

AN ORDINANCE AUTHORIZING APPROVAL OF CERTAIN SANITARY  
SEWER EASEMENTS

WHEREAS, the City Council of the City of Urbana, Illinois, has found and determined that the approval and execution of certain sanitary sewer easements specified in the attached agreement are desirable and necessary to carry out one of the corporate purposes of the City of Urbana, to wit: the implementation of the King Park Neighborhood Plan of the City of Urbana; and

WHEREAS, it has been determined that the creation of the easements herein can be accomplished under the authority of the Local Government Property Transfer Act (50 ILCS 605/0.01 et. seq).

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

1. That the City of Urbana hereby approves the sanitary sewer easements attached hereto and authorizes the Mayor of the City of Urbana to execute the same on behalf of the City of Urbana. The attached agreement relates to premises commonly known as 1101 North Gregory, 1104 North Gregory, 1101 North Harvey and 1104 North Harvey, Urbana, Illinois.


2. This Ordinance is hereby passed by the affirmative vote, the "ayes" and "nays" being called, of 2/3rd's of the Alderpersons of the City of Urbana then holding office, at a regular meeting of said Council on the 16th day of May, 1994.

PASSED by the City Council this 16th day of May, 1994.

AYES: Hayes, Patt, Pollock, Ryan, Singer, Taylor

NAYS:

ABSTAINED:



*Phyllis D. Clark*  
Phyllis D. Clark, City Clerk

APPROVED by the Mayor this 26<sup>th</sup> day of May, 1994.

*Tod Satterthwaite*  
Tod Satterthwaite, Mayor

THIS IS THE ATTACHMENT WHICH IS REFERRED TO IN ORDINANCE  
NO. 9394-96 AND IS INCORPORATED THEREIN BY REFERENCE.



*Phyllis D. Clark*  
\_\_\_\_\_  
Phyllis D. Clark, City Clerk

*May 16, 1994*  
\_\_\_\_\_  
Date



SANITARY SEWER EASEMENTS IN FRAILEY'S SECOND SUBDIVISION

THE GRANTOR, the City of Urbana, Illinois, a municipal corporation, for and in consideration of the release, by the Grantee herein, the Urbana and Champaign Sanitary District of Champaign County, Illinois, a municipal corporation, of certain easement rights granted the 7th day of September, 1956 and recorded in Book 560 at Page 360 in the Champaign County Recorder of Deeds Office and an easement dated the 7th day of September, 1956 and recorded in Book 560 at Page 354 in the Champaign County Recorder of Deeds Office, hereby give, grant and convey to the Grantee, the Urbana and Champaign Sanitary District of Champaign County, Illinois, a municipal corporation, a perpetual easement privilege, right and authority to construct, reconstruct, repair, maintain and operate an intercepting sewer and appurtenances thereto upon, under, over, and through the following described real estate, said easements being marked on Exhibit "A" and made a part hereof by reference.

A part of the Southeast Quarter of the Northeast Quarter of Section 7, Township 19 North, Range 9 East of the Third Principal Meridian, Urbana, Champaign County, Illinois, more particularly described as follows:

The North 5.00 feet of even and equal width of Lots 7 and 17, and the South 5.00 feet of even and equal width of Lots 5 and 15 of O.A. Frailey Second Subdivision Part of SE1/4, NE1/4, Sec. 7, Twp. 19 N., Range 9 E., 3rd P.M., as shown on a plat recorded in Plat Book L at Page 9, on September 2, 1955, as Document Number 550924, in the Office of the Recorder, Champaign County, Illinois.

In consideration of the grant of easement herein contained, the Grantee hereby agrees as follows:

1. That the Grantor shall retain all rights, not hereinabove granted, to the ownership, use and occupation of the above-described real estate, except that the Grantor shall place no permanent building or structure over the intercepting sewer as finally constructed, in such a manner as to damage the sewer or restrict the operation thereof or to deny the Grantee access thereto for purposes of repair or replacement thereof. That in the event the Grantee or its contractors shall find it necessary to disturb the soil in the course of their maintenance or reconstruction of the sewer, shall refill the excavation so that the surface of the above-described real estate shall be restored to the approximate level and condition existing at the place of construction for commencement thereof and shall remove from the above-described real estate all surplus soil and debris resulting from said construction work.

2. That the Grantee will indemnify and save harmless said Grantor(s), their heirs, executors, administrators, and assigns, from any and every claim, demand, suit, and payment, in respect thereof, or in respect of any of them with reference to injury to persons, or damage to property caused by any of the work performed under this grant, and require its contractors to so indemnify and save harmless the said Grantor(s), their heirs, executors, administrators, and assigns.

3. That this grant shall constitute a covenant which runs with the land, and shall be binding upon the heirs, executors, administrators and assigns of the Grantor(s), and the terms and conditions hereinabove set forth shall be binding upon the Grantor(s) and the Grantee.

IN WITNESS WHEREOF, said Grantor has caused its corporate seal to be hereto affixed, and has caused its name to be signed to these presents by TOD SATTERTHWAITE, its Mayor, and attested by PHYLLIS D. CLARK, its City Clerk, this \_\_\_\_\_ day of \_\_\_\_\_, 1994.

CITY OF URBANA, ILLINOIS

By: \_\_\_\_\_  
Tod Satterthwaite, Mayor

ATTEST:

\_\_\_\_\_  
Phyllis D. Clark, City Clerk

STATE OF ILLINOIS                     )  
   )     SS.  
COUNTY OF CHAMPAIGN                 )

I, the undersigned, a Notary Public, in and for said County, in the State aforesaid, DO HEREBY CERTIFY that TOD SATTERTHWAITE, personally known to me to be the Mayor of the City of Urbana, Illinois, the GRANTOR, and PHYLLIS D. CLARK, 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 Tod Satterthwaite, Mayor, and Phyllis D. Clark, City Clerk, they signed and delivered the said instrument as Tod Satterthwaite, Mayor, and Phyllis D. Clark, City Clerk of said City, and caused the corporate seal of the City to be affixed thereto, pursuant to authority, given by the City Council of said City by virtue of Ordinance No. \_\_\_\_\_, as their free and voluntary act, and as the free and voluntary act and deed of said City, for the uses and purposes therein set forth.

Given under my hand and Notarial Seal this \_\_\_\_\_ day of \_\_\_\_\_, 1994.

\_\_\_\_\_  
Notary Public

Exempt under provisions of Paragraph (b), Section 4, Real Estate Transfer Act (Ill. Rev. Stat., Ch. 120, Sec. 1004(b)).

Date: \_\_\_\_\_

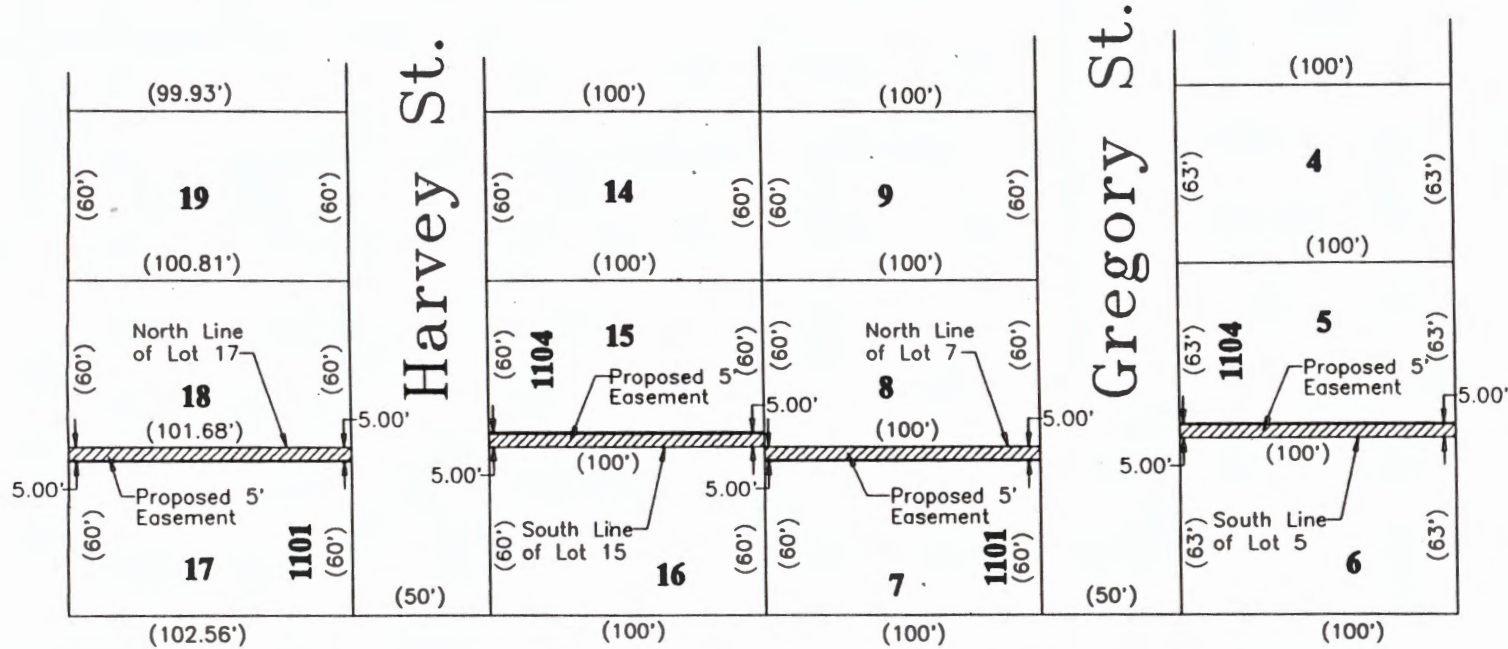
Signature: \_\_\_\_\_  
Seller

Deed Prepared by:  
Jack Waaler, City Attorney  
City of Urbana  
400 S. Vine Street  
Urbana, IL 61801  
(217) 384-2464

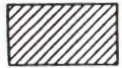


# PERMANENT EASEMENT

A part of Lots 5, 7, 15 & 17 of  
O. A. Frailey Subdivision, Urbana,  
Champaign County, Illinois



## LEGEND



INDICATES PROPOSED PERMANENT  
EASEMENT AREA

## EXHIBIT "A"



CITY OF URBANA  
PUBLIC WORKS DEPARTMENT  
ENGINEERING DIVISION  
DRAWN BY: BWF DATE: 4/25/94