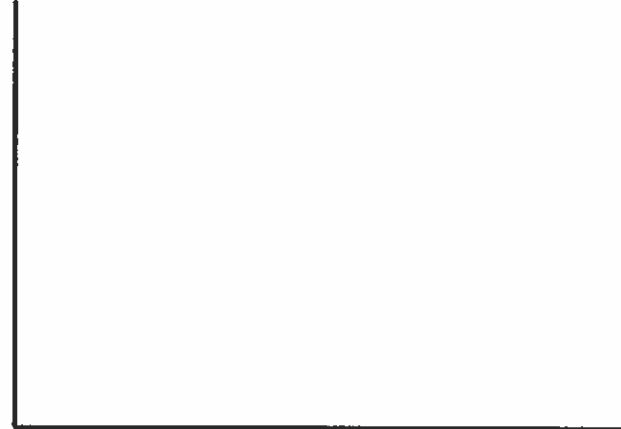


PREPARED BY AND  
WHEN RECORDED MAIL TO:  
City of Rochelle  
420 North 6<sup>th</sup> Street  
Rochelle, Illinois 61068



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 DANIEL PERUSKI (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, DANIEL PERUSKI 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 DANIEL PERUSKI 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 FOUR THOUSAND SEVEN HUNDRED TEN AND 00/100 DOLLARS (\$4,710.00), 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: 8420 S. Main St., Rochelle, IL 61068

PIN#: 24-36-276-021

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: 8420 S. Main St., Rochelle, IL 61068

PIN#: 24-36-276-021

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 10<sup>th</sup> day of SEPTEMBER, 2018.

[Signatures on next page]

Grantor:

DANIEL PERUSKI

  
\_\_\_\_\_

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 DANIEL PERUSKI, 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: 10<sup>th</sup> day of September 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

**DESCRIPTION - Right-of-Way Parcel 006:**

Being part of the South-Half of the South-Half 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 2111.35 feet; thence South 88 degrees 32 minutes 05 seconds West a distance of 29.98 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 137.28 feet; thence South 88 degrees 32 minutes 05 seconds West a distance of 7.00 feet; thence North 01 degrees 41 minutes 06 seconds West a distance of 137.28 feet; thence North 88 degrees 32 minutes 05 seconds East a distance of 7.00 feet to the Point of Beginning, containing 0.022 Acres (961 Square Feet), more or less.

**Temporary Construction Easement:**

A part of the South-Half of the South-Half 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 2111.35 feet; thence South 88 degrees 32 minutes 05 seconds West a distance of 36.98 feet to the Point of Beginning; thence South 01 degrees 41 minutes 06 seconds East a distance of 137.28 feet; thence South 88 degrees 32 minutes 05 seconds West a distance of 10.00 feet; thence North 01 degrees 41 minutes 06 seconds West a distance of 137.28 feet; thence North 88 degrees 32 minutes 05 seconds East a distance of 10.00 feet to the Point of Beginning, containing 0.032 Acres (1,373 Square Feet), more or less.

DANIEL J. PERUSKI, PIN 24-36-276-021

