

AUG 06 2012

*J. Ronald Colyer*  
City Clerk

**ORDINANCE NO. 2965**

**AN ORDINANCE TO AUTHORIZE AND APPROVE A THIRTY (30) FEET WIDE EASEMENT OF INGRESS AND EGRESS FOR LOUIS I. MUND ACROSS PROPERTY KNOWN AS THE MULE WATER TANK AT 1243 MULE ROAD IN THE COUNTY OF ST. CLAIR, ILLINOIS.**

WHEREAS, it is necessary and appropriate that the City of Columbia, Illinois (the "City") provide Louis I. Mund a thirty (30) feet wide easement of ingress and egress across property known as the Mule Water Tank at 1243 Mule Road in the County of St. Clair, Illinois; and

WHEREAS, Louis I Mund has requested said easement of ingress and egress to provide direct access to surrounding property in which he has an interest; and

WHEREAS, it is necessary and appropriate that the City Council of the City shall enact this Ordinance for the purpose of authorizing said ingress and egress easement and to approve of the form thereof.

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

**Section 1.** The recitals contained above in the preamble of this Ordinance are hereby incorporated herein by reference, the same as if set forth in this Section of this Ordinance verbatim, as findings of the City Council of the City of Columbia, Illinois.

**Section 2.** Attached hereto is the form of the proposed ingress and egress easement from the City of Columbia, Illinois to Louis I. Mund, which permanent ingress and egress easement is hereby authorized to be granted by the City Council of the City to Louis I. Mund, and which is hereby approved as to form. The Mayor is hereby authorized and directed to execute the easement, for and on behalf of the City, in as many counterparts as the Mayor shall determine.

**Section 3.** The signed and notarized easement shall be forwarded to Louis I. Mund for proper recording in the Recorder of Deeds office, County of St. Clair, Illinois.

**Section 4.** This Ordinance shall be in full force and effect, from and after its passage, as provided by law.

Alderman Niemietz moved the adoption of the above and foregoing Ordinance; the motion was seconded by Alderman Ebersohl, and the roll call vote was as follows:

YEAS: Aldermen Ebersohl, Agne, Niemietz, Roessler, Huch, Piazza and Reis.

NAYS: None.

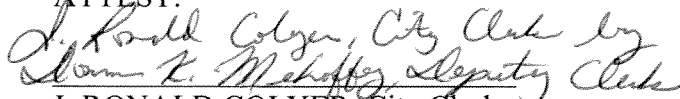
ABSENT: Alderman Mathews.

ABSTENTIONS: None.

PASSED by the City Council and APPROVED by the Mayor this 6<sup>th</sup> day of August, 2012.

  
KEVIN B. HUTCHINSON, Mayor

ATTEST:

  
J. RONALD COLYER, City Clerk

(SEAL)

STATE OF ILLINOIS        )  
  ) SS  
COUNTY OF MONROE        )

**CERTIFICATE OF TRUE COPY**

I, J. Ronald Colyer, hereby certify that I am the duly elected and acting City Clerk of the City of Columbia, Illinois and as such I am the keeper of the books, records, files and corporate seal of said City.

I do further certify that Ordinance No. 2965, entitled:

**"AN ORDINANCE TO AUTHORIZE AND APPROVE A THIRTY (30) FEET WIDE EASEMENT OF INGRESS AND EGRESS FOR LOUIS I. MUND ACROSS PROPERTY KNOWN AS THE MULE WATER TANK AT 1243 MULE ROAD IN THE COUNTY OF ST. CLAIR, ILLINOIS."**

to which this certificate is attached, is a true, perfect, complete and correct copy of said ordinance as adopted at a regular meeting of the Columbia, Illinois City Council held on the 6th day of August, 2012.

IN WITNESS WHEREOF, I have made and delivered this certificate for the uses and purposes hereinabove set forth this 6th day of August, 2012.

*J. Ronald Colyer, City Clerk by*  
*Alon R. McElroy, Deputy Clerk*  
J. Ronald Colyer, City Clerk

(SEAL)

### **EASEMENT**

This indentured witnesseth, that the Grantor, City of Columbia, a municipal corporation, for and in consideration of the sum of One Dollar (\$1.00) and other good and valuable consideration in hand paid, the receipt of which is hereby acknowledged, represents that they own the fee simple title to and do by these presence grant the right, easement and privilege to Louis I. Mund to enter upon an easement thirty feet wide for the property legally described as follows, for the purposes of ingress and egress:

An easement thirty (30.0) feet in width for the purposes of ingress and egress across a tract of land located in Lot 5 of U.S. Survey 429, Claim 1800, Township 1 North, Range 10 West of the Third Principal Meridian, St. Clair County, Illinois, reference being had to the plats thereof recorded in the Recorder's Office of said St. Clair County in Book of Plats "C" on pages 97 and 99, said easement being across the Easterly thirty (30.0) feet of a 1.00 acre tract of land conveyed to the CITY OF COLUMBIA, ILLINOIS by Warranty Deed dated August 29, 1995 and recorded September 8, 1995 in said Recorder's Office as Document No. A01290250 (Book 3049, pages 783-785), said 1.00 acre tract being more particularly described as follows:

Commencing at a point on the Southwest corner of Lot 1, Mule Road Woods Subdivision, recorded in Plat Book 78, page 68 in the Recorder of Deeds Office, St. Clair County, said point also being on the East line of U.S. Survey 429, Claim 1800; thence proceeding North 19 degrees 17 minutes 39 seconds East and along the Eastern line of U.S.

Survey 429, Claim 1800, a distance of 653.42 feet to the most Southeasterly property corner of the Louis I. Mund property, from which a concrete monument bears South 19 degrees 17 minutes 39 seconds West, a distance of 26.91 feet; thence proceeding North 19 degrees 17 minutes 39 seconds East, a distance of 115.14 feet to the POINT OF BEGINNING of the tract of property herein described; thence proceeding North 70 degrees 42 minutes 21 seconds West, a distance of 208.71 feet to a point; thence proceeding North 19 degrees 17 minutes 39 seconds East, a distance of 208.71 feet to a point; thence proceeding South 70 degrees 42 minutes 21 seconds East, a distance of 208.71 feet to a point on the Eastern line of U.S. Survey 429, Claim 1800; thence proceeding South 19 degrees 17 minutes 39 seconds West and along the Eastern line of U.S. Survey 429, Claim 1800, a distance of 208.71 feet to the POINT OF BEGINNING, containing 1.00 acre.

IN WITNESS WHEREOF, the Grantor has hereunto set its hand and seal this \_\_\_\_\_ day of \_\_\_\_\_, 2012.

City of Columbia

By: \_\_\_\_\_

STATE OF ILLINOIS                    )  
   ) ss  
 COUNTY OF \_\_\_\_\_ )

I, the undersigned, a Notary Public, in and for said County and State aforesaid, DO HEREBY CERTIFY THAT \_\_\_\_\_, as a representative for the City of Columbia, Illinois, personally known to me to be the same person whose name is subscribed to the foregoing instrument, as having executed the same, appeared before me this day in person and acknowledged that \_\_\_\_\_ signed, sealed and delivered the said instrument as \_\_\_\_\_ free and voluntarily act for the uses and purposes therein set forth, including the release and waiver of the right of homestead .

Given under my hand and Notarial Seal this \_\_\_\_\_ day of \_\_\_\_\_, 2012.

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