

Ordinance No. 13- 10

**AN ORDINANCE APPROVING A GRANT
OF EASEMENT FOR INGRESS AND EGRESS**

*BE IT ORDAINED BY THE SOUTH SANGAMON WATER COMMISSION, AS
FOLLOWS:*

SECTION 1: That certain Grant of Easement for Ingress and Egress from the South Sangamon Water Commission to the Sangamon County Soil and Water Conservation District, is hereby approved.

SECTION 2: The Chairman of the Commission is authorized and directed to execute said Grant of Easement on behalf of the Commission, and the proper officers of the Commission are authorized and directed to carry out the Grant of Easement by its terms.

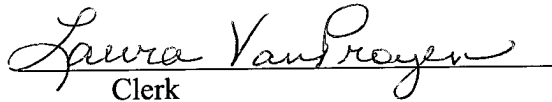
SECTION 3: This Ordinance is effective immediately.

PASSED this 19th day of November, 2013.



CHAIRMAN

ATTEST:



Clerk

AYES: McCord Sander _____

NAYS: 0 _____

PASSED: 11/19/2013

APPROVED: 11/19/2013

ABSENT: Hall _____

This space for Recorder of Deeds

GRANT OF EASEMENT FOR INGRESS AND EGRESS
CONSERVATION RESERVE ENHANCEMENT PROGRAM

THIS GRANT OF EASEMENT FOR INGRESS AND EGRESS (Grant) is made by the **South Sangamon Water Commission**, an Illinois public and municipal corporation, of PO Box 83, New Berlin, Illinois 62670 (Grantor), to the **Sangamon County Soil and Water Conservation District**, a public body corporate and politic of 2623 Sunrise Drive, Suite 1, Springfield, Illinois 62703, its employees and agents (also referred to as the “Grantee” from time to time);

WITNESSETH:

WHEREAS, the Grantor owns certain real estate located in the Southwest Quarter of the Northwest Quarter of Section 7, Township 15 North, Range 3 West of the Third Principal Meridian, Sangamon County, Illinois, and has the authority to grant said easement by means of being the owner of the above-described real estate;

WHEREAS, LYNDA SZYMANSKI, of 6428 West 70th Pl, Arvada, Colorado 80003 and DONALD NICHOLS, of 1633 South Benton Street, Lakewood, Colorado 80232, whose land is adjacent to the Grantor’s real estate, has, or will be, enrolling the following described real estate in the Conservation Reserve Enhancement Program (CREP) with the SANGAMON COUNTY SOIL AND WATER CONSERVATION DISTRICT, to-wit:

The Southeast Quarter of the Northwest Quarter of Section 7, Township 15 North, Range 3 West of the Third Principal Meridian, containing Thirty-one (31) acres, more or less, in Sangamon County, Illinois; (the "Szymanski Property")

WHEREAS, CREP is a program administered and regulated by the Illinois Department of Natural Resources, its employees and agents ("Department"); the SANGAMON COUNTY SOIL AND WATER CONSERVATION DISTRICT is an agent of the Department in the administration of CREP;

WHEREAS, the Grantee, its employees, agents and the Department hereunder need to have a means of legal access for ingress and egress to and from the real estate to be enrolled in CREP by LYNDA SZYMANSKI AND DONALD NICHOLS;

WHEREAS, Grantor hereunder has agreed freely to grant to the Grantee, its employees, agents and the Department hereunder an easement for ingress and egress to and from the real estate owned by LYNDA SZYMANSKI AND DONALD NICHOLS as hereinabove described for the purpose of inspecting and assuring compliance by LYNDA SZYMANSKI with the terms and provisions of CREP.

NOW, THEREFORE, the Grantor freely and voluntarily acknowledges and agrees as follows:

1. The Grantor does hereby grant to the Grantee, its employees, agents and the Department an easement described as follows:

On, over, and across the North 25 feet of the South 45 feet of the Southwest Quarter of the Northwest Quarter of Section 7, Township 15 North, Range 3 West of the Third Principal Meridian in Sangamon County, Illinois.

(the "Easement Area). The Easement Area is depicted on a Plat, Exhibit A hereto.

2. The easement as herein granted to the Grantee shall be used by the Grantee, its employees, agents and representatives of the Department for the sole and exclusive purpose of inspecting the CREP-enrolled ground of LYNDA SZYMANSKI AND DONALD NICHOLS as hereinabove legally described. The easement shall continue for so long as the CREP-enrolled ground is enrolled in the existing CREP or any future conservation program with the SANGAMON COUNTY SOIL AND WATER CONSERVATION DISTRICT. The

aforementioned purpose of inspecting the CREP-enrolled ground is to enable the Grantee, its employees, agents and the Department to ensure compliance with the terms and provisions of CREP or any successor conservation programs.

3. This Easement is subject to the following conditions:

a. Grantor shall not be liable to Grantee, its officers, agents, employees, contractors or the Department from the condition of the Easement Area or the gravel road or utility lines thereon.

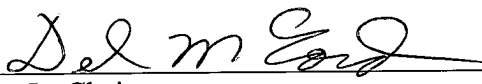
b. Grantee shall indemnify, defend and hold Grantor harmless for any damage to the Easement Area or Grantor's adjacent lands, and from all claims and causes of action of third parties or of Grantee's officers, agents, employees and contractors or the Department for personal injury or property damage, caused by the actions of Grantee, its officers, agents, employees, contractors and the Department in connection with their use of or activities in the Easement Area or their entry into or activities upon the Syzmanski Property.

c. Grantee shall not cause damage or harm to any roadway, structures or equipment belonging to or controlled by Grantor.

4. The Grantee shall not be permitted to assign its rights hereunder to anyone other than the Grantee, its employees and agents or the Department acting for the sole and exclusive purpose of gaining access to the LYNDA SZYMANSKI AND DONALD NICHOLS real estate as hereinabove described to ensure compliance with the terms and provisions of CREP or any successor conservation programs enacted by said SANGAMON COUNTY SOIL AND WATER CONSERVATION DISTRICT or the Department.

This Grant of Easement is made in Springfield, Sangamon County, Illinois, as of the 19th day of NOVEMBER, 2013.

SOUTH SANGAMON WATER COMMISSION Grantor,

By: 
Its Chairman

STATE OF ILLINOIS)
) SS.
COUNTY OF SANGAMON)

I, the undersigned, a Notary Public in and for said County, in the State aforesaid, do hereby certify that DEL McCORD, personally known to me to be the same person(s) whose name(s) is/are subscribed to the foregoing instrument, appeared before me this day in person, and acknowledged that he/she/they signed, sealed, and delivered the said instrument as his/her/their free and voluntary act for the uses and purposes therein set forth.

Given under my hand and Notarial seal this _____ day of _____, 2013.

Notary Public

I certify that this transaction is exempt from taxation pursuant to Section 31-45 (e) of the Real Estate Transfer Tax Law, 35 ILCS 200/31-1 et. seq., as a conveyance for less than \$100.00 actual consideration.

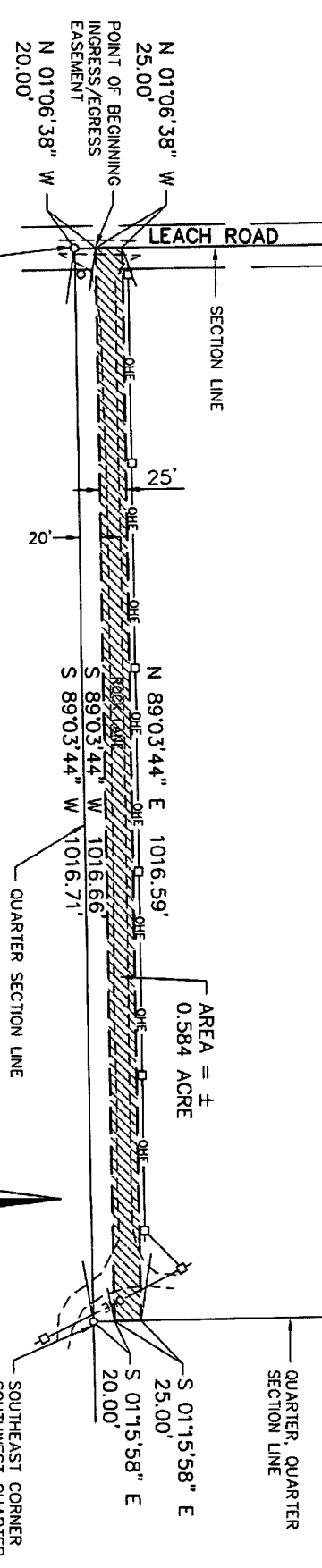
John M. Myers, attorney for Grantor

SANGAMON COUNTY SOIL AND WATER
CREP ENROLLMENT # 20131535

EASEMENT PLAT
LEGAL DESCRIPTION

THE NORTH 25 FEET OF THE SOUTH 45 FEET OF THE
SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF
SECTION 7, TOWNSHIP 15 NORTH, RANGE 3 WEST OF THE
THIRD PRINCIPAL MERIDIAN IN SANGAMON COUNTY, ILLINOIS.

T 15 N, R 3 W, SEC. 2
OWNER: SOUTH SANGAMON WATER
COMMISSION
TAX I.D. NO.: 24-07 0-100-003
TOWNSHIP: COOPER
COUNTY: SANGAMON
BASIS OF BEARING: NGS 1983 (2007)
DATUM
FIELD WORK COMPLETED: 06-25-13



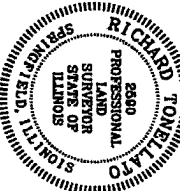
LEGEND

- OVERHEAD POWER — OHE —
- POWER POLE — □ —
- IRON PIPE — ○ —
- FIRE HYDRANT — ◐ —
- INGRESS/EGRESS EASEMENT — [Hatched Area] —

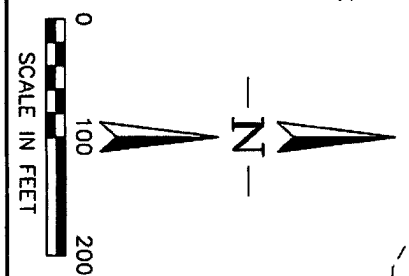
THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT
ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY.

ILLINOIS PROFESSIONAL LAND SURVEYOR # 2590

DATE SIGNED



AREA = ±
0.584 ACRE



REVISIONS	
DATE	BY

	GREENE & BRADFORD, INC.
	OF SPRINGFIELD

CONSULTING ENGINEERS
3501 CONSTITUTION DRIVE
SPRINGFIELD, ILLINOIS 62711
(217) 793-8944, (217) 793-8227 FAX
PROFESSIONAL LAND SURVEYING FIRM NO. 048-000098

DATE	06-27-13
DRAWN	DEFRATES
PROJ. NO.	13-604
FIELD BOOK	-
COMPUTER FILE NO.	13604EP.dwg
PLOT SCALE	1" = 100'

Exhibit
A

Prepared By / Return To:

John M. Myers
Rabin & Myers, P.C.
1300 South Eighth Street
Springfield, IL 62703
217.544.5003

ORDINANCE CERTIFICATE

STATE OF ILLINOIS)
) SS
COUNTY OF SANGAMON)


I, the undersigned, do hereby certify that I am the duly qualified and acting Clerk of the South Sangamon Water Commission.

I do further certify that the ordinance attached hereto is a full, true, and exact copy of Ordinance No. 13- 09 adopted by the Commission on the 19th day of November, 2013, said Ordinance being entitled:

**AN ORDINANCE APPROVING A GRANT
OF EASEMENT FOR INGRESS AND EGRESS**

I do further certify that prior to the making of this certificate, the said Ordinance was spread at length upon the permanent records of said Commission, where it now appears and remains.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of said Commission this 19th day of November, 2013.


Clerk