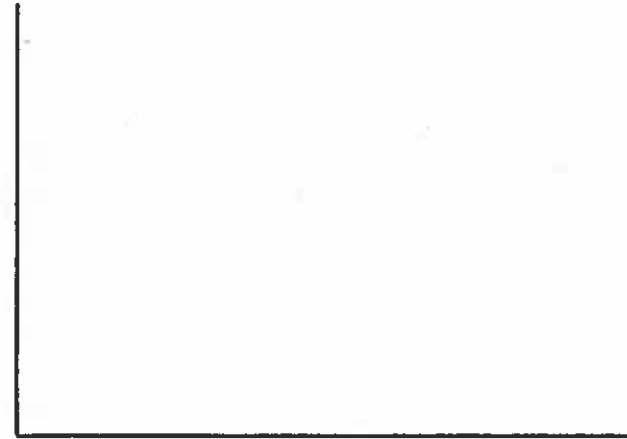


PREPARED BY AND  
WHEN RECORDED MAIL TO:  
City of Rochelle  
420 North 6<sup>th</sup> Street  
Rochelle, Illinois 61068



SPACE ABOVE THIS LINE FOR RECORDER'S  
USE

#### AGREEMENT FOR A TEMPORARY CONSTRUCTION EASEMENT

THIS AGREEMENT FOR A TEMPORARY CONSTRUCTION EASEMENT (hereinafter the "Agreement") is made and entered into this 19 day of October, 2018 by and between E & P MANAGEMENT, LLC (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, E & P MANAGEMENT, LLC, 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 E & P MANAGEMENT, LLC, 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 THREE HUNDRED AND 00/100 DOLLARS (\$300.00), 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: 1040 S. Main Street, Rochelle, Illinois 61068

PIN#: 24-25-476-015

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 19 day of october, 2018.

[Signatures on next page]

Grantor:

E & P MANAGEMENT, LLC,

          *Kent Peck*          

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 DeKalb )



I, the undersigned, a Notary Public, in and for the County and State aforesaid, DO HEREBY CERTIFY that Keat Paul as \_\_\_\_\_ 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 \_\_\_\_\_ signed and delivered said instrument on behalf of said \_\_\_\_\_ as \_\_\_\_\_ free and voluntary act, for the uses and purposes therein set forth.

Given under my hand and seal this: 19 day of October, 2018.

Jacalyn Twhill  
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 - Temporary Construction Easement Parcel 015:**

Being the East 10.00 feet of Lot 2 of the Re-subdivision of the Rochelle Tollway Industrial Park and the Rochelle Tollway Industrial Park First Addition, per plat recorded as Document Number 490720 in File A of Plats at page 59 in the Ogle County Recorder's Office, containing 0.046 Acres (2,000 Square Feet), more or less.

**E&P MANAGEMENT, LLC., PIN 24-25-476-015**



Section 30, Township 40 North, Range 2 East, of the Third Principal Meridian  
Dement Township



40 0 40 FEET  
GRAPHIC SCALE IN FEET

25-30-300-005

25-30-300-004

SOUTH MAIN STREET SURVEY LINE

SOUTH MAIN STREET

EXISTING  
RIGHT-OF-WAY  
LINE

PROPOSED TEMPORARY  
CONSTRUCTION EASEMENT

24-25-476-018

*Shoshone 5 Owners*

**E&P MANAGEMENT, LLC.**

24-25-476-015  
LOT 2

*Shoshone 5 Owners*

TEMPORARY EASEMENT PARCEL 001/15 0.046 AC.  
1.840 AC.  
Total Area  
Temporary Construction Easement 0.046 AC.

**FEHR GRAHAM**  
ENGINEERING & ENVIRONMENTAL  
INCORPORATED  
315 LINDSEY HWY. ROCKFELL, IL (815) 343-8087

ILLINOIS  
IOWA  
WISCONSIN

JOB NUMBER:  
15-028

SHEET NUMBER:  
7 of 7.5

**E&P MANAGEMENT, LLC.**

DATE: 06/23/2017  
DRAWN: J.L. 04/02/08

EXHIBIT

**B**

Booklet