

ORDINANCE NO. 8283-62

AN ORDINANCE  
APPROVING AND AUTHORIZING  
THE EXECUTION OF AN EASEMENT

WHEREAS, Urbana Central Development Co., a Delaware corporation authorized to do business in the State of Illinois, is the owner of a certain parcel of land consisting of Lot 17 of the Central Business Addition, City of Urbana, Champaign County, Illinois, as per plat recorded in Plat Book "O", page 1 of Records of Champaign County, Illinois, ("Site"), upon which a sign for the Lincoln Square Shopping Center is located; and

WHEREAS, it is necessary for the City of Urbana to acquire the Site in connection with the contractual obligations of the City with respect to the Jumer's Castle Lodge Project; and

WHEREAS, it is now necessary to relocate the aforesaid sign to a new Site as more particularly set forth in the "Grant of Easement for Sign", a copy of which is attached hereto and hereby incorporated by reference; and

WHEREAS, in the opinion of at least three-fourths (3/4ths) of the City Council of the City of Urbana, it is no longer necessary, appropriate or in the best interests of the City of Urbana for governmental purposes or proprietary activity of the City to retain the fee simple title to certain real estate needed for an easement for a sign and that the best interests of the City of Urbana and its residents will be served by the granting of such easement.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF URBANA, ILLINOIS, as follows:

Section 1. That the City Council of the City of Urbana, Illinois find as facts the recitals hereinabove set forth.

Section 2. That the attached "Grant of Easement for Sign," be and the same is hereby approved.

Section 3. That the Mayor is hereby authorized to sign and the City Clerk is hereby authorized to attest the aforesaid Grant of Easement for Sign for and on behalf of the City of Urbana.

This Ordinance is hereby passed at a regular meeting of the City Council by the affirmative vote of ~~three-fourths~~ (3/4ths) of the City Council this 4th day of April, 1983.

Ruth S. Brookens  
Ruth S. Brookens, City Clerk

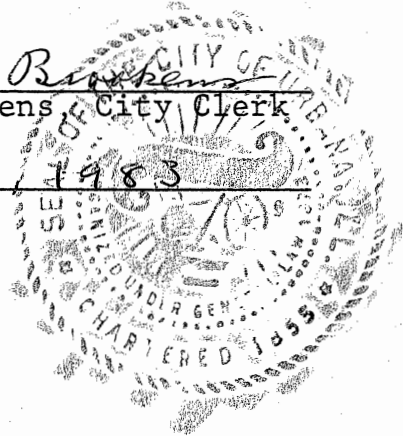
APPROVED by the Mayor this 6<sup>th</sup> day of April, 1983.

Jeffrey T. Markland  
Jeffrey T. Markland, Mayor

THIS IS THE ATTACHMENT WHICH IS REFERRED TO IN  
ORDINANCE NO. 8283-62 AND IS INCORPORATED  
THEREIN BY REFERENCE.

Ruth S. Brookens  
Ruth S. Brookens, City Clerk

April 6, 1983  
Date



GRANT OF EASEMENT  
FOR SIGN

Deed made this \_\_\_\_\_ day of \_\_\_\_\_, 1983, by the City of Urbana, an Illinois municipal corporation, hereinafter referred to as "Grantor", to Urbana Central Development Co., a Delaware corporation authorized to do business in the State of Illinois, hereinafter referred to as "Grantee".

Grantor, for and in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration by Grantee, and the full and faithful performance by Grantee of the terms, conditions and covenants herein contained, has granted, sold and conveyed, and by these presents does grant, sell and convey unto Grantee, its successors and assigns, subject to the terms, conditions and covenants herein below, an exclusive and perpetual easement for the purpose of constructing and maintaining a sign or signs. Such sign or signs shall be constructed and maintained in substantial accordance with the Sign Proposal attached hereto and made a part hereof as Exhibit A, hereinafter referred to as "Approved Sign", but which such Approved Sign may be modified from time to time by and with the further approval of such modification by Grantor. Such Approved Sign shall be for the use, benefit and promotion of the Lincoln Square Shopping Center site, which such site consists of Lots 1 and 10 of the Central Business Addition, City of Urbana, Champaign County, Illinois, as per plat recorded in Plat Book "O", page 1 of the Records of Champaign County, Illinois, hereinafter referred to as "Shopping Center", upon, under, over and across the following described property:

A tract of land described as follows:

Beginning at a point 122.50 feet North and 31.00 feet East of the Southeast corner of Lot 3 of the Central Business Addition, thence northerly 5.00 feet parallel with the West R.O.W. line of Broadway Avenue, thence Easterly 18.00 feet perpendicular to the West R.O.W. line of Broadway Avenue, thence Southerly 5.00 feet parallel with said R.O.W. line, thence Westerly 18.00 feet perpendicular with said R.O.W. line to the place of beginning, said tract containing 90.00 S.F., all being a part of the Northwest Quarter of the Northeast Quarter of Section 17, Township 19 North, Range 9 East of the Third Principal Meridian, Champaign County, Illinois.

Grantee shall be solely responsible for all costs whatsoever connected with the Approved Sign to be located within the hereinabove described property, including all engineering, construction and maintenance costs. Grantee shall, at its sole cost and expense, also restore to its former condition of usefulness the street and sidewalk area and all other areas within the hereinabove described property which may be disturbed or interfered with by the construction, maintenance, repair or operation of the Approved Sign.

Grantee agrees that it shall indemnify, save and keep harmless the Grantor from any and all claims for damage to real and personal property and injuries to or death suffered by persons by reason of the construction, repair, maintenance or operation by Grantee of the Approved Sign, unless caused by the sole negligence of Grantor, its agents, servants and employees.

It is expressly understood and agreed that the use by Grantee herein of the hereinabove described property shall be at all times subject to all terms, conditions and restrictions regarding the use of the Approved Sign which may from time to time be imposed and in effect by the laws of the State of Illinois and the municipal ordinances of the Grantor.

Grantee does hereby release Grantor, its agents, servants and employees, of and from any and all loss, damage or injury to the Approved Sign resulting in any manner from Grantor's use of the servient tract upon which the easement is located, except when caused by the willful acts of Grantor, its agents, servants and employees.

This easement shall continue only so long as Grantee herein shall use the hereinabove described property for the Approved Sign in accordance with the purpose herein described and the same shall immediately lapse and terminate upon cessation of such use or upon cessation of the use of the Shopping Center site for continued operations as a shopping center, whichever occurs first.

Grantee shall not have or make against Grantor any claim or demand for or on account of any damage Grantee may suffer or sustain because of failure of Grantor's title to the hereinabove described property and land occupied by the Approved Sign or any part thereof.

Prior to any construction, reconstruction or maintenance of the Approved Sign that might reasonably involve or affect the surrounding street and sidewalk area of the Grantor, Grantee shall notify and obtain the approval of the City Engineer of the City of Urbana, and during such construction, reconstruction or maintenance, every effort shall be made by Grantee to avoid unnecessary harm to the existing street and sidewalk area and other surrounding areas of Grantor.

IN WITNESS WHEREOF, the parties hereto have caused their corporate seals to be hereunto affixed and this instrument to be signed by their respective duly authorized officers on the date first above written.

CITY OF URBANA, ILLINOIS,

By: Jeffrey T. Markland, Mayor

(SEAL)

Attest:

Ruth S. Brookens, City Clerk

URBANA CENTRAL DEVELOPMENT CO.

By: Its President

(SEAL)

Attest:

Its Secretary

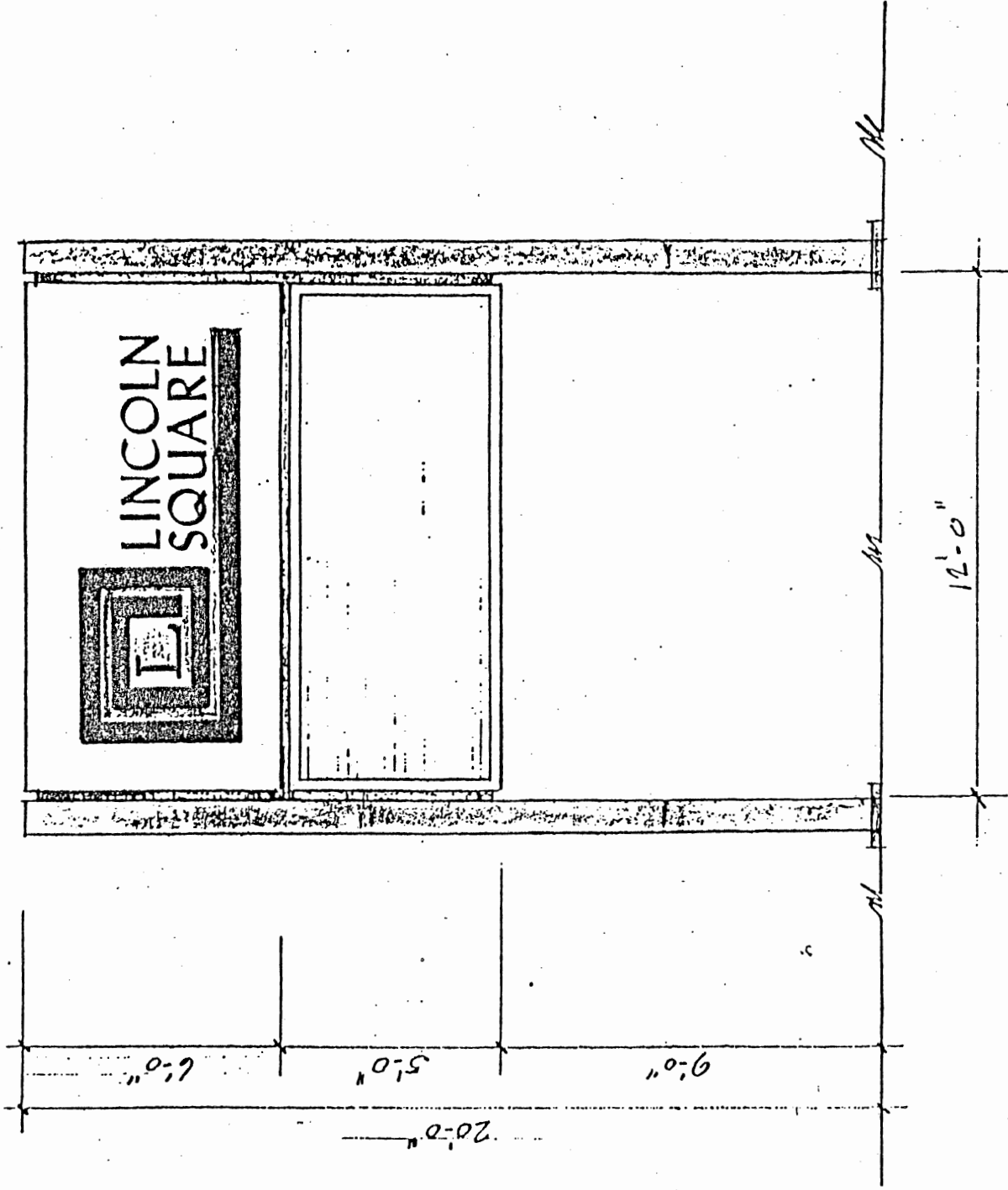
This Grant of Easement Prepared By:

Kenneth N. Beth  
City Attorney  
400 S. Vine Street  
Urbana, IL 61801

Recorder, Please Return To:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

EXHIBIT A



SIGN ELEVATION

SIGN PROPOSAL, LINCOLN SQUARE  
URBANA, ILLINOIS

WEBA & ASSOCIATES