCLOCKWISE THEREFROM), 102.40 FEET; THENCE SOUTHERLY ALONG A LINE FORMING AN ANGLE OF 89 DEGREES 37 MINUTES 19 SECONDS WITH THE LAST DESCRIBED COURSE (MEASURED CLOCKWISE THEREFROM), 120.00 FEET; THENCE WESTERLY ALONG A LINE FORMING AN ANGLE OF 84 DEGREES 51 MINUTES 40 SECONDS WITH THE LAST DESCRIBED COURSE (MEASURED COUNTERCLOCKWISE THEREFROM), 60.20 FEET; THENCE NORTHERLY ALONG A LINE FORMING AN ANGLE OF 95 DEGREES 08 MINUTES 20 SECONDS WITH THE LAST DESCRIBED COURSE (MEASURED COUNTERCLOCKWISE), 115.00 FEET; THENCE WESTERLY ALONG A LINE FORMING AN ANGLE OF 90 DEGREES 22 MINUTES 41 SECONDS WITH THE LAST DESCRIBED COURSE (MEASURED CLOCKWISE THEREFROM), 50.00 FEET; THENCE NORTHERLY ALONG A LINE FORMING AN ANGLE OF 90 DEGREES 00 MINUTES 00 SECONDS FROM THE LAST DESCRIBED COURSE (MEASURED COUNTERCLOCKWISE THEREFROM), 192.13 FEET TO THE NORTH LINE OF SAID HINES TRACT; THENCE EASTERLY ALONG SAID LINE, 212.00 FEET TO THE POINT OF BEGINNING, CONTAINING 18,745 SQUARE FEET, MORE OR LESS, IN THE CITY OF ST. CHARLES, KANE COUNTY, ILLINOIS.

SURVEYOR'S CERTIFICATE  
STATE OF ILLINOIS )  
COUNTY OF KANE ) S.S.

I, JAMES M. MCKENZIE, ILLINOIS PROFESSIONAL LAND SURVEYOR NUMBER 3247, DO HEREBY CERTIFY THAT THE PLAT OF EASEMENT HEREON DRAWN WAS PREPARED USING PREVIOUS SURVEY INFORMATION AND MAPS, PLATS AND OTHER INSTRUMENTS OF RECORD FOR THE USE AND PURPOSES HEREIN SET FORTH, OF THE HERON DESCRIBED PROPERTY.

DATED AT ST. CHARLES, ILLINOIS THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D. 2022

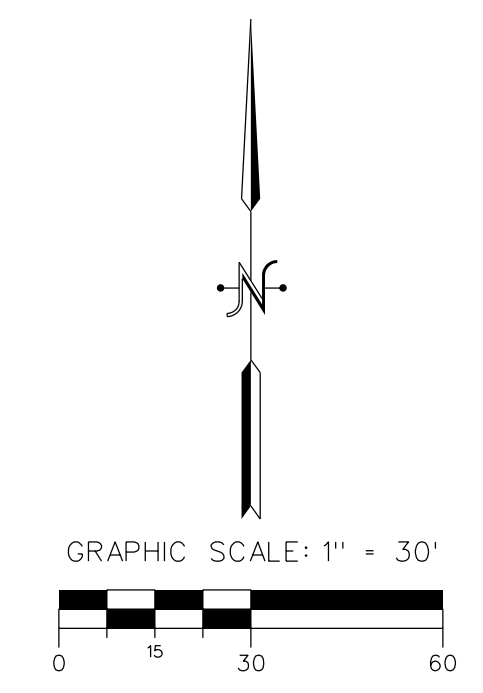
JAMES M. MCKENZIE, P.L.S.,  
ILLINOIS PROFESSIONAL LAND SURVEYOR, NO. 035-003247  
LICENSE RENEWS DATE: 11-30-22

PREPARED FOR:  
CITY OF ST. CHARLES  
2 E. MAIN STREET  
ST. CHARLES, IL 60174

PREPARED BY:

### Abbreviations of Survey

BM	BENCHMARK
C	CHORD LENGTH
CB=	CHORD BEARING
CH	CHAIN
FOM	FOUND CONCRETE MONUMENT
FIP	FOUND IRON PIPE
FIR	FOUND IRON ROD
F-ROW	FOUND RIGHT-OF-WAY MARKER
FPK	FOUND PK NAIL
L	ARC LENGTH
MEAS	MEASURED OR CALCULATED DISTANCE
POB	POINT OF BEGINNING
POC	POINT OF COMMENCING
R	RADIUS
REC	DISTANCE ON RECORDED PLAT OR DEED
ROW	RIGHT OF WAY
SIP	SET IRON PIPE
SIR	SET IRON ROD
SPK	SET PK NAIL



**TROTTER**  
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