

**VILLAGE OF VERNON HILLS
RESOLUTION 2020-034**

**A RESOLUTION AUTHORIZING THE VILLAGE PRESIDENT TO EXECUTE AN
EASEMENT AGREEMENT WITH COMMONWEALTH EDISON FOR VARIOUS
PUBLIC FACILITIES**

WHEREAS, the VILLAGE OF VERNON HILLS, Lake County, Illinois (the “Village”) is a home rule municipality, pursuant to Article 7, Section 6 of the Illinois Constitution of 1970; and

WHEREAS, the Village desires to enter into the a Grant of Easement Agreement (“Agreement”) with Commonwealth Edison attached hereto as Exhibit “A”; and

WHEREAS, the easements are required by Commonwealth Edison to serve and maintain their facilities serving the public buildings at our Police and Communication facilities; and

WHEREAS, the Village is authorized to enter into the Agreement pursuant to its home rule authority, and the President and the Board of Trustees find that entering into the attached Agreement is in the best interests of the Village and its residents.

**NOW, THEREFORE, BE IT RESOLVED BY THE PRESIDENT AND BOARD
OF TRUSTEES OF THE VILLAGE OF VERNON HILLS, LAKE COUNTY, ILLINOIS:**

SECTION 1: Incorporation. That each Whereas paragraph above is incorporated by reference into this Section 1 and made a part hereof as material and operative provisions of this Resolution.

SECTION 2: Approval and Execution. That the President and Board of Trustees of the Village authorize the execution of, and approve entering into, the Agreement, and authorize and direct the Village President and the Village Clerk, or their designees, to execute and deliver the Agreement, along with all other instruments and documents that are necessary to fulfill the Village’s obligations under the Agreement. The President and Board of Trustees of the Village authorize and direct the Village staff to take all actions that are necessary to comply with all of the applicable obligations of the Village under the Agreement.

SECTION 3: Severability. That if any Section, paragraph or provision of this Resolution shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such Section, paragraph or provision shall not affect any of the remaining provisions of this Resolution.

SECTION 4: Repeal. That all resolutions, motions or parts thereof in conflict with this Resolution shall be and the same are hereby repealed.

SECTION 5: Effectiveness. That this Resolution shall be in full force and effect upon its adoption and approval according to law.

Dated this 8th day of December, 2020

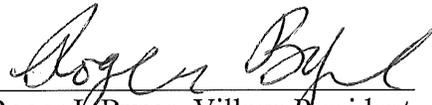
Adopted by roll call vote as follows:

AYES: 7 – Byrne, Schultz, Oppenheim, Takaoka, Marquardt, Forster, Koch

NAYS: 0 - None

ABSENT AND NOT VOTING: 0 - None

Adopted this 8th day of December 2020, by the President and Board of Trustees of the Village of Vernon Hills, Illinois.


Roger L. Byrne, Village President

PASSED: 12/08/2020

APPROVED: 12/08/2020

ATTEST: 12/08/2020


Mark Fleischhauer, Village Clerk



EXHIBIT A

GRANT OF EASEMENT DOCUMENTS

GRANT OF EASEMENT

**The Village of Vernon Hills,
("Grantor")**

in consideration of the sum of One Dollar and other valuable consideration, receipt of which is hereby acknowledged, hereby grant(s) and conveys to **COMMONWEALTH EDISON COMPANY**, an Illinois Corporation, (together with its licensees, successors and assigns, collectively, "Grantee"), an easement to construct, operate, repair, maintain, modify, reconstruct, replace, supplement, relocate and remove, from time to time, poles, guys, anchors, wires, cables, fiber, conduits, manholes, transformers, pedestals, splice boxes, or other facilities used in connection with overhead and underground transmission and distribution of electricity, communications, sounds and signals (collectively, the "Facilities"), together with right of access to the same and the right, from time to time, to trim or remove trees, bushes, roots and saplings and to clear obstructions from the surface and subsurface as may be reasonably required incident to the grant herein given, in, over, under, across, along and upon the surface of property situated in Section 4, Township 43 North, Range 11, East of the Third Principal Meridian in Lake County, Illinois (the "Property"), further described below:

Easements as legally described on the Exhibit "A" and as depicted on both the Exhibit "B's", all Exhibits attached hereto and made a part hereof.

PROPERTY ADDRESSES: 1.) 750 N Lakeview Pkwy, Vernon Hills, IL 60061 ; 2.) 754 N Lakeview Pkwy, Vernon Hills, IL 60061

P.I.N: 15-04-111-030

Obstructions shall not be placed over the Facilities or in, upon or over the Easement Area without prior written consent of Grantee. After installation of any Facilities, the grade of the Property shall not be altered in a manner so as to interfere with the operation and maintenance thereof.

This instrument prepared by and when recorded, return to Michael Xenakis, 1701 Golf Rd, Rolling Meadows, Illinois 60008, on behalf of Commonwealth Edison Company.

Complete the Appropriate Acknowledgments on Following Page Hereof

The Grantor represents and warrants to the Grantees that Grantor is the true and lawful owner of the Property and has full right and power to grant and convey the rights conveyed herein.

The Easement is binding upon and shall inure to the benefits of the heirs, successors, assigns, and licensees of the parties hereto.

IN WITNESS WHEREOF, the Grantor, The Village of Vernon Hills, has caused this instrument to be executed on its behalf this 9th day of December, 2020.

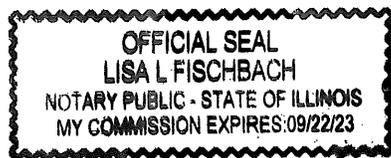
By: Roger Byrne (Authorized Representative)

Printed Name: Roger Byrne

State Of Illinois
County Of Lake

I, the undersigned, a Notary Public in and for the said County and State aforesaid, do hereby certify that Roger L. Byrne, (Authorized Representative) of The Village of Vernon Hills, 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 acknowledged that he/she signed and delivered said instrument as their own free and voluntary act and as the free and voluntary act of said corporation for the uses and purposes therein set forth;

GIVEN under my hand and NOTARIAL SEAL this 9th day of December, 2020.



Lisa L. Fischbach
Notary Public

Exhibit "A"

15-04-111-030 Vernon Hills Communication Center

Easement #1

A 10-FOOT-WIDE EASEMENT OVER THAT PART OF LOT 1 IN VERNON HILLS POLICE FACILITY PLAT OF CONSOLIDATION, BEING A SUBDIVISION IN PART OF THE NORTHWEST QUARTER OF SECTION 4, TOWNSHIP 43 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN ACCORDING TO THE PLAT THEREOF, RECORDED ON DECEMBER 4TH, 2007, AS DOCUMENT NUMBER 6276799, (EXCEPT THAT PART THEREOF TAKEN FOR ROAD PURPOSES RECORDED ON NOVEMBER 14TH, 1991, AS DOCUMENT NUMBER 3083975), IN LAKE COUNTY, ILLINOIS, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEASTERLY CORNER OF SAID LOT 1; THENCE SOUTH 35 DEGREES 57 MINUTES 00 SECOND WEST, ALONG THE EASTERLY LINE OF SAID LOT 1, 21.62 FEET, TO THE SOUTHERLY LINE OF AN EXISTING 5 FOOT WIDE UTILITY EASEMENT; THENCE WESTERLY ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 7784.16 FEET, HAVING A CHORD BEARING OF NORTH 76 DEGREES 27 MINUTES 58 SECONDS WEST, A CHORD DISTANCE OF 9.15 FEET, FOR AN ARC LENGTH OF 9.15 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 36 DEGREES 43 MINUTES 50 SECONDS WEST, ALONG THE EASTERLY LINE OF SAID LOT 1, 236.93 FEET; THENCE NORTH 53 DEGREES 43 MINUTES 25 SECONDS WEST, 60.46 FEET; THENCE NORTH 36 DEGREES 16 MINUTES 35 SECONDS EAST, 10.00 FEET; THENCE SOUTH 53 DEGREES 43 MINUTES 25 SECONDS EAST, 50.54 FEET; THENCE NORTH 36 DEGREES 43 MINUTES 50 SECONDS EAST, 222.71 FEET TO SAID SOUTHERLY LINE; THENCE EASTERLY ALONG A CURVE TO THE RIGHT, ON SAID SOUTHERLY LINE, HAVING A RADIUS OF 7784.16 FEET, HAVING A CHORD BEARING OF SOUTH 76 DEGREES 32 MINUTES 23 SECONDS EAST, A CHORD DISTANCE OF 10.89 FEET, FOR AN ARC DISTANCE OF 10.89 TO THE POINT OF BEGINNING.

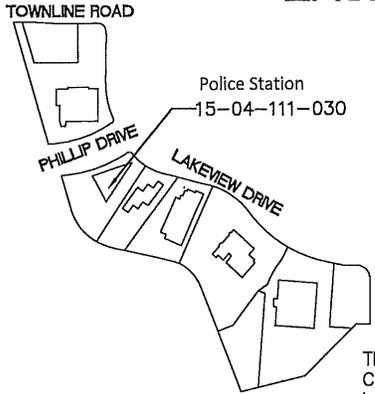
15-04-111-030 Vernon Hills Police Station

Easement #2

A 5-FOOT-WIDE EASEMENT OVER THAT PART OF LOT 1 IN VERNON HILLS POLICE FACILITY PLAT OF CONSOLIDATION, BEING A SUBDIVISION IN PART OF THE NORTHWEST QUARTER OF SECTION 4, TOWNSHIP 43 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN ACCORDING TO THE PLAT THEREOF, RECORDED ON DECEMBER 4TH, 2007, AS DOCUMENT NUMBER 6276799, (EXCEPT THAT PART THEREOF TAKEN FOR ROAD PURPOSES RECORDED ON NOVEMBER 14TH, 1991, AS DOCUMENT NUMBER 3083975), IN LAKE COUNTY, ILLINOIS, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWESTERLY CORNER OF SAID LOT 1; THENCE SOUTH 15 DEGREES 38 MINUTES 30 SECONDS EAST, ALONG THE WESTERLY LINE OF SAID LOT 1, 15.36 FEET TO THE SOUTHERLY LINE OF A 15 FOOT WIDE EXISTING UTILITY EASEMENT; THENCE EASTERLY ALONG A CURVE TO THE LEFT, ON SAID 15 FOOT LINE, HAVING A RADIUS OF 797.85 FEET, HAVING A CHORD BEARING OF NORTH 81 DEGREES 02 MINUTES 27 SECONDS EAST, A CHORD DISTANCE OF 155.61 FEET, FOR AN ARC DISTANCE OF 155.86 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING ALONG SAID CURVE, ON SAID 15 FOOT LINE, HAVING A RADIUS OF 797.85 FEET, HAVING A CHORD BEARING OF NORTH 75 DEGREES 15 MINUTES 49 SECONDS EAST, A CHORD DISTANCE OF 5.03 FEET, FOR AN ARC DISTANCE OF 5.03 FEET; THENCE SOUTH 21 DEGREES 10 MINUTES 48 SECONDS EAST, 76.41 FEET; THENCE SOUTH 68 DEGREES 49 MINUTES 12 SECONDS WEST, 5.00 FEET; THENCE NORTH 21 DEGREES 10 MINUTES 48 SECONDS WEST, 76.98 FEET TO THE POINT OF BEGINNING.

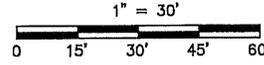
LOCATION MAP



EASEMENT EXHIBIT "B"

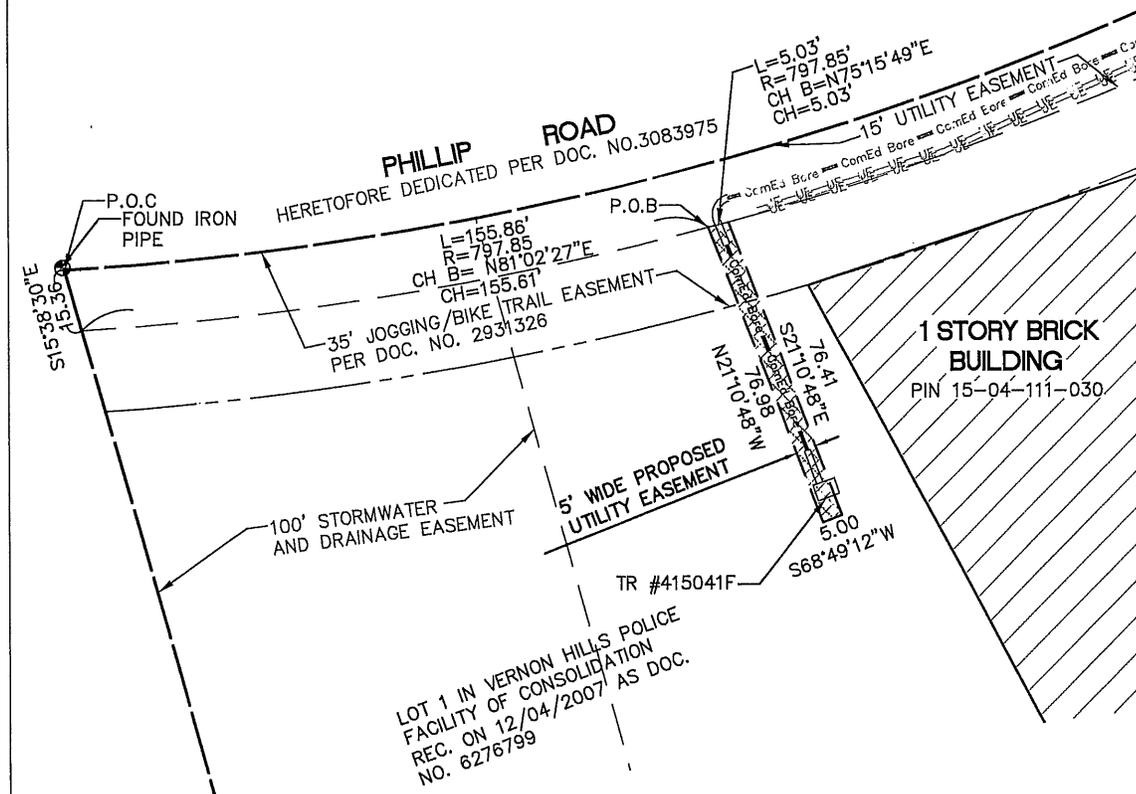
NOTES:

- This Map was created for use as an EASEMENT EXHIBIT.
 - This map is not to be used for any construction or staking purposes without consent from a proper agent of DB Sterlin Consultants, Inc.
 - This IS NOT a Plat of Survey. No assumptions or agreements as to ownership, use, or possession can be conveyed from this document.
 - No underground improvements have been located unless shown and noted.
 - No distance should be assumed by scaling.
- This Exhibit without the benefit of a Commitment for Title Insurance. There may be easements, restriction lines and other matters of survey that are not shown hereon.



LEGEND:

- 262.39' MEASURED DIMENSION
- N89°28'38"E MEASURED BEARING
- 10' WIDE PROPOSED UTILITY EASEMENT
- PROPERTY LINE
- EXISTING UTILITY EASEMENT
- FOUND IRON PIPE



EASEMENT EXHIBIT

754 LAKEVIEW PKWY, VERNON HILLS, IL

THOMAS J. GALBREATH

NO.	DATE	DESCRIPTION
F1		
F2		
F3		
F4		

DB STERLIN
 123 N. WACKER DRIVE SUITE 2000
 CHICAGO ILLINOIS 60606
 ILLINOIS PROFESSIONAL DESIGN FIRM #184-01822

NICKOLAS L. RUETIGER, PLS
 COMED LAND SURVEYOR ADMINISTRATOR
 OAKBROOK TERRACE, IL 60181(13-SE-004)
 PHONE: (630)576-7045 CELL: (219)730-8623
 FJILLION@COMED.COM

ComEd
 An Exelon Company



DATED AT CHICAGO, ILLINOIS OF MAY 20TH, 2020.

THOMAS J. GALBREATH
 ILLINOIS PROFESSIONAL LAND SURVEYOR
 LICENSE EXPIRES: NOVEMBER 30, 2020.
 EMAIL: TGALBREATH@DBSTERLIN.COM