

VILLAGE OF BRADLEY

ORDINANCE NO. O-7-15-2

**AN ORDINANCE APPROVING AND AUTHORIZING THE GRANT OF A  
SEWER EASEMENT ON A PORTION OF VILLAGE PROPERTY**

ADOPTED BY THE  
BOARD OF TRUSTEES  
VILLAGE OF BRADLEY

This 27 day of July, 2015

Published in pamphlet form by authority of the Board of Trustees of the Village of  
Bradley, Kankakee County, Illinois, this 27 day of July,  
2015.

CERTIFICATE:

  
\_\_\_\_\_  
Michael J. LaGesse, Village Clerk

**ORDINANCE NO. O-7-15-2**

**AN ORDINANCE APPROVING AND AUTHORIZING THE GRANT OF A SEWER EASEMENT ON A PORTION OF VILLAGE PROPERTY**

**WHEREAS**, the City of Kankakee has requested the grant of an approximately 20' x 232' sewer easement across a portion of the Village of Bradley's real property identified on the attached *Plat of Easement*, and located within the Village of Bradley, to allow the placement and ongoing maintenance of a sanitary sewer line upon said parcel; and

**WHEREAS**, the Village of Bradley finds that granting the easement is an appropriate public use for this property; and

**WHEREAS**, the Village of Bradley finds that the easement will allow the City of Kankakee to construct, lay, maintain, relocate, remove, repair, replace, and renew a pipe for sanitary sewer of such size as shown on its approved plan; and

**WHEREAS**, the Village of Bradley consents to the City of Kankakee having a sewer easement across the property owned by the Village; and

**NOW, THEREFORE, IT IS HEREBY ORDAINED** by the President and the Trustees of the Village of Bradley, Kankakee County, Illinois:

**Section 1. Recitals Incorporated.** The above recitals are incorporated into this Ordinance and shall have the same force and effect as though fully set forth herein.

**Section 2. Easement Granted.** The Village of Bradley hereby grants an approximately 20' x 232' sewer easement across a portion of the Village's real property identified on the land survey (*Plat of Easement*) attached hereto as Exhibit A, to provide, operate and maintain a sewer line upon said parcel. The location of the easement shall be located as shown on the attached land survey (Exh. A) and as legally described in the portion titled "Easement Description".

**Section 3. Authority to Execute.** The Village President and Village Clerk have the authority to execute and deliver all documents and instruments (attached hereto as Exh. B) necessary for the grant of this easement.

**Section 4. Severability and Repeal of Inconsistent Ordinances.** If any section, paragraph, clause or provision of this Ordinance shall be held invalid, the invalidity thereof shall not affect any of the other provisions of this Ordinance. All existing ordinances of the Village of Bradley are hereby repealed insofar as they may be inconsistent with the provisions of this Ordinance.

**Section 5. Effective Date.** The Clerk of the Village of Bradley shall certify to the adoption of this Ordinance and shall cause it to be published in pamphlet form and this Ordinance shall take effect upon its approval and publication in pamphlet form as so certified.

PASSED this 27 day of July, 2015

TRUSTEES:

Jerry Balthazor:	Aye - <input checked="" type="checkbox"/>	Nay - <input type="checkbox"/>	Absent - <input type="checkbox"/>
Robert Redmond:	Aye - <input checked="" type="checkbox"/>	Nay - <input type="checkbox"/>	Absent - <input type="checkbox"/>
Lori Gadbois:	Aye - <input checked="" type="checkbox"/>	Nay - <input type="checkbox"/>	Absent - <input type="checkbox"/>
Eric Cyr:	Aye - <input checked="" type="checkbox"/>	Nay - <input type="checkbox"/>	Absent - <input type="checkbox"/>
Melissa Carrico:	Aye - <input type="checkbox"/>	Nay - <input type="checkbox"/>	Absent - <input checked="" type="checkbox"/>
Michael Watson:	Aye - <input checked="" type="checkbox"/>	Nay - <input type="checkbox"/>	Absent - <input type="checkbox"/>

Bruce Adams: Aye -  Nay -  Absent -

TOTALS: AYE - 5 NAY - 0 ABSENT - 1

APPROVED this 27 day of July, 2015



ATTEST:

Michael J. LaGesse  
Michael J. LaGesse, Village Clerk

Bruce Adams Mayor Pro-Tem  
Bruce Adams, President of the Board of  
Trustees of the Village of Bradley

Handwritten mark or signature

Handwritten mark or signature




Handwritten signature or name

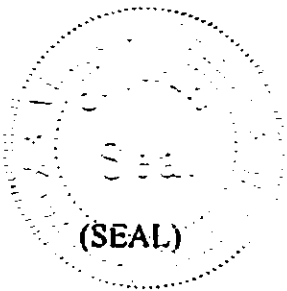
STATE OF ILLINOIS                    )  
  ) ss.  
COUNTY OF KANKAKEE                )

**CERTIFICATION**

I, Michael J. LaGesse, Village Clerk of the Village of Bradley, County of Kankakee and State of Illinois, DO HEREBY CERTIFY that the attached is a true and correct copy of Ordinance No. O-7-15-2, “**AN ORDINANCE APPROVING AND AUTHORIZING THE GRANT OF A SEWER EASEMENT ON A PORTION OF VILLAGE PROPERTY**”, which was adopted by the Village President and Board of Trustees on July 27, 2015.

IN WITNESS WHEREOF, I have hereunto set my hand in the County of Kankakee and State of Illinois, on July 27, 2015.

  
\_\_\_\_\_  
Michael J. LaGesse  
Village Clerk

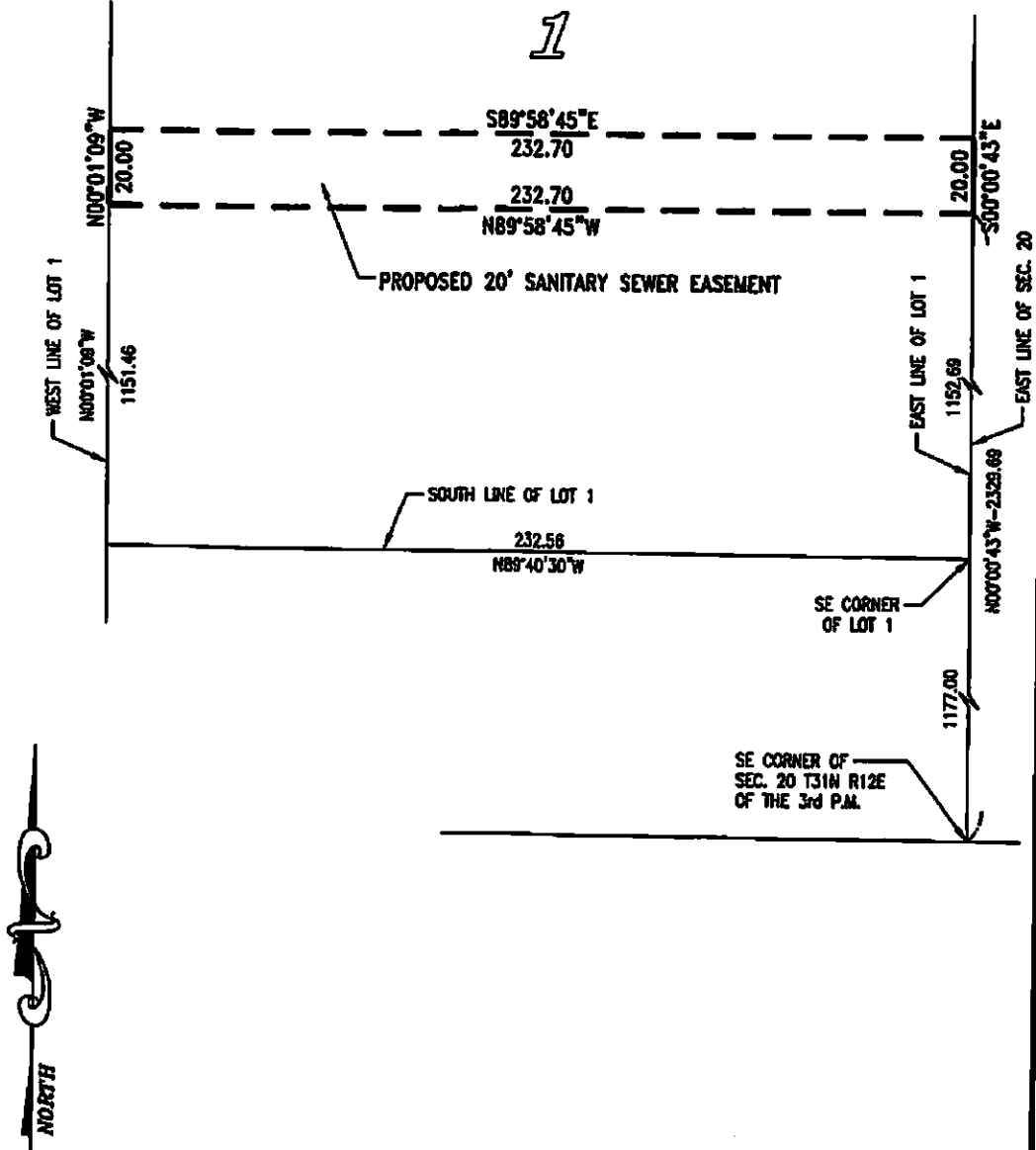


1954



# PLAT OF EASEMENT

INDUSTRIAL DRIVE



SCALE 1" = 40'

## EASEMENT DESCRIPTION

A part of Lot 1, Bradley North Industrial Park, First Addition, being a Resubdivision of Lot 4 and Lot 5 of Bradley North Industrial Park, and a part of the East Half of Section 20, Township 31 North, Range 12 East of the Third Principal Meridian, in Kankakee County, Illinois, described as follows: Commencing at the Southeast corner of said Section 20, thence North  $00^{\circ}00'43''$  West along the East line of said Section 20 a distance of 2,329.69 feet to a point, said point to be known as the point of beginning, thence North  $89^{\circ}58'45''$  West a distance of 232.70 feet to the West line of said Lot 1 of Bradley North Industrial Park, First Addition; thence North  $00^{\circ}01'09''$  West along said West line a distance of 20.00 feet; thence South  $89^{\circ}58'45''$  East a distance of 232.70 feet to the East line of said Lot 1, also the East line of said Section 20; thence South  $00^{\circ}00'43''$  East along said East line a distance of 20.00 feet to the point of beginning.

Prepared by: Tyson Engineering, Inc.  
 367 S. Schuyler Avenue  
 Kankakee, IL 60901  
 Design Firm License #184-001136

Prepared for: CITY OF KANKAKEE  
 Date: January 23, 2015  
 Job #E14048.03

EXHIBIT A

## GRANT OF SEWER EASEMENT

The Grantor, Village of Bradley, owner of the real estate hereinafter described, for good and valuable considerations in hand paid, receipt whereof is hereby acknowledged, do hereby grant, bargain, sell, convey, and warrant to CITY OF KANKAKEE, its successors and assigns (hereinafter referred to as the "Grantee"), a perpetual right, easement, permission, and authority to construct, lay, maintain, relocate, remove, repair, replace, and renew a pipe for a sanitary sewer of such size as shown on the approved plan, all necessary or desirable fixtures and appurtenances, attached thereto and extending up or otherwise therefrom, through and across the premises of the Grantor, as shown on the attached drawing, described as follows and hereinafter referred to as the easement premises:

**A part of Lot 1, Bradley North Industrial Park, First Addition, being a Resubdivision of Lot 4 and 5 of Bradley North Industrial Park, and a part of the East Half of Section 20, Township 31 North, Range 12 East of the Third Principal Meridian, in Kankakee County Illinois described as follows: Commencing as the Southeast corner of said Section 20, thence North 00°00'43" West along the East line of said Section 20 a distance of 2,329.69 feet to a point, said point to be known as the point of beginning, thence North 89°58'45" West a distance of 232.70 feet to the West line of said Lot 1 of Bradley North Industrial Park, First Addition; thence North 00°01'09" West a long said West line a distance of 20.00 feet; thence South 89°58'45" East a distance of 232.70 feet to the East line of said Lot 1, also the East line of said Section 20; thence South 00°00'43" East a long said East line a distance of 20.00 feet to the point of beginning.**

In addition, the Grantor hereby release and waives all rights under and by virtue of the Homestead Laws of the State of Illinois. This easement is granted to and over the easement premises, at any and all times, for such purposes, and for doing anything necessary, useful and convenient for the enjoyment of the easement hereto granted.

Exh. B



No building or structure shall hereafter be placed by the Grantors, herein, their heirs, successors, assigns, lessees or licensees, upon the easement premises. The Grantor may use the easement premises for storm water detention and paved driveways, parking and work surfaces.

Grantee shall promptly repair or replace all fences, gates, drains, sidewalks, driveways, parking lots, landscaping, and any other utilities damaged or destroyed by Grantee due to Grantee's exercise of any of its rights hereunder, to the condition said items were in immediately prior to such damage or destruction.

This grant contains all the terms and conditions of this easement expressed or implied between the parties hereto and shall be binding upon, and inure to the benefit of, the Grantor and the Grantee and their respective legal representatives, heirs, successors, assigns, lessees, and all licensees.

The Grantor agrees and acknowledges that it is the sole Owner of the real estate herein and has the full right and authority to grant the easement herein stated, which warrants as to title.

IN WITNESS WHEREOF, the Grantor has signed and delivered this instrument this day of July 27, 2015.

Grantor:  
By: Harold Balthus  
Name

147 S. Michigan Ave  
Address

Bradley IL 60915  
City, State, Zip Code

STATE OF ILLINOIS )  
COUNTY OF KANKAKEE )SS

I, Teresa M. Richert, the undersigned, a Notary Public in and for the County and State aforesaid, do hereby certify that on this day there personally appeared before me Gerald L. Bretherton, personally known to me to be the person acknowledged to me, that he signed and delivered the above and foregoing instrument as his free and voluntary act and deed for the uses and purposes therein set forth, including the release and waiver of the right of homestead.

Subscribed and Sworn to me, this  
28th day of July, 2015,  
Teresa M. Richert  
Notary Public

My Commission Expires:  
9/5, 2017.

Return to and Prepared by:  
L. Patrick Power  
Assistant City Attorney  
City of Kankakee  
304 S. Indiana Ave.  
Kankakee, IL 60901  
815-936-3618



"OFFICIAL SEAL"  
TERESA M RICHERT  
NOTARY PUBLIC, STATE OF ILLINOIS  
MY COMMISSION EXPIRES 03/31/17