

PREPARED BY AND
WHEN RECORDED MAIL TO:
City of Rochelle
420 North 6th Street
Rochelle, Illinois 61068

SPACE ABOVE THIS LINE FOR RECORDER'S USE

AGREEMENT FOR A TEMPORARY CONSTRUCTION EASEMENT

THIS AGREEMENT FOR A TEMPORARY CONSTRUCTION EASEMENT (hereinafter the "Agreement") is made and entered into this 29th day of APRIL, 2020 by and between ELIZABETH ANNING (hereinafter referred to as "Grantor") and the CITY OF ROCHELLE, a MUNICIPAL CORPORATION, organized and existing under the laws of the State of Illinois, of Ogle County, Illinois, (hereinafter referred to as "Grantee").

WHEREAS, ELIZABETH ANNING, is the owner of real property legally described in Exhibit A; and

WHEREAS, the CITY OF ROCHELLE wishes to obtain a temporary construction easement from ELIZABETH ANNING, across the temporary construction easement area described in Exhibit B ("Easement Area"), attached hereto, for the purpose of construction, re-construction, widening of South Main Street, Rochelle, Illinois, and moving public utilities and related facilities and equipment, including but not limited to, buried water and sewer lines, sidewalks, public roadway purposes, and/or such other additions hereto as Grantee may deem necessary ("Construction"); and

WHEREAS, the CITY OF ROCHELLE hereby covenants and agrees that care, skill, and diligence will be used in said Construction and that any damage to ELIZABETH ANNING's lawn sprinkler system may be repaired, replaced, or compensated upon a good faith showing of damage sustained within the Easement Area. However, Grantor shall locate said lawn sprinkler system components prior to excavation within the Easement area; and

WHEREAS, said Agreement shall terminate upon the completion of Grantee's Construction at said Easement Area, unless sooner agreed by Grantor and Grantee; and

NOW THEREFORE, in consideration of SEVEN HUNDRED FORTY-FOUR DOLLARS and 00/100 CENTS (\$744.00), and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties agree as follows:

1. The Grantor hereby does grant and convey to Grantee, its successor and assigns, all interest in the Temporary Construction Easement for the following described real estate situated in the County of Ogle, State of Illinois, to wit:

Address commonly known as: 8180 S. Main Street, Rochelle, Illinois 61068

PIN#: 24-36-232-001

and as depicted on the plat of survey (Temporary Construction Easement), attached hereto as Exhibit B.

2. The City shall record the Dedication, and from the recording of the dedication and thereafter, the City shall have the exclusive use of the Dedication for the purpose as stated herein.

3. This Agreement is entered into, and shall be interpreted in accordance with, the laws of the State of Illinois.

4. This Agreement shall run with the land and be binding upon, and shall inure to the benefit of, the parties hereto and their respective heirs, successors, and assigns.

5. This Agreement sets forth the entire understanding of the parties with respect to the matters addressed herein and may only be modified by a written amendment signed by all of the parties.

WITNESS our hands and seals this 29th day of APRIL, 2020.

[Signatures on next page]

Grantor:

ELIZABETH ANNING

Elizabeth Anning

Grantee:

CITY OF ROCHELLE,
Municipal Corporation

By: Jeff Fiegenschuh

Name: Jeff Fiegenschuh

Title: City Manager

Attest: Susan Z. Messer

Name: Sue Messer

Title: City Clerk



STATE OF _____)
) SS
COUNTY OF _____)

I, the undersigned, a Notary Public, in and for the County and State aforesaid, DO HEREBY CERTIFY that Elizabeth Anning as grantor personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that she signed and delivered said instrument on behalf of said grantor as a free and voluntary act, for the uses and purposes therein set forth.

Given under my hand and seal this: 29th day of April, 2020.

Michelle L. Knight
NOTARY PUBLIC



STATE OF ILLINOIS)
) SS
COUNTY OF OGLE)

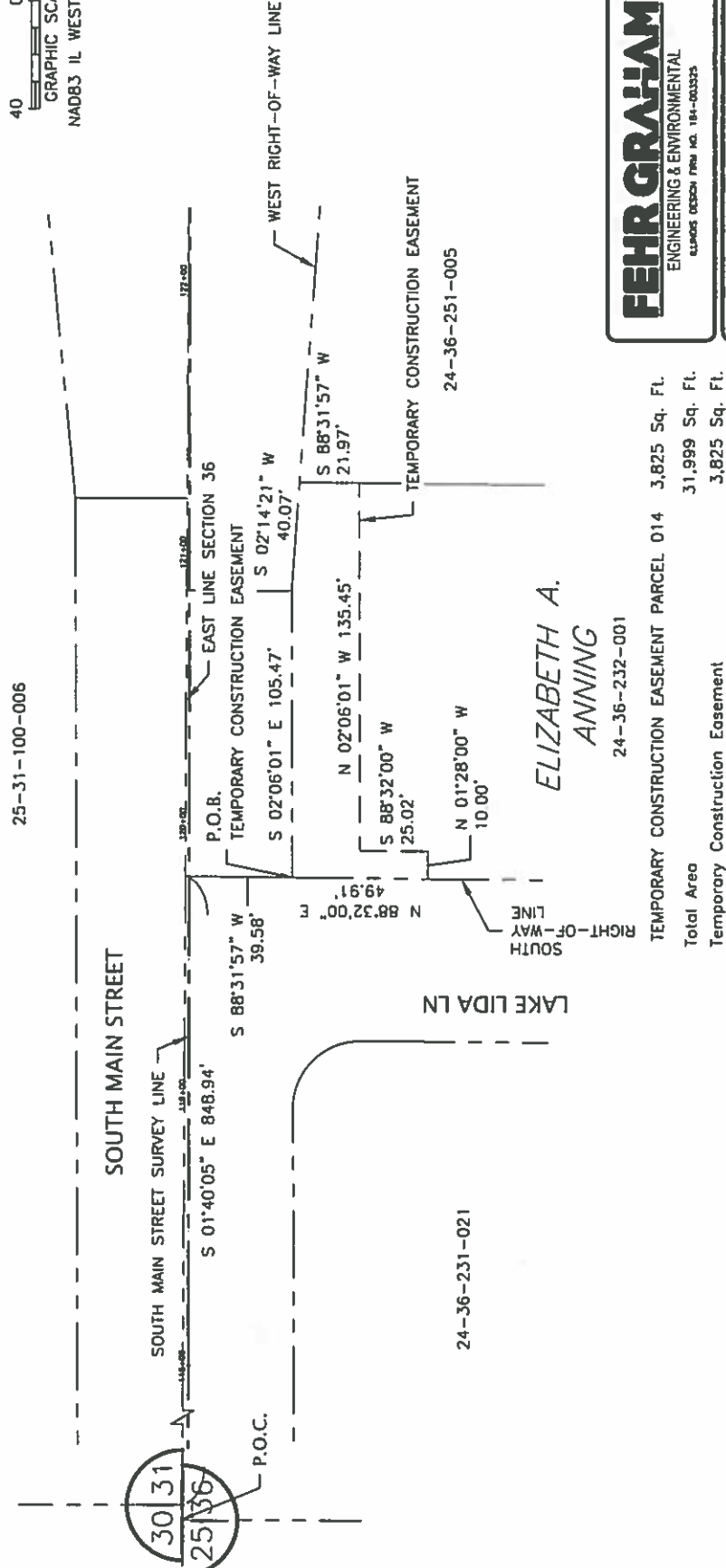
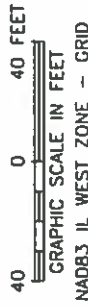
I the undersigned, a Notary Public in and for said County, in the State aforesaid, DO HEREBY CERTIFY that JEFF FIEGENSCHUH, personally known to me to be the City Manager of the City of Rochelle, a municipal corporation and SUE MESSER, personally known to me to be the City Clerk of the City of Rochelle, and personally known to me to be the same persons whose names are subscribed to the foregoing instrument, appeared before me this day in person and severally acknowledged that as such City Manager and City Clerk of said corporation they caused their signatures to be affixed thereto, and caused the corporate seal of said corporation to be affixed thereto, pursuant to the authority given by the Council of the City of Rochelle as their free and voluntary act, and as the free and voluntary act and deed of said corporation, for the uses and purposes therein set forth.

Given under my hand and seal this: _____ day of _____, 2020.

NOTARY PUBLIC

Section 36, Township 40 North, Range 1 East, of the Third Principal Meridian

Dement Township



FEHR GRAHAM
 ILLINOIS
 IOWA
 WISCONSIN
 ENGINEERING & ENVIRONMENTAL
LI 0005 DESIGN FIRM NO. 184-043523

515 LINCOLN HWY ROCHELLE, IL (815) 562-9087

JOB NUMBER:
15-929

SHEET NUMBER:
1 of 1

ELIZABETH A ANNING

DATE: 10/02/2018
 DRAWN: TUL CA/OC: SII

TEMPORARY CONSTRUCTION EASEMENT PARCEL D14 3,825 Sq. Ft.
 31,999 Sq. Ft.
 3,825 Sq. Ft.

Total Area
 Temporary Construction Easement

ELIZABETH A.
 ANNING
 24-36-232-001

EXHIBIT "B"

S:\2018\15-929\Drawings\15-929 - Elizabeth A. Anning 10/2/2018.dwg, 114