

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

SPACE ABOVE THIS LINE FOR RECORDER'S USE

**AGREEMENT FOR RIGHT OF WAY AND TEMPORARY CONSTRUCTION EASEMENT**

THIS AGREEMENT FOR RIGHT OF WAY (hereinafter the "Agreement") is made and entered into this \_\_\_\_\_ day of \_\_\_\_\_, 2018, by and between HUB SHUTTLE INC. c/o RUSSELL STEVENS (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, RUSSELL STEVENS is the owner of real property legally described in Exhibit A; and

WHEREAS, the CITY OF ROCHELLE wishes to obtain a right of way from RUSSELL STEVENS across the right of way area described in Exhibit B, 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; and

WHEREAS, the CITY OF ROCHELLE wishes to obtain a temporary construction easement across the temporary construction easement area described in Exhibit B, 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; and

NOW THEREFORE, in consideration of THIRTY THOUSAND AND 00/100 DOLLARS (\$30,000.00), 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 right of way for the following described real estate situated in the County of Ogle, State of Illinois, to wit:

Address commonly known as: 8446 South Main Street, Rochelle, Illinois 61068

PIN#: 24-36-276-005

and as depicted on the plat of survey (Right of Way Dedication), 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. The Grantor hereby does grant and convey to Grantee, its successors 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: 8446 South Main Street, Rochelle, Illinois 61068

PIN#: 24-36-276-005

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

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

5. 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.

6. 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 \_\_\_\_ day of \_\_\_\_\_, 2018.

[Signatures on next page]

Grantor:

RUSS STEVENS



Grantee:

CITY OF ROCHELLE,  
Municipal Corporation

By: \_\_\_\_\_

Name: Jeff Fiegenschuh

Title: City Manager

Attest: \_\_\_\_\_

Name: Sue Messer

Title: City Clerk

STATE OF ILLINOIS        )  
  ) SS  
COUNTY OF OGLE        )

I, the undersigned, a Notary Public, in and for the County and State aforesaid, DO HEREBY CERTIFY that RUSS STEVENS, 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 he signed and delivered said instrument as his free and voluntary act, for the uses and purposes therein set forth.

Given under my hand and seal this: 15<sup>th</sup> day of October, 2018.

Michelle L. Knight  
NOTARY PUBLIC



STATE OF ILLINOIS        )  
  ) SS  
COUNTY OF OGLE        )

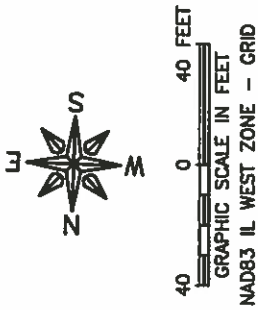
I the undersigned, a Notary Public in and for said County, in the State aforesaid, DO HEREBY CERTIFY that JEFF FIEGENSCHUH, personally known to me to be the City Manager of the City of Rochelle, a municipal corporation and SUE MESSER, personally known to me to be the City Clerk of the City of Rochelle, 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 \_\_\_\_\_, 2018.

\_\_\_\_\_  
NOTARY PUBLIC

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

Flagg Township



## LEGEND



25-31-100-003

SOUTH MAIN STREET SURVEY LINE  
SOUTH MAIN STREET



STEWARDS ROAD SURVEY LINE  
STEWARDS ROAD

EXISTING NORTH RIGHT-OF-WAY LINE

P.O.B. RIGHT-OF-WAY PARCEL

S 01°40'05" E 2488.63'  
EAST LINE SECTION 36  
S 88°32'05" W 29.87'  
N 88°32'05" E 7.00'

P.O.C. EXISTING WEST RIGHT-OF-WAY LINE

TEMPORARY CONSTRUCTION EASEMENT  
N 88°32'05" E 10.00'

N 01°41'06" W 31.78'

TEMPORARY CONSTRUCTION EASEMENT  
N 22°01'54" E 88.12'  
N 22°01'54" E 59.47'

N 70°56'33" E 91.26'  
N 70°56'33" E 85.17'

N 88°32'05" E 45.98'  
N 01°40'04" W 10.00'

N 01°40'04" W 7.00'

N 88°32'05" E 47.47'

HUB SHUTTLE INC.  
C/O RUSSELL STEVENS  
24-36-276-004 N 01°41'06" W 29.72'

24-36-276-005  
PART OF THE SOUTHEAST QUARTER OF THE  
NORTHEAST QUARTER OF SECTION 36,  
TOWNSHIP 40 NORTH, RANGE 1 EAST OF  
THE THIRD PRINCIPAL MERIDIAN

RIGHT-OF-WAY PARCEL 019	15,212 Sq. Ft.
Total Area	32,234 Sq. Ft.
Total Improvement Area of Existing Non Fee Simple Right-of-way	10,454 Sq. Ft.
Total Proposed Right-of-Way Area Remaining	4,758 Sq. Ft.
Temporary Construction Easement	17,022 Sq. Ft.
	2,285 Sq. Ft.

**FEHR GRAHAM**  
ENGINEERING & ENVIRONMENTAL  
LICENSE DESIGN FIRM NO. 184-000000

ILLINOIS  
IOWA  
WISCONSIN

515 LINCOLN HWY. ROCHELLE, IL (815) 582-9087

HUB SHUTTLE INC.  
DATE: 10/02/2018  
DRAWN: TUL QA/OC: SH

JOB NUMBER:  
15-929

SHEET NUMBER:  
1 of 1

EXHIBIT **B**

STATE OF ILLINOIS - 12-2018 - 15-09 - 1/2018 - 02/15/2018

**DESCRIPTION - Right-of-Way Parcel 009:**

Being part of the Southeast Quarter of the Northeast Quarter of Section 36, Township 40 North, Range 1 East of the Third Principal Meridian, Commencing at the Northeast corner of said Section 36: running thence South 01 degrees 40 minutes 05 seconds East (assumed bearing) on and along the East line of said Section 36, a distance of 2488.63 feet; thence South 88 degrees 32 minutes 05 seconds West a distance of 29.87 feet to a point on the existing West right-of-way line of South Main Street and the Point of Beginning; thence South 01 degrees 41 minutes 06 seconds East on and along said West right-of-way line, a distance of 127.00 feet to the intersection of said West right-of-way line with the existing North right-of-way line of Steward Road; thence South 88 degrees 32 minutes 05 seconds West along said North right-of-way line, a distance of 168.17 feet; thence North 01 degrees 40 minutes 04 seconds West a distance of 7.00 feet; thence North 88 degrees 32 minutes 05 seconds East a distance of 47.47 feet; thence North 70 degrees 56 minutes 33 seconds East a distance of 91.26 feet; thence North 22 degrees 01 minutes 54 seconds East a distance of 66.12 feet; thence North 1 degree 41 minutes 06 seconds West a distance of 29.72 feet; thence North 88 degrees 32 minutes 05 seconds East a distance of 7.00 feet to the Point of Beginning, containing 0.109 Acres (4,758 Square Feet), more or less.

**Temporary Construction Easement:**

A part of the Southeast Quarter of the Northeast Quarter of Section 36, Township 40 North, Range 1 East of the Third Principal Meridian, Commencing at the Northeast corner of said Section 36: running thence South 01 degrees 40 minutes 05 seconds East (assumed bearing) on and along the East line of said Section 36, a distance of 2488.63 feet; thence South 88 degrees 32 minutes 05 seconds West a distance of 36.87 feet to the Point of



Beginning; thence South 01 degrees 41 minutes 06 seconds East a distance of 31.78 feet; thence South 22 degrees 01 minutes 54 seconds West a distance of 66.12 feet; thence South 70 degrees 56 minutes 33 seconds West a distance of 91.26 feet; thence South 88 degrees 32 minutes 05 seconds West a distance of 47.47 feet; thence North 01 degrees 40 minutes 04 seconds West a distance of 10.00 feet; thence North 88 degrees 32 minutes 05 seconds East a distance of 45.96 feet; thence North 70 degrees 56 minutes 33 seconds East a distance of 85.17 feet; thence North 22 degrees 01 minutes 54 seconds East a distance of 59.47 feet; thence North 1 degree 41 minutes 06 seconds West a distance of 29.72 feet; thence North 88 degrees 32 minutes 05 seconds East a distance of 10.00 feet to the Point of Beginning, containing 0.052 Acres (2,285 Square Feet), more or less.

Russ Stevens, PIN 24-36-276-005