

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 \_\_\_\_\_, 2019 by and between LARRY & KAYLA HARRIS (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, LARRY & KAYLA HARRIS are the owners of real property legally described in Exhibit A; and

WHEREAS, the CITY OF ROCHELLE wishes to obtain a right of way from LARRY & KAYLA HARRIS 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 THREE THOUSAND TWO HUNDRED SEVENTY FOUR AND 00/100 DOLLARS (\$3,274.00), 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: North side of Steward Road, West of South Main Street

PIN#: 24-36-276-002

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: North side of Steward Road, West of South Main Street

PIN#: 24-36-276-002

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 \_\_\_\_\_, 2019.

[Signatures on next page]

Grantor:

LARRY & KAYLA HARRIS

Larry Harris Kayla Harris

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 Larry Harris and/or Kayla Harris , 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/she signed and delivered said instrument as his/her free and voluntary act, for the uses and purposes therein set forth.

Given under my hand and seal this: 8<sup>th</sup> day of February, 2019.

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 \_\_\_\_\_, 2019.

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

**DESCRIPTION - Right-of-Way Parcel 010:**

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 Southeast corner of said Northeast Quarter; running thence South 88 degrees 32 minutes 05 seconds West on and along the South line of said Northeast Quarter, a distance of 294.00 feet; thence North 01 degrees 40 minutes 05 seconds West a distance of 33.00 feet to a point on the existing North right-of-way line of Steward Road and the Point of Beginning; thence continuing North 01 degrees 40 minutes 05 seconds West a distance of 7.00 feet; thence North 88 degrees 32 minutes 05 seconds East a distance of 96.00 feet; thence South 01 degrees 40 minutes 05 seconds East a distance of 7.00 feet to a point on said 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 96.00 feet to the Point of Beginning, containing 0.015 Acres (672 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 Southeast corner of said Northeast Quarter; running thence South 88 degrees 32 minutes 05 seconds West on and along the South line of said Northeast Quarter, a distance of 294.00 feet; thence North 01 degrees 40 minutes 05 seconds West a distance of 40.00 feet to the Point of Beginning; thence continuing North 01 degrees 40 minutes 05 seconds West a distance of 20.00 feet; thence North 88 degrees 32 minutes 05 seconds East a distance of 96.00 feet; thence South 01 degrees 40 minutes 05 seconds East a distance of 20.00 feet; thence South 88 degrees 32 minutes 05 seconds West a distance of 96.00 feet to the Point of Beginning, containing 0.044 Acres (19,20 Square Feet), more or less.

LARRY G. & KAYLA M. HARRIS, PIN 24-36-276-002

O:\Rochelle, City of\15-929\Descriptions\Parcel 010.docx

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

Flagg Township

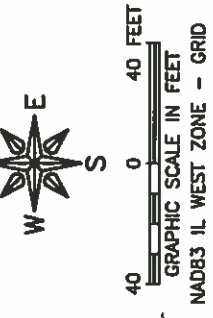
LARRY G & KAYLA M  
HARRIS

24-36-276-002

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 020 4,157 Sq. Ft.

Total Area	26,571 Sq. Ft.
Total Improvement Area of Existing Non Fee Simple Right-of-way	3,485 Sq. Ft.
Total Proposed Right-of-Way Area Remaining	672 Sq. Ft.
Temporary Construction Easement	22,414 Sq. Ft.
	1,920 Sq. Ft.
	20.00'
	N 01°40'05" W
	P.O.B.



24-36-276-004

24-36-276-005

TEMPORARY CONSTRUCTION EASEMENT

N 88°32'05" E 96.00'

S 01°40'05" E 20.00'

S 01°40'05" E 7.00'

N 01°40'05" W 96.00'

S 88°32'05" W 294.00'

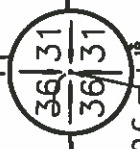
EXISTING NORTH RIGHT-OF-WAY LINE

STEWARD ROAD

SOUTH LINE NE 1/4, SECTION 36

P.O.B. RIGHT-OF-WAY

STEWARD ROAD SURVEY LINE



## LEGEND

PROPOSED RIGHT OF WAY

**FEHR GRAHAM**  
ENGINEERING & ENVIRONMENTAL  
ILLINOIS DESIGN FIRM NO. 164-000005

ILLINOIS  
IOWA  
WISCONSIN

515 LINCOLN HWY ROCHELLE, IL (815) 562-9067

LARRY G & KAYLA M  
HARRIS

JOB NUMBER:  
15-929

SHEET NUMBER:  
1 of 1

DATE: 10/02/2018  
DRAWN: T.J.L. QAV/OC: SI

EXHIBIT **B**