

**ORDINANCE NO. 2016-09-080**

**AN ORDINANCE APPROVING AGREEMENTS FOR RELOCATION OF AMEREN  
DISTRIBUTION FACILITIES**

**(Relocation of Ameren Utilities in and about the North Lincoln Avenue  
Construction Project Area)**

**WHEREAS**, the City of Urbana ("City") is an Illinois home rule unit of local government pursuant to Section 6 of Article VII of the Illinois Constitution of 1970 and the Statutes of the State of Illinois; and

**WHEREAS**, the City seeks to carry out construction associated with the North Lincoln Avenue Project; and

**WHEREAS**, the City has requested Ameren Illinois Company d/b/a Ameren Illinois to relocate and Ameren Illinois is willing to accommodate the City's said request on the condition that the City enters into two relocation agreements in substantially the form appended hereto; and

**WHEREAS**, the City is willing to enter into the two relocation agreements requested by Ameren Illinois including agreements to relocate Ameren Illinois gas and electric distribution facilities.

**NOW, THEREFORE BE IT ORDAINED** by the City Council of the City of Urbana, Illinois, as follows:

**Section 1:** The Mayor shall be and hereby is authorized to enter into and execute on behalf of the City of Urbana two agreements each entitled "Relocation Agreement" for the relocation of Ameren Illinois gas and electric distribution facilities currently located in or about the North Lincoln Avenue construction project area in substantially the form appended hereto and made a part hereof.

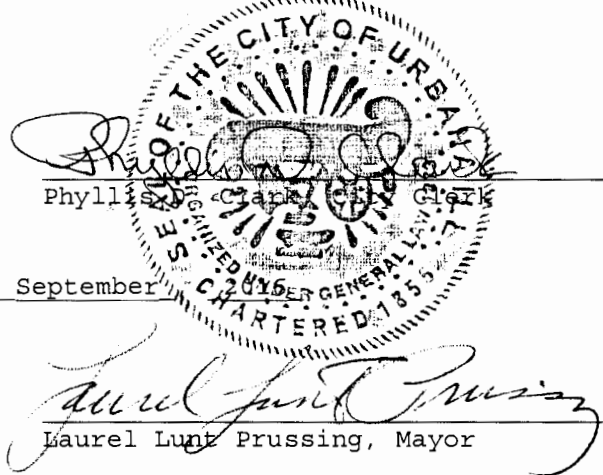
Section 2. The Mayor shall be and hereby is authorized to undertake such other actions as are necessary to carry out the purpose and intent of this Ordinance.

PASSED BY THE CITY COUNCIL this 19<sup>th</sup> day of September, 2016.

AYES: Ammons, Brown, Jakobsson, Madigan, Marlin, Roberts, Smyth

NAYS:

ABSTAINED:

  
Phyllis Clark, Clerk  
Laurel Lunt Prussing, Mayor

APPROVED BY THE MAYOR this 21<sup>st</sup> day of September



8 2 0 6 3 1 9  
Tx:4081645

**2017R03925**

REC ON: 03/08/2017 1:33:18 PM

CHAMPAIGN COUNTY

**MARK SHELDEN**

REC FEE: 50.00

PAGES 6

PLAT ACT: 0PLAT PAGE:

Gas Regulator Station Easement (IL Corporation)

**REMS INFORMATION**

Agreement ID:

Project ID:

**EASEMENT**

(Gas Regulator Station)

KNOW ALL MEN BY THESE PRESENTS, this 7<sup>TH</sup> day of MARCH, 2017, that CITY OF URBANA, an Illinois Municipal Corporation, its successors and assigns whether one or more and whether an individual, individuals, a corporation, or other legal entity (hereinafter "Grantor"), for and in consideration of the sum of One and No/100ths Dollars (\$1.00) and other valuable consideration in hand paid, the receipt of which is hereby acknowledged, does hereby grant unto AMEREN ILLINOIS COMPANY d/b/a AMEREN ILLINOIS, an Illinois corporation, its successors, assigns, licensees, agents, lessees, contractors, sub-contractors and tenants (hereinafter "Grantee"), the perpetual right and easement to construct, reconstruct, use, operate, maintain, inspect, renew and remove, a gas regulator station consisting of piping, hardware, valves, and other equipment for regulating gas, and appurtenances thereto, including without limitation a building or enclosure, fencing and pipelines to serve said station consisting of fittings, valves, pipes, and appurtenances; said gas regulator station and appurtenances to be located upon, over, and under the following described land owned by Grantor in Section 32, Township 20 North, Range 9 East, Third P.M., Champaign County, Illinois, to-wit:

Property Description:

Commencing at a stone monument found at the northeast corner of the northwest quarter of section 32, township 20 north, range 9 east of the third principal meridian, Champaign County, Illinois; thence along the north line of said section 32, south 89 degrees 38 minutes 52 seconds west 381.81 feet, to the point of beginning; thence south 33 degrees 39 minutes 18 seconds west 580.03 feet, to a point on the west line of the east 22.38 acres of the northeast quarter of the northwest quarter of said section 32; thence along said west line of the east 22.38 acres, north 0 degrees 11 minutes 33 seconds west 480.83 feet, to a point on said north line of section 32; thence along said north line of section 32, north 89 degrees 38 minutes 52 seconds east 323.07 feet, to the point of beginning, containing 1.783 acres, all in Champaign County, Illinois.  
(North Lincoln Avenue Right-of-Way Parcel 104)

Easement Description:

See Exhibit "A".

together with all rights reasonably implied by and incidental to the exercise and enjoyment of said easement rights, including without limitation the right of ingress and egress to and over the above-described easement area and premises of Grantor adjoining the same, for all purposes herein stated;

together with the right to trim, control, cut and remove or cause to be removed at any time and from time to time, by any means, any and all brush, bushes, saplings, trees, roots, undergrowth, rock, overhanging branches and other obstructions upon, over, and under the surface of said easement area and of the premises of Grantor adjoining the same deemed by Grantee to interfere with the exercise and enjoyment of Grantee's rights hereunder or endanger the safety of said gas regulator station or appurtenances; and the right to license, permit, or otherwise agree to the use of said easement or any portion thereof or of said facilities by any other person, association, or corporation for the purposes hereinabove set out; and with the further right to remove at any time and from time to time, any or all of the said facilities, and appurtenances thereto located upon, over, across and under said land by virtue hereof.

Grantee shall INDEMNIFY and DEFEND Grantor and its officers, agents, and employees against all claims arising from the performance or failure to perform the provisions of this Easement, except for claims based solely upon the negligence, gross negligence, or willful, wanton, or intentional misconduct of Grantor, its officers, agents, or employees. Grantee shall require its contractors to so indemnify and defend Grantor and its officers, agents, and employees.

Grantor, for itself, its successors and assigns, does hereby warrant and covenant unto Grantee (1) that Grantor is the owner of the above-described land and has full right and authority validly to grant this easement, (2) that Grantee may quietly enjoy the premises for the purposes herein stated, and (3) that Grantor will not create or permit any building or other obstruction or condition of any kind or character upon Grantor's premises that will interfere with the Grantee's exercise and enjoyment of the easement rights hereinabove conveyed.

IN WITNESS WHEREOF, CITY OF URBANA has caused these presents to be signed by its Public Works Director/City Engineer.

CITY OF URBANA, ILLINOIS

By: William R. Gray  
William R. Gray  
Public Works Director/City Engineer

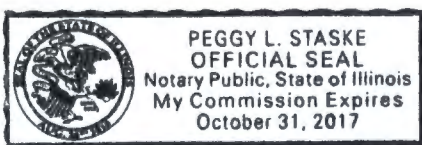
STATE OF ILLINOIS

SS

COUNTY OF CHAMPAIGN

I, the undersigned, a notary public in and for the said County, in the State aforesaid do hereby certify that William R. Gray, 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, sealed and delivered the said instrument in his capacity as the duly authorized Public Works Director/City Engineer of the City of Urbana as his free and voluntary act, and the free and voluntary act of the City of Urbana for the uses and purposes therein set forth.

GIVEN under my hand and official seal, the 7<sup>th</sup> day of march, 2017.



Peggy L. Staske  
Notary Public

Latitude - +40.154425  
Longitude - -88.211922

Prepared by: Jason Zumwalt

~~Return to:~~ Ameren Illinois, 1112 West Anthony Drive, Urbana, IL 61802

WR#

3/07/17



**EXHIBIT "A"**

Commencing at a stone monument found at the northeast corner of the Northwest Quarter of Section 32, Township 20 North, Range 9 East of the Third Principal Meridian, Champaign County, Illinois; thence, along the north line of said Section 32, South 89 degrees 38 minutes 52 seconds West 704.88 feet, to the west line of the east 22.38 acres of the Northeast Quarter of the Northwest Quarter of said Section 32; thence, South 00 degrees 11 minutes 33 seconds East, along said west line, 30.00 feet, to the Point of Beginning; thence, North 89 degrees 38 minutes 52 seconds East, along a line parallel with and 30.00 feet southerly of the north line of said Section 32, 4.80 feet, to a point of curvature; thence, along a curve to the right, having a radius of 70.00 feet, a chord length of 12.25 feet, with a chord bearing of South 85 degrees 20 minutes 02 seconds East, for an arc length of 12.26 feet; thence South 00 degrees 11 minutes 33 seconds East, along a line parallel with and 17.00 feet easterly of said west line, 48.93 feet; thence, South 89 degrees 38 minutes 52 seconds West, along a line parallel with and 80.00 feet southerly of the north line of said Section 32, 17.00 feet, to said west line; thence, North 00 degrees 11 minutes 33 seconds West, along said west line, 50.00 feet, to the Point of Beginning, containing 845.66 S.F., all in Champaign County, Illinois and being as shown on the accompanying plat.







SQUIRE FARMS

*W Olympian Dr*



1 inch = 300 feet

SQUIRE FARMS

SQUIRE FARMS

4132  
ERLANDSON MARGARET

**Proposed Ameren  
Gas Regulator  
Station Easement**

1102  
CHAMPAIGN ASPHALT CO LLC

SQUIRE FARMS

*W Tech Ave*

CORUM LARRY

ONEILL TERRANCE L

4018  
COPE BILL

CORUM LARRY J

HULLYNN J

SQUIRE FARMS

3609  
BEHREND'S JOSEPH W F

3601  
GAYER WILLIAM PAT

FRASCA ASSOCIATES

TKNTK LLC

TREAT BOB TRUSTEE

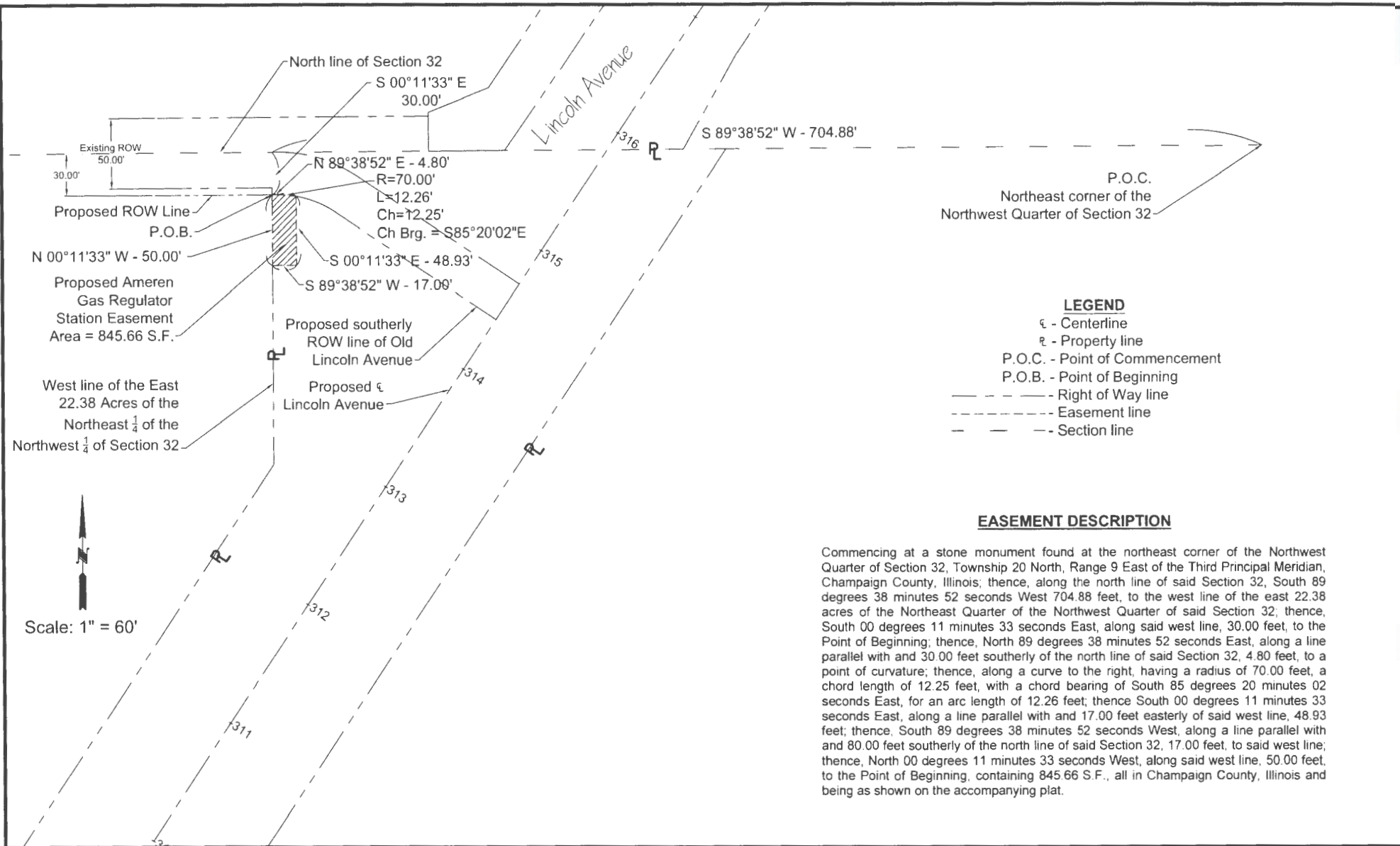
SQUIRE FARMS

3202  
FLESSNER DEVELOPMENT CO

*W Tech Ave*

4118  
KUHLMAN MARY

HANKS BEVERLY A



P.O.C.  
Northeast corner of the  
Northwest Quarter of Section 32

- LEGEND**
- ⊕ - Centerline
  - ⊕ - Property line
  - P.O.C. - Point of Commencement
  - P.O.B. - Point of Beginning
  - Right of Way line
  - Easement line
  - - - - Section line

**EASEMENT DESCRIPTION**

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Proposed Ameren Gas Regulator Station Easement  
4018 N. Lincoln Avenue