
THE CITY OF ROCHELLE
Ogle County, Illinois

ORDINANCE
NO. _____

AN ORDINANCE APPROVING A UTILITY EASEMENT AGREEMENT WITH THE
BROSSMAN FARMS 2017 LLC

CHET OLSON, Mayor
SUE MESSER, City Clerk

TOM McDERMOTT
BIL HAYES
DON BURKE
KATE SHAW-DICKEY
DAN McDERMOTT
JOHN BEARROWS
City Council

Published in pamphlet form by authority of the Mayor and City Council of the City of Rochelle
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 FARMS 2017 LLC**

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 to Well 12, including the installation of new filtration facilities and reconductoring along Steward Road (“Well 12 Improvements”) to support its water utility; and

WHEREAS, as part of the improvements, include the installation of radium removal filtration facilities at Well 12; and

WHEREAS, the City requires a utility easement as part of the Well 12 Improvements including new sanitary sewer mains, fiber optic cables, and water mains; and

WHEREAS, Brossman Farm 2017 LLC 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 Farm 2017 LLC, in substantially the same form as attached hereto as Exhibit 1, and authorizes payment to the Brossman Farm 2017 LLC c/o Larry Brossman in the amount of \$27,720.00 and \$2464.00 for crop and soil compaction damage.

SECTION THREE: If any provision of this Ordinance or application thereof to any person or circumstance is ruled unconstitutional or otherwise invalid, such invalidity shall not affect other provisions or applications of this ordinance that can be given effect without the invalid application or provision, and each invalid provision or invalid application of this Ordinance is severable.

SECTION FOUR: Where the conditions imposed by any provisions of this Ordinance are more restrictive than comparable provisions imposed elsewhere in any other local law, ordinance, resolution, rule or regulation, the regulations of this Ordinance will govern.

SECTION FIVE: The City Clerk shall publish this Ordinance in pamphlet form.

SECTION SIX: 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 _____, 2018.

AYES:

NAYS:

ABSENT:

APPROVED THIS ____ day of _____, 2018.

MAYOR _____

ATTEST:

CITY CLERK

STATE OF ILLINOIS)
)
COUNTY OF OGLE) SS.

CERTIFICATE

I, _____, City Clerk of the City of Rochelle, County of Ogle and State of Illinois, DO HEREBY CERTIFY that the foregoing is a true and correct copy of Ordinance No. _____, “AN ORDINANCE APPROVING A UTILITY EASEMENT AGREEMENT WITH THE BROSSMAN FARMS 2017 LLC” which was adopted by the Mayor and City Council of the City of Rochelle on _____, 2018.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the City of Rochelle this _____ day of _____, 2018.

CITY CLERK