

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 10<sup>th</sup> day of October, 2018 by and between ERIE FOODS INTERNATIONAL, INC., (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, ERIE FOODS INTERNATIONAL, INC., 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 ERIE FOODS INTERNATIONAL, INC., 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 TWENTY-SIX THOUSAND SIX HUNDRED THIRTY AND 00/100 DOLLARS (\$26,630.00), 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: 1201 South Main Street, Rochelle, Illinois 61068

PIN#: 25-30-300-005

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: 1201 South Main Street, Rochelle, Illinois 61068

PIN#: 25-30-300-005

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

[Signatures on next page]

Grantor:

ERIE FOODS INTERNATIONAL, INC.,

*Mark J. Scanev*  
MARK J. SCANEV

Grantee:

CITY OF ROCHELLE,  
Municipal Corporation

By:

\_\_\_\_\_  
Name: Jeff Fiegenschuh

Title: City Manager

Attest:

\_\_\_\_\_  
Name: Sue Messer

Title: City Clerk

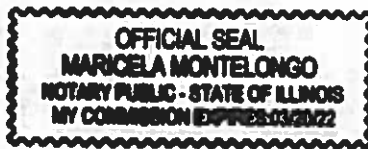


STATE OF Illinois )  
 ) SS  
COUNTY OF Ogle )

I, the undersigned, a Notary Public, in and for the County and State aforesaid, DO HEREBY CERTIFY that Mark Nebrey as VP of Finance 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 on behalf of said Corporation as his free and voluntary act, for the uses and purposes therein set forth.

Given under my hand and seal this: 10 day of October, 2018.

Maricela Montelongo  
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 003:**

Being a part of the South-Half of Section 30, Township 40 North, Range 2 East of the Third Principal Meridian, Ogle County, Illinois; Commencing at the Southwest corner of said Section 30; running thence North 88 degree 08 minutes 34 seconds East (assumed bearing), on and along the South line of said Section 30, a distance of 34.05 feet to a point on the existing East right-of-way line of South Main Street and the Point of Beginning; thence North 02 degrees 07 minutes 16 seconds West on and along said East right-of-way line, a distance of 535.00 feet; thence North 88 degrees 08 minutes 34 seconds East a distance of 30.00 feet; thence South 02 degrees 07 minutes 16 seconds East a distance of 535.00 feet to a point on said South line of Section 30; thence South 88 degrees 08 minutes 34 seconds West on and along said South line, a distance of 30.00 feet to the Point of Beginning, containing 0.368 Acres (16,050 Square Feet), more or less.

**Temporary Construction Easement:**

A part of the South-Half of Section 30, Township 40 North, Range 2 East of the Third Principal Meridian, Ogle County, Illinois; Commencing at the Southwest corner of said Section 30; running thence North 88 degree 08 minutes 34 seconds East (assumed bearing), on and along the South line of said Section 30, a distance of 64.05 feet and the Point of Beginning; thence North 02 degrees 07 minutes 16 seconds West on and along a line parallel with and 30.00 feet East of the existing East right-of-way South Main Street, a distance of 535.00 feet; thence North 88 degree 08 minutes 34 seconds East a distance of 21.00 feet; thence South 02 degrees 07 minutes 16 minutes East on and along a line parallel with and 51.00 feet East of said existing East right-of-way, a distance of 535.00 feet to a point on said South line of Section 30; thence South 88 degrees 08 minutes 34

seconds west on and along said South line, a distance of 21.00 feet to the Point of Beginning, containing 0.258 Acres (11,235 Square Feet), more or less.

ERIE FOODS INTERNATIONAL, INC., PIN 25-30-300-005

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

Dement Township

**ERIE FOODS INTERNATIONAL, INC.**

25-30-300-005

PART OF THE SOUTH-HALF OF SECTION 30, TOWNSHIP 40 NORTH, RANGE 2 EAST OF THE THIRD PRINCIPAL MERIDIAN

RIGHT-OF-WAY PARCEL 001/3 0.733 AC.

Total Area	24,330 AC.
Total Improvement Area of Existing Non Fee Simple Right-of-Way	0,388 AC.
Total Proposed Right-of-Way Area Remaining	23,977 AC.
Temporary Construction Easement	0,218 AC.

PROPOSED TEMPORARY CONSTRUCTION EASEMENT

PROPOSED RIGHT-OF-WAY LINE

EXISTING RIGHT-OF-WAY LINE

SOUTH LAW STREET SURVEY LINE

SOUTH MAIN STREET



*Subdivided Section*  
24-25-478-014

*Subdivided Section*

24-25-478-018

*Subdivided Section*

**LEGEND**

////// TOTAL IMPROVEMENT AREA OF EXISTING NON FEE SIMPLE RIGHT-OF-WAY  
 \_\_\_\_\_ PROPOSED RIGHT OF WAY

**PIRORAHAM**  
 ENGINEERING & ENVIRONMENTAL  
 618 LINCOLN HWY. SUITE 101 E. GOSHEN, WI 53031  
 TEL: 262-535-4400 FAX: 262-535-4401

**ERIE FOODS INTERNATIONAL, INC.**  
 6000 HWY 20/2017  
 GOSHEN, WI 53031

BLINDS  
 IDNA  
 WISCONSIN

JOB NUMBER:  
 15-403

SHEET NUMBER:  
 3 of 25

