

ORDINANCE NO. 3352

AN ORDINANCE TO APPROVE AN EASEMENT AGREEMENT BY AND BETWEEN THE CITY OF COLUMBIA, ILLINOIS AND ADMIRAL PARKWAY, INC. FOR USAGE AND MAINTENANCE OF PROPERTY

WHEREAS, it is necessary and appropriate that the City of Columbia, Illinois (the "City") approve an Easement Agreement by and between City Of Columbia, Illinois, an Illinois municipal corporation (the "Grantor"), and Admiral Parkway, Inc., (the "Grantee"); and

WHEREAS, the Grantee has requested the Grantor provide said easement to and for the benefit of the Grantee which will provide usage and maintenance on the Grantor's Property upon the terms and conditions set forth in said Easement Agreement; and

WHEREAS, it is necessary and appropriate that the City enact this ordinance to grant and approve the easement with the terms set forth in the Easement Agreement; and

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 easement agreement by and between City of Columbia, Illinois, an Illinois municipal corporation (the "Grantor"), and Admiral Parkway, Inc., (the "Grantee"); which is granted and approved by this ordinance. The City hereby approves the form of the attached Easement Agreement and does hereby authorize and direct the Mayor to sign the same.

**Section 3.** The City Council hereby authorizes and directs the City to record in the office of the Monroe County, Illinois Recorder the fully executed and attested Easements aforesaid and thereafter to file them with the permanent real estate records of the City.

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

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

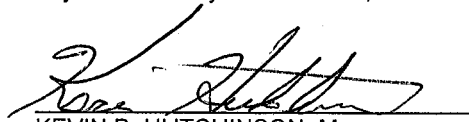
YEAS: Aldermen Ebersohl, Agne, Niemietz, Roessler, Huch, Reis, Holtkamp and Martens.

NAYS: None.

ABSTENTIONS: None.

ABSENT: None.

PASSED by the City Council and APPROVED by the Mayor this 6<sup>th</sup> day of November, 2017.

  
KEVIN B. HUTCHINSON, Mayor

ATTEST:

  
WESLEY J. HOEFFKEN, City Clerk

(SEAL)



\* 3 9 3 1 7 3 5 \*

393173

After recording,  
Please Return to:  
  
City Clerk  
City of Columbia  
208 S. Rapp Ave.  
Columbia, IL 62236

DENNIS KNOBLOCH  
MONROE COUNTY RECORDER  
WATERLOO, IL  
RECORDED ON  
11/30/2017 08:31:57AM  
MISC R FEE: 28.00  
RHSP FEE: 9.00  
PAGES: 5  
BOOK \_\_\_\_\_ PAGE \_\_\_\_\_

(The above space is reserved for use by the Monroe County Recorder's Office.)

**Grantee: Admiral Parkway, Inc.**



**Permanent Usage & Maintenance Easement**



**Grantor: City of Columbia, Illinois**

City of Columbia  
Admiral Parkway, Inc.  
Monroe County, Illinois  
Parcel No. 04-08-200-008-000  
BK 88, PG 16

**PERMANENT EASEMENT**  
**(Usage & Maintenance)**

THIS INDENTURE WITNESSETH THAT, the GRANTOR(S), **City of Columbia**, Illinois County of Monroe and State of Illinois for and in consideration of One Dollar (\$1.00), hereby represent that they own the fee simple title to and does by these presents, grant the right, perpetual easement and privilege to enter upon the following described land unto Admiral Parkway, Inc., for the purpose of recreation use, landscaping placement and maintenance, ingress/egress, slope maintenance and grading construction of Adler Ridge as needed.

- The City retains the right to immediately dissolve the easement location without prior notice.
- Upon receipt of the written notice that the easement has been dissolved, the association has thirty days to remove requested structures/contents located within said easement.
- The maintenance to the grounds and all cost associated within the easement shall be the responsibility of the association.
- The association shall assume all/any responsibility, cost and liability as a result of the structures/contents placed within said easement by the association.

Said tract of land is situated in the County of Monroe, State of Illinois, and is described in the legal description attached, marked as "Exhibit A" and illustrated on "Exhibit B."

IN WITNESS WHEREOF, the grantor has hereunto set his hand and seal this 6th day of November, 2017.

GRANTOR, City of Columbia

[Signature]  
MAYOR

[Signature]  
CITY CLERK

STATE OF ILLINOIS )  
                                  ) SS  
COUNTY OF MONROE )

I, the undersigned, a Notary Public, in and for the County and State aforesaid, do hereby certify that the above signed persons, personally known to me to be the same person(s) whose names(s) are subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that they signed and sealed this instrument as their free and voluntary act for the uses and purposes therein set forth.

Given under my hand and Notarial Seal this 6th day of November, 2017.



[Signature]  
NOTARY PUBLIC

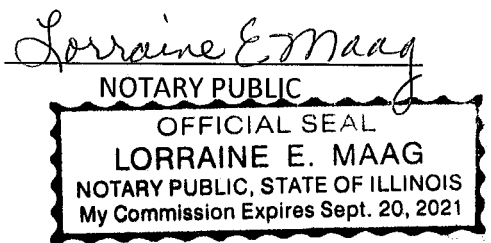
GRANTEE, Admiral Parkway, Inc.

[Signature]

STATE OF ILLINOIS )  
                                  ) SS  
COUNTY OF MONROE )

I, the undersigned, a Notary Public, in and for the County and State aforesaid, do hereby certify that the above signed persons, personally known to me to be the same person(s) whose names(s) are subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that they signed and sealed this instrument as their free and voluntary act for the uses and purposes therein set forth.

Given under my hand and Notarial Seal this 21st day of November, 2017.



**EXHIBIT "A"**

Legal Description – Permanent Usage and Maintenance Easement (Adler Ridge Property)  
October 16, 2017

AN EASEMENT BEING PART OF U.S. SURVEY 556, CLAIM 498, TOWNSHIP 1 SOUTH, RANGE 10 WEST OF THE THIRD PRINCIPAL MERIDIAN, CITY OF COLUMBIA, MONROE COUNTY, ILLINOIS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

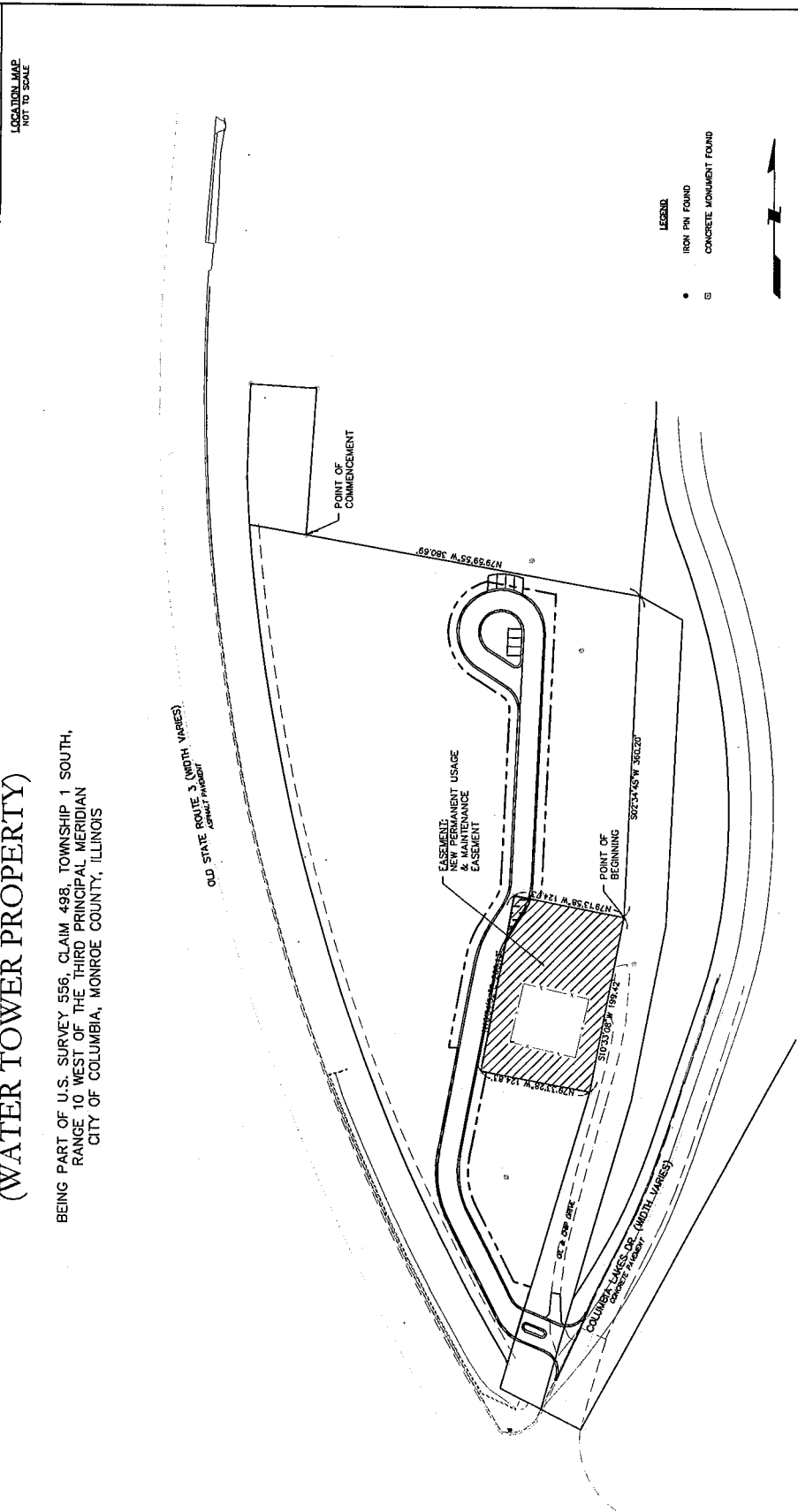
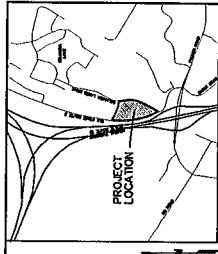
COMMENCING AT THE SOUTHWEST CORNER OF COLUMBIA LAKES GAMMA SUBDIVISION, REFERENCE BEING HAD TO THE PLAT THEREOF RECORDED IN THE RECORDER'S OFFICE OF MONROE COUNTY, ILLINOIS, IN ENVELOPE 158D; THENCE AT AN ASSUMED BEARING OF SOUTH 79°59'55" EAST, ALONG THE SOUTH LINE OF COLUMBIA LAKES GAMMA SUBDIVISION, A DISTANCE OF 380.69 FEET TO A CONCRETE MONUMENT FOUND WHICH MARKS THE LAND CONVEYED TO THE CITY OF COLUMBIA BY DEED RECORDED IN THE RECORDER'S OFFICE OF MONROE COUNTY, ILLINOIS IN BOOK OF DEEDS 82 ON PAGE 288; THENCE SOUTH 02°34'45" WEST, ALONG THE WEST LINE OF SAID CITY OF COLUMBIA TRACT, A DISTANCE OF 360.20 FEET TO A PIPE FOUND WHICH MARKS THE NORTHEAST CORNER OF A SECOND TRACT OF LAND CONVEYED TO THE CITY OF COLUMBIA BY DEED RECORDED IN THE RECORDER'S OFFICE OF MONROE COUNTY, ILLINOIS, IN BOOK OF DEEDS 88 ON PAGE 16 AND THE POINT OF BEGINNING; THENCE NORTH 79°13'58" WEST, ALONG THE NORTH LINE OF SAID SECOND CITY OF COLUMBIA TRACT, A DISTANCE OF 124.73 FEET TO A CONCRETE MONUMENT FOUND WHICH MARKS THE NORTHWEST CORNER OF SAID SECOND CITY OF COLUMBIA TRACT; THENCE SOUTH 10°34'52" WEST, ALONG THE WEST LINE OF SAID SECOND CITY OF COLUMBIA TRACT, A DISTANCE OF 200.13 FEET TO A CONCRETE MONUMENT FOUND WHICH MARKS THE SOUTHWEST CORNER OF SAID SECOND CITY OF COLUMBIA TRACT; THENCE SOUTH 79°33'28" EAST, ALONG THE SOUTH LINE OF SAID SECOND CITY OF COLUMBIA TRACT, A DISTANCE OF 124.83 FEET TO A CONCRETE MONUMENT FOUND WHICH MARKS THE SOUTHEAST CORNER OF SAID SECOND CITY OF COLUMBIA TRACT AND LIES ON THE WEST LINE OF THE AFOREMENTIONED FIRST CITY OF COLUMBIA TRACT; THENCE NORTH 10°33'08" EAST ALONG THE EAST LINE OF SAID SECOND CITY OF COLUMBIA TRACT 199.42 FEET TO THE POINT OF BEGINNING, EXCEPT THEREFROM THAT PORTION FENCED AND USED TO OPERATE AND MAINTAIN THE WATER TOWER.

SAID EASEMENT, INCLUDING THE WATER TOWER, CONTAINS 0.57 ACRES, MORE OR LESS.

# ADLER RIDGE

## EXHIBIT "B" PERMANENT USAGE & MAINTENANCE EASEMENT (WATER TOWER PROPERTY)

BEING PART OF U.S. SURVEY 556, CLAIM 498, TOWNSHIP 1 SOUTH,  
RANGE 10 WEST OF THE THIRD PRINCIPAL MERIDIAN  
CITY OF COLUMBIA, MONROE COUNTY, ILLINOIS



LEGEND

- IRON PIN FOUND
- ⊕ CONCRETE MONUMENT FOUND

GRAPHIC SCALE  
60' 0 60' 120'

Drawing Issue	
10/15/17	EASEMENT EXHIBIT SUBMITTAL

Millennia  
Professional Services

11 Executive Drive, Suite 12  
Fairview Heights, Illinois 62208  
P.O. Box 140  
Columbia, Illinois 62236

FAX: 618.624.8611  
618.624.8610

M.R.  
L.T.  
C.H.  
E.O.  
O.A./O.C.  
Job Number: ME16079.00

ADLER RIDGE  
Columbia, Illinois

Admiral Parkway, Inc.  
P.O. Box 140  
Columbia, Illinois 62236

Sheet Title  
Easement  
Exhibit

Sheet  
1 of 1