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**THE CITY OF ROCHELLE**  
**Ogle County, Illinois**

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**ORDINANCE**  
**NO. \_\_\_\_\_**

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**AN ORDINANCE APPROVING A UTILITY EASEMENT AGREEMENT WITH THE**  
**BROSSMAN MARITAL TRUST**

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**CHET OLSON, Mayor**  
**BRUCE McKINNEY, City Clerk**

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**KATE SHAW-DICKEY**  
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**JOHN BEARROWS**  
**City Council**

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Law Offices of Peterson, Johnson, & Murray—Chicago, City Attorneys  
200 W. Adams, Ste. 2125, Chicago, IL 60606

CITY OF ROCHELLE  
Ogle County, Illinois

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE APPROVING A UTILITY EASEMENT AGREEMENT WITH THE  
BROSSMAN MARITAL TRUST**

WHEREAS, the City of Rochelle, County of Ogle, State of Illinois, a non-home rule unit of government, has the power to purchase land; and

WHEREAS, the City is the owner and operator of the Rochelle Municipal Utility, which is undergoing major improvements and reconductoring along Steward Road (“Steward Road Transmission Line”) to support its transmission and distribution service; and

WHEREAS, as part of the improvements, new metal utility poles and new 138kV electrical lines are being installed to replace pre-existing wooden utility poles and electrical lines that are past their useful life along the Steward Road Transmission Line; and

WHEREAS, the City requires a utility easement as part of the improvements to the City’s improvements and reconductoring along the Steward Road Transmission Line; and

WHEREAS, the Brossman Marital Trust is the owner of one of the parcels necessary for the project, which will continue to be used for the utility easement; and

WHEREAS, the City Council finds it to be in the best interests of its citizens and residents to enter into this Utility Easement Agreement as part of the improvements and reconductoring of Steward Road Transmission Line.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCHELLE, OGLE COUNTY, ILLINOIS:

SECTION ONE: That City hereby incorporates all of the recitals above into this Resolution as if fully set forth herein.

SECTION TWO: The City hereby authorizes the City Manager to execute the Utility Easement Agreement with the Brossman Marital Trust, in substantially the same form as attached hereto as Exhibit 1, and authorizes payment to the Brossman Marital Trust c/o Larry Brossman in the amount of \$27,360.00 and \$750 for attorney’s fees.

SECTION THREE: All prior Ordinances, Resolutions, or Agreements in conflict or inconsistent herewith are hereby expressly repealed, but only to the extent of such conflict or inconsistency.

SECTION FOUR: This Ordinance shall be in full force and effect from and after its passage, approval and publication in pamphlet form as provided by law.

PASSED THIS \_\_\_\_ day of \_\_\_\_\_, 2017.

AYES:

NAYS:

ABSENT:

APPROVED THIS \_\_\_\_ day of \_\_\_\_\_, 2017.

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MAYOR

ATTEST:

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CITY CLERK