



Reviewed By:

Legal	<input checked="" type="checkbox"/>
Finance	<input type="checkbox"/>
Engineer	<input type="checkbox"/>
City Administrator	<input checked="" type="checkbox"/>
Community Development	<input type="checkbox"/>
Purchasing	<input type="checkbox"/>
Police	<input type="checkbox"/>
Public Works	<input type="checkbox"/>
Parks and Recreation	<input type="checkbox"/>

Agenda Item Number

Mayor's Report #6
 Supplemental Information #1

Tracking Number

CC 2022-57

Agenda Item Summary Memo**Title:** Authorization of Acquisition Easements for Construction of 8,500 Linear Feet of Sewer Line**Meeting and Date:** City Council – November 22, 2022**Synopsis:** _____
 _____**Council Action Previously Taken:**

Date of Action: _____ Action Taken: _____

Item Number: _____

Type of Vote Required: Majority**Council Action Requested:** Approval

Submitted by: Bart Olson Administration
 Name Department

Agenda Item Notes:

 _____*Have a question or comment about this agenda item?*

Call us Monday-Friday, 8:00am to 4:30pm at 630-553-4350, email us at agendas@yorkville.il.us, post at www.facebook.com/CityofYorkville,
 tweet us at @CityofYorkville, and/or contact any of your elected officials at <http://www.yorkville.il.us/320/City-Council>

**AN ORDINANCE OF THE UNITED CITY OF YORKVILLE, KENDALL COUNTY, ILLINOIS
AUTHORIZING THE ACQUISITION OF CERTAIN EASEMENTS FOR THE
CONSTRUCTION OF 8,500 LINEAR FEET OF SEWER LINE**

WHEREAS, the United City of Yorkville, Kendall County, Illinois (the “City”) is a duly organized and validly existing non-home-rule municipality created in accordance with the Constitution of the State of Illinois of 1970 and the laws of the State; and,

WHEREAS, Illinois Greenhouse, LLC, a Delaware corporation d/b/a BrightFarms submitted a proposal to the City to develop approximately forty (40) acres at the northeast corner of Eldamain and Corneils Road (the “*Development Site*”) to construct green houses for an indoor lettuce and growing operation; and,

WHEREAS, BrightFarms, as a part of its proposal to the City, requested the City to extend sewer services to the Development Site and further agreed to be responsible for all costs incurred by the City for the engineering design fees; acquisition of required temporary and permanent easements; construction of the sanitary sewer line of approximately 8,500 linear feet along Corneils Road; and, all permit fees for its construction (the “*Project*”); and,

WHEREAS, the City has proceeded to negotiate the acquisition of the easements required to construct the Project from each of the property owners along Corneils Road and is prepared to authorize the acceptance of and payments due for the conveyance of temporary construction easements and permanent easements (collectively, the “*Easements*”) as hereinafter provided.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and City Council of the United City of Yorkville, Kendall County, Illinois, as follows:

Section 1. All of the Preambles hereinabove set forth are incorporated herein as if restated.

Section 2. The following Easements, as attached hereto, are hereby accepted;

1. Permanent Easement dated October 24, 2022, from Gary Bennett and Betty Bennett of Yorkville, Illinois, jointly as Grantor, said easement being located within Parcel No. 02-08-30-008.
2. Temporary Construction Easement from Gary Bennett and Betty Bennett of Yorkville, Illinois, jointly as Grantor of said easement being located within Parcel No. 02-08-300-008.
3. Permanent Easement dated October 28, 2022, from Howard W. Rosenwinkel, Trustee; Rebecca M. Rosenwinkel, Trustee; Michael Rosenwinkel, Trustee; Tamara Rosenwinkel, Trustee; John Rosenwinkel, Trustee; Mark Rosenwinkel, Trustee; and, Timothy Rosenwinkel, Trustee, all of the aforesaid jointly as the Grantor, said easement being located within Parcel No. 02-07-400-002.
4. Temporary Construction Easement dated October 28, 2022, from Howard W. Rosenwinkel, Trustee; Rebecca M. Rosenwinkel, Trustee; Tamara Rosenwinkel, Trustee; John Rosenwinkel, Trustee; Mark Rosenwinkel, Trustee; and, Timothy Rosenwinkel, Trustee, all of the aforesaid jointly as the Grantor, said easement being located within Parcel No. 02-07-400-002.
5. Permanent Easement dated November 17, 2022, from John A. Meyer, Trustee, Grantor, said easement being located within Parcel No. 02-18-200-004.
6. Temporary Construction easement dated November 17, 2022, from John A. Meyer, Trustee, Grantor, said easement being located within Parcel No. 02-18-200-004.

Section 3: The City Council hereby authorizes payment in an amount not to exceed a total of Forty Thousand Dollars (\$40,000.00) for all of the Easements hereinabove itemized.

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

Passed by the City Council of the United City of Yorkville, Kendall County, Illinois this _____ day of _____, 2022.

KEN KOCH	_____	DAN TRANSIER	_____
ARDEN JOE PLOCHER	_____	CRAIG SOLING	_____
CHRIS FUNKHOUSER	_____	MATT MAREK	_____
SEAVER TARULIS	_____	JASON PETERSON	_____

Approved by me, as Mayor of the United City of Yorkville, Kendall County, Illinois, this _____ day of _____, 2022.

Mayor

Attest:

City Clerk

Owner Gary Bennet and Betty Bennet
Address Corneils Road
Yorkville, Illinois 60560
County Kendall
Parcel No. A
P.I.N. No. 02-08-300-008

PERMANENT EASEMENT

Gary Bennet and Betty Bennet of Yorkville, Illinois (jointly, the "Grantor"), for and in consideration of One Dollar (\$1), receipt of which is hereby acknowledged, represents that Grantor owns the fee simple title to and hereby grants and conveys to the United City of Yorkville, Kendall County, Illinois (Grantee), a permanent easement for the purpose of sanitary sewer construction and maintenance, on, over, and through the following described real estate:

[attached hereto as *Exhibit A*]

and hereby releases and waives all right under and by virtue of the Homestead Exemption Laws of the State of Illinois. The above described real estate is herein referred to as the "Premises."


Grantor shall have and retain all rights to use and occupy the Premises and access to Grantor's remaining property, except as herein expressly granted; provided, however, that Grantor's use and occupation of the Premises may not interfere with Grantee's use of the Premises for the purposes herein described.

Grantor, without limiting the interest above granted and conveyed, acknowledges that upon payment of the agreed consideration, all claims arising out of the above acquisition have been settled, including without limitation, any diminution in value to any remaining property of the Grantor caused by the opening, improving and using the premises for the sanitary sewer. This acknowledgement does not waive any claim for trespass or negligence against the Grantee or Grantee's agents which may cause damage to the Grantor's remaining property.

This grant shall constitute a covenant, which runs with the land, and shall be binding upon the legal representatives, successors and assigns of Grantor.

Dated this 24th day of October, 2022.

Dated this 24 day of October, 2022.

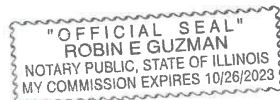
By: 
Signature

State of Illinois)
) ss
County of Kendall)

I, Robin E. Guzman, a Notary Public in and for the County and State aforesaid, do hereby certify that Gary L. Bennett, personally known to me to be the same person(s) 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 as his free and voluntary act for the uses and purposes therein set forth.

Given under my hand and official seal, this 24 day of October, 2022.


Notary Public



This instrument was prepared by:
Kathleen Field Orr
2024 Hickory Road, Suite 205
Homewood, Illinois 60430

After recording, return to:
United City of Yorkville
800 Game Farm Road
Yorkville, Illinois 60560

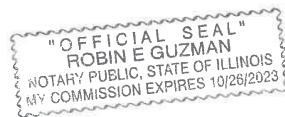
By: Betty S. Bennett
Signature

State of Illinois)
) ss
County of Kendall)

I, Robin E. Guzman, a Notary Public in and for the County and State aforesaid, do hereby certify that Betty S. Bennett, personally known to me to be the same person(s) 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 as his free and voluntary act for the uses and purposes therein set forth.

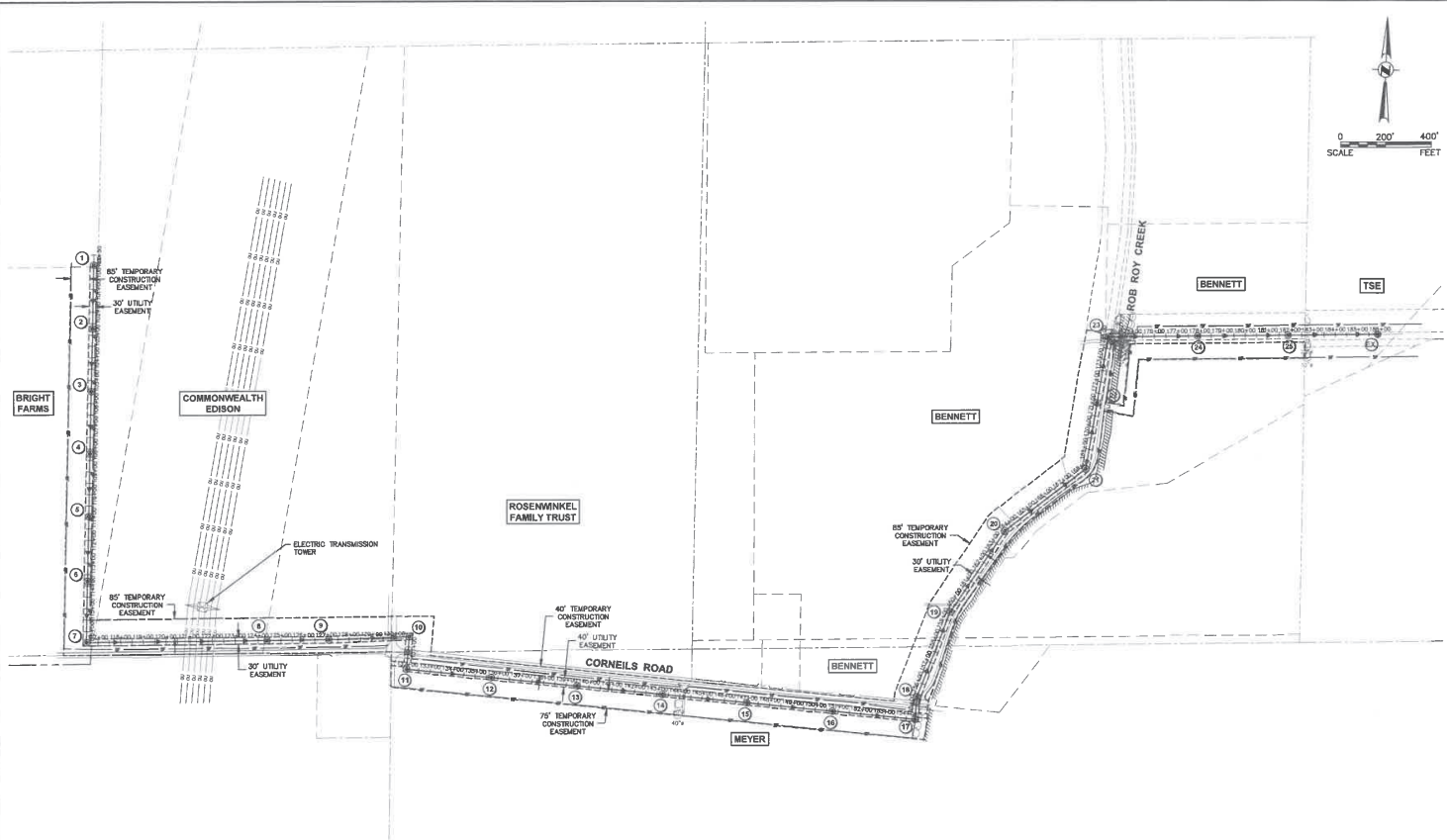
Given under my hand and official seal, this 24 day of October, 2022.

Robin E. Guzman
Notary Public



This instrument was prepared by:
Kathleen Field Orr
2024 Hickory Road, Suite 205
Homewood, Illinois 60430

After recording, return to:
United City of Yorkville
800 Game Farm Road
Yorkville, Illinois 60560



Engineering Enterprises, Inc.
CONSULTING ENGINEERS
52 Wheeler Road
Sugar Grove, Illinois 60554
815.496.8700 / www.eetweb.com

UNITED CITY OF YORKVILLE
800 GAME FARM ROAD
YORKVILLE, IL 60560

NO.	DATE	REVISIONS

CORNEILS ROAD
INTERCEPTOR SEWER

INTERCEPTOR SEWER
OVERALL PLAN

DATE: JULY 2022
PROJECT NO: Y02153
FILE: Y02153-PF
SHEET 5 OF 18



Debbie Gillette
Kendall County Clerk & Recorder

PLAT ACT AFFIDAVIT OF METES AND BOUNDS

STATE OF ILLINOIS)

)SS

COUNTY OF KENDALL)

Daniel J. Kramer, being duly sworn on oath, states that affiant resides at
Yorkville IL. And further states that: (please check the appropriate box)

A. ☐ That the attached deed is not in violation of 765 ILCS 205/1(a), in that the sale or exchange is of an entire tract of land not being part of a larger tract of land; or

B. ☒ That the attached deed is not in violation of 765 ILCS 205/1(b) for one of the following reasons:
(please circle the appropriate number)

1. The division or subdivision of land into parcels or tracts of 5.0 acres or more in size which does not involve any new streets or easements of access;
2. The division of lots or blocks of less than one (1) acre in any recorded subdivision which does not involve any new streets or easements of access;
3. The sale or exchange of parcels of land between owners of adjoining and contiguous land;
4. ☒ The conveyance of parcels of land or interests therein for use as right of way for railroads or other public utility facilities and other pipe lines which does not involve any new streets or easements of access;
5. The conveyance of land owned by a railroad or other public utility which does not involve any new streets or easements of access;
6. The conveyance of land for highway or other public purposes or grants or conveyances relating to the dedication of land for public use or instruments relating to the vacation of land impressed with a public use;
7. Conveyances made to correct descriptions in prior conveyances;
8. The sale or exchange of parcels or tracts of land following the division into not more than two (2) parts of a particular parcel or tract of land existing on July 17, 1959, and not involving any new streets or easements of access;
9. The sale of a single lot of less than 5.0 acres from a larger tract when a survey is made by an Illinois Registered Land Surveyor; provided, that this exemption shall not apply to the sale of any subsequent lots from the same larger tract of land, as determined by the dimensions and configuration of the larger tract on October 1, 1973, and provided also that this exemption does not invalidate any local requirements applicable to the subdivision of land;
10. The conveyance is of land described in the same manner as title was taken by grantor(s).

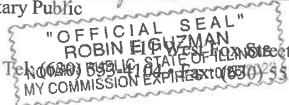
AFFIANT further states that ___ he makes this affidavit for the purpose of inducing the Recorder of Deeds of Kendall County, Illinois, to accept the attached deed for recording.

SUBSCRIBED AND SWORN TO BEFORE ME

This 24th day of October, 2022.

Daniel E. DeGuzman
Signature of Notary Public

[Signature]
Signature of Affiant



Robin E. DeGuzman, Notary Public, State of Illinois, Yorkville IL 60560-1498
Tel: (609) 893-1111 • Fax: (609) 893-4119 • Email: Dgillette@co.kendall.il.us

Owner Gary Bennet and Betty Bennet
Address Corneils Road
Yorkville, Illinois 60560
County Kendall
Parcel No. B
P.I.N. No. 02-08-300-008

TEMPORARY CONSTRUCTION EASEMENT

Gary Bennet and Betty Bennet of Yorkville, Illinois (jointly, the "*Grantor*"), for and in consideration of One Dollar (\$1), receipt of which is hereby acknowledged, represents that Grantor owns the fee simple title to and hereby grants and conveys to the United City of Yorkville, Kendall County, Illinois (Grantee), a permanent easement for the purpose of sanitary sewer construction and maintenance, on, over, and through the following described real estate:

[attached hereto as *Exhibit A*]

The above described real estate is herein referred to as the "Premises."

Grantor shall have and retain all rights to use and occupy the Premises and access to Grantor's remaining property, except as herein expressly granted; provided, however, that Grantor's use and occupation of the Premises may not interfere with Grantee's use of the Premises for the purposes herein described.

Grantor, without limiting the interest above granted and conveyed, acknowledges that upon payment of the agreed consideration, all claims arising out of the above acquisition have been settled, including without limitation, any diminution in value to any remaining property of the Grantor caused by the opening, improving and using the premises for the sanitary sewer. This acknowledgement does not waive any claim for trespass or negligence against the Grantee or Grantee's agents which may cause damage to the Grantor's remaining property.

This grant shall constitute a covenant, which runs with the land, and shall be binding upon the legal representatives, successors and assigns of Grantor.

Dated this 24 day of October, 2022.

By: Betty S. Bennett
Signature

State of Illinois)
) ss
County of Kendall)

I, Robin E. Guzman, a Notary Public in and for the County and State aforesaid, do hereby certify that Betty S. Bennett, personally known to me to be the same person(s) 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 as his free and voluntary act for the uses and purposes therein set forth.

Given under my hand and official seal, this 24 day of October, 2022.

Robin E. Guzman
Notary Public



Dated this _____ day of _____, 2022.

By: Gary L. Bennett
Signature

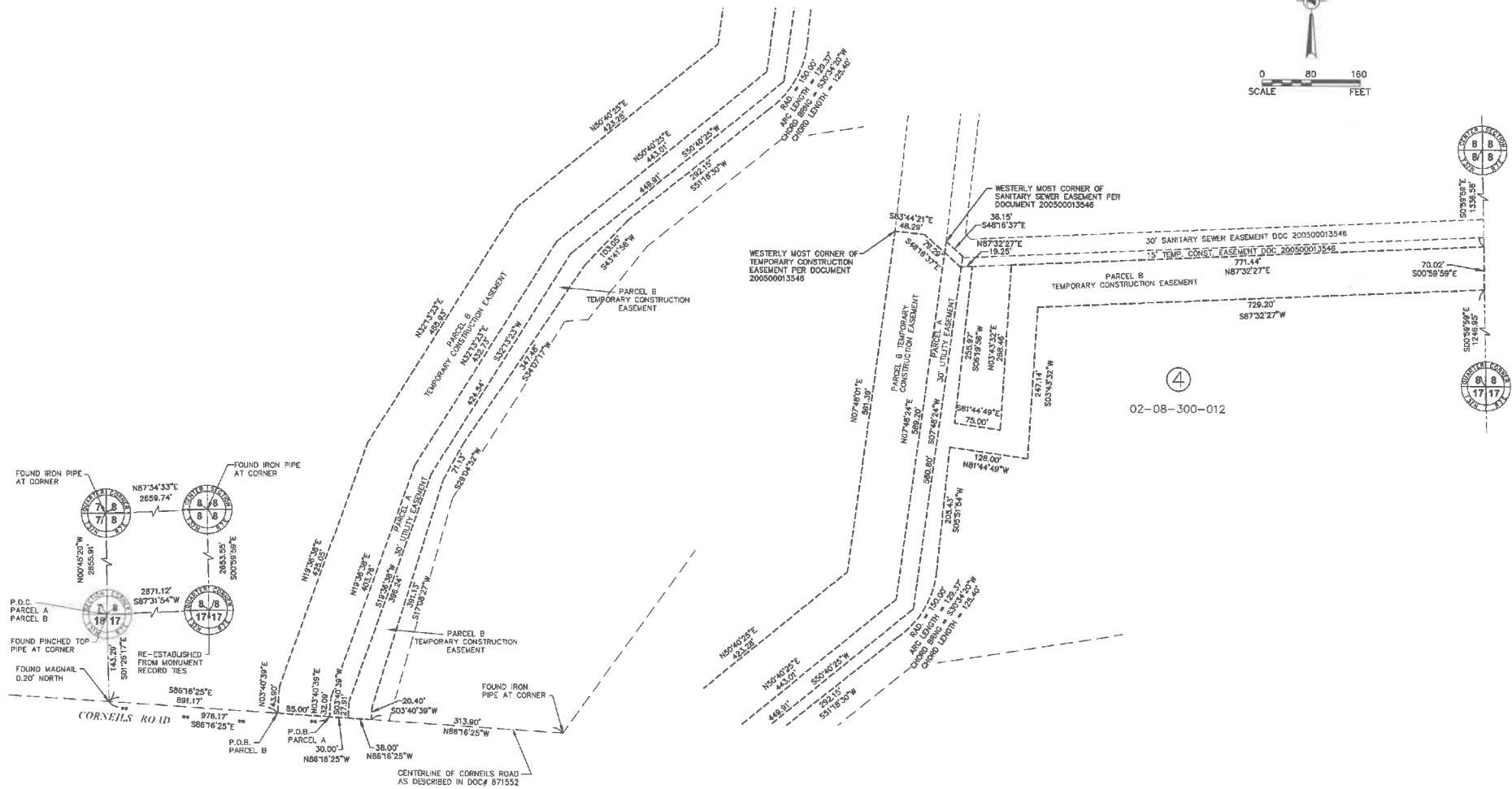
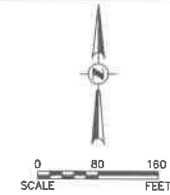
State of Illinois)
) ss
County of Kendall)

Robin E. Guzman
I, Gary L. Bennett, a Notary Public in and for the County and State aforesaid, do hereby certify that Gary L. Bennett, personally known to me to be the same person(s) 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 as his free and voluntary act for the uses and purposes therein set forth.

Given under my hand and official seal, this 24 day of October, 2022.

Robin E. Guzman
Notary Public

EXHIBIT



Engineering Enterprises, Inc.
CONSULTING ENGINEERS
52 Wheeler Road
Sugar Grove, Illinois 60054
630.466.6700 / www.eeweb.com

UNITED CITY OF YORKVILLE
800 GAME FARM ROAD
YORKVILLE, IL 60550

NO.	DATE	REVISIONS

DATE: JULY 12, 2022
PROJECT NO. YQ2153
FILE NO. YQ2153-BENNETT-EASE

PAGE 1 OF 1



Debbie Gillette
Kendall County Clerk & Recorder

PLAT ACT AFFIDAVIT OF METES AND BOUNDS

STATE OF ILLINOIS)
)SS
COUNTY OF KENDALL)

Daniel J. Kramer, being duly sworn on oath, states that affiant resides at
Yorkville IL. And further states that: (please check the appropriate box)

A. ☐ That the attached deed is not in violation of 765 ILCS 205/1(a), in that the sale or exchange is of an entire tract of land not being part of a larger tract of land; or
B. ☒ That the attached deed is not in violation of 765 ILCS 205/1(b) for one of the following reasons:
(please circle the appropriate number)

1. The division or subdivision of land into parcels or tracts of 5.0 acres or more in size which does not involve any new streets or easements of access;
2. The division of lots or blocks of less than one (1) acre in any recorded subdivision which does not involve any new streets or easements of access;
3. The sale or exchange of parcels of land between owners of adjoining and contiguous land;
4. ☒ The conveyance of parcels of land or interests therein for use as right of way for railroads or other public utility facilities and other pipe lines which does not involve any new streets or easements of access;
5. The conveyance of land owned by a railroad or other public utility which does not involve any new streets or easements of access;
6. The conveyance of land for highway or other public purposes or grants or conveyances relating to the dedication of land for public use or instruments relating to the vacation of land impressed with a public use;
7. Conveyances made to correct descriptions in prior conveyances;
8. The sale or exchange of parcels or tracts of land following the division into not more than two (2) parts of a particular parcel or tract of land existing on July 17, 1959, and not involving any new streets or easements of access;
9. The sale of a single lot of less than 5.0 acres from a larger tract when a survey is made by an Illinois Registered Land Surveyor; provided, that this exemption shall not apply to the sale of any subsequent lots from the same larger tract of land, as determined by the dimensions and configuration of the larger tract on October 1, 1973, and provided also that this exemption does not invalidate any local requirements applicable to the subdivision of land;
10. The conveyance is of land described in the same manner as title was taken by grantor(s).

AFFIANT further states that ___ he makes this affidavit for the purpose of inducing the Recorder of Deeds of Kendall County, Illinois, to accept the attached deed for recording.

SUBSCRIBED AND SWORN TO BEFORE ME

This 24th day of October, 2022.

Gabrielle E. Seymour
Signature of Notary Public

[Signature]
Signature of Affiant



11 West Fox Street, Yorkville IL 60560-1498
Fax: (630) 553-4119 • Email: Dgillette@co.kendall.il.us

Address Cornells
Yorkville, Illinois 60560
County Kendall
Parcel No. B
P.I.N. No. 02-07-400-002

PERMANENT EASEMENT

Howard W. Rosenwinkel as Trustee of the Howard W. Rosenwinkel Declaration of Living Trust dated March 10, 1992; Rebecca M. Rosenwinkel as Trustee of the Rebecca M. Rosenwinkel Declaration of Living Trust dated March 10, 1992; Michael Rosenwinkel as Trustee of the Michael Rosenwinkel Declaration of Living Trust dated May 22, 2000; Tamara Rosenwinkel as Trustee of the Tamara Rosenwinkel Declaration of Living Trust dated May 22, 2000; John Rosenwinkel as Trustee under the provisions of a trust agreement dated the 10th day of October, 2011 and known as the Rosenwinkel Family Trust No. 501; Mark Rosenwinkel; and, Timothy Rosenwinkel, as Trustee of the Timothy Rosenwinkel Declaration of Living Trust Agreement dated January 15, 2015 (collectively, the "*Grantor*"), for and in consideration of One Dollar (\$1), receipt of which is hereby acknowledged, represents that Grantor collectively owns the fee simple title to and hereby grants and conveys to the United City of Yorkville, Kendall County ("*Grantee*"), a permanent easement for the purposes of sanitary sewer construction and maintenance, on, over, and through the following described real estate:

[attached as *Exhibit A*]

The above described real estate and improvements located thereon are herein referred to as the "Premises."

Grantor shall have and retain all rights to use and occupy the Premises and access to Grantor's remaining property, except as herein expressly granted; provided, however, that Grantor's use and occupation of the Premises may not interfere with Grantee's use of the Premises for the purposes herein described.

Grantor, without limiting the interest above granted and conveyed, acknowledges that upon payment of the agreed consideration, all claims arising out of the above acquisition have been settled, including without limitation, any diminution in value to any remaining property of the Grantor caused by the opening, improving and using the Premises for the sanitary sewer. This acknowledgement does not waive any claim for trespass or negligence against the Grantee or Grantee's agents which may cause damage to the Grantor's remaining property.

Dated this 28th day of October, 2022.

By: Rebecca Rosenwinkel
Signature

State of Illinois)
) ss
County of Kendall)

I, Robin E. Guzman, a Notary Public in and for the County and State aforesaid, do hereby certify that Rebecca Rosenwinkel, personally known to me to be the same person(s) 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 as his free and voluntary act for the uses and purposes therein set forth.

Given under my hand and official seal, this 28 day of October, 2022.

Robin E. Guzman
Notary Public

This grant shall constitute a covenant, which runs with the land, and shall be binding upon the legal representatives, successors and assigns of Grantors.

This grant shall constitute a covenant, which runs with the land, and shall be binding upon the legal representatives, successors and assigns of Grantor.

Dated this 28th day of October, 2022.

By: X *Howard Rosenwinkel*
Signature

State of Illinois)
) ss
County of Kendall)

I, Robin E Guzman, a Notary Public in and for the County and State aforesaid, do hereby certify that Howard Rosenwinkel personally known to me to be the same person(s) 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 as his free and voluntary act for the uses and purposes therein set forth.

Given under my hand and official seal, this 28 day of October, 2022.

Robin E. Guzman
Notary Public



This grant shall constitute a covenant, which runs with the land, and shall be binding upon the legal representatives, successors and assigns of Grantors.

This grant shall constitute a covenant, which runs with the land, and shall be binding upon the legal representatives, successors and assigns of Grantor.

Dated this 28th day of October, 2022.

By: Mike Rosenwinkel
Signature

State of Illinois)
) ss
County of Kendall)

I, Robin E. Guzman, a Notary Public in and for the County and State aforesaid, do hereby certify that Mike Rosenwinkel, personally known to me to be the same person(s) 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 as his free and voluntary act for the uses and purposes therein set forth.

Given under my hand and official seal, this 28th day of October, 2022.

Robin E. Guzman
Notary Public

NOTARY COMMISSION EXPIRES 10/26/2023

Dated this 28th day of October, 2022.

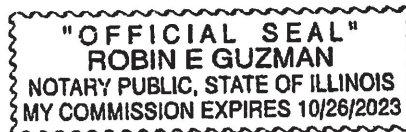
By: Arnold Rosenwald trustee
Signature

State of Illinois)
) ss
County of Kendall)

I, Robin E. Guzman, a Notary Public in and for the County and State aforesaid, do hereby certify that Tamara Koschinski personally known to me to be the same person(s) 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 as his free and voluntary act for the uses and purposes therein set forth.

Given under my hand and official seal, this 28th day of October, 2022.

Robin E. Guzman
Notary Public



Dated this 28th day of October, 2022.

By: John Rosenwinkel
Signature

State of Illinois)
) ss
County of Kendall)

I, Robin E. Guzman, a Notary Public in and for the County and State aforesaid, do hereby certify that John Rosenwinkel, personally known to me to be the same person(s) 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 as his free and voluntary act for the uses and purposes therein set forth.

Given under my hand and official seal, this 28th day of October, 2022.

Robin E. Guzman
Notary Public



Dated this 27 day of October, 2022.

By: [Signature]
Signature

State of Illinois)
) ss
County of Kendall)

I, Robin E. Guzman, a Notary Public in and for the County and State aforesaid, do hereby certify that Mark Rosenwald personally known to me to be the same person(s) 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 as his free and voluntary act for the uses and purposes therein set forth.

Given under my hand and official seal, this 27 day of October, 2022.

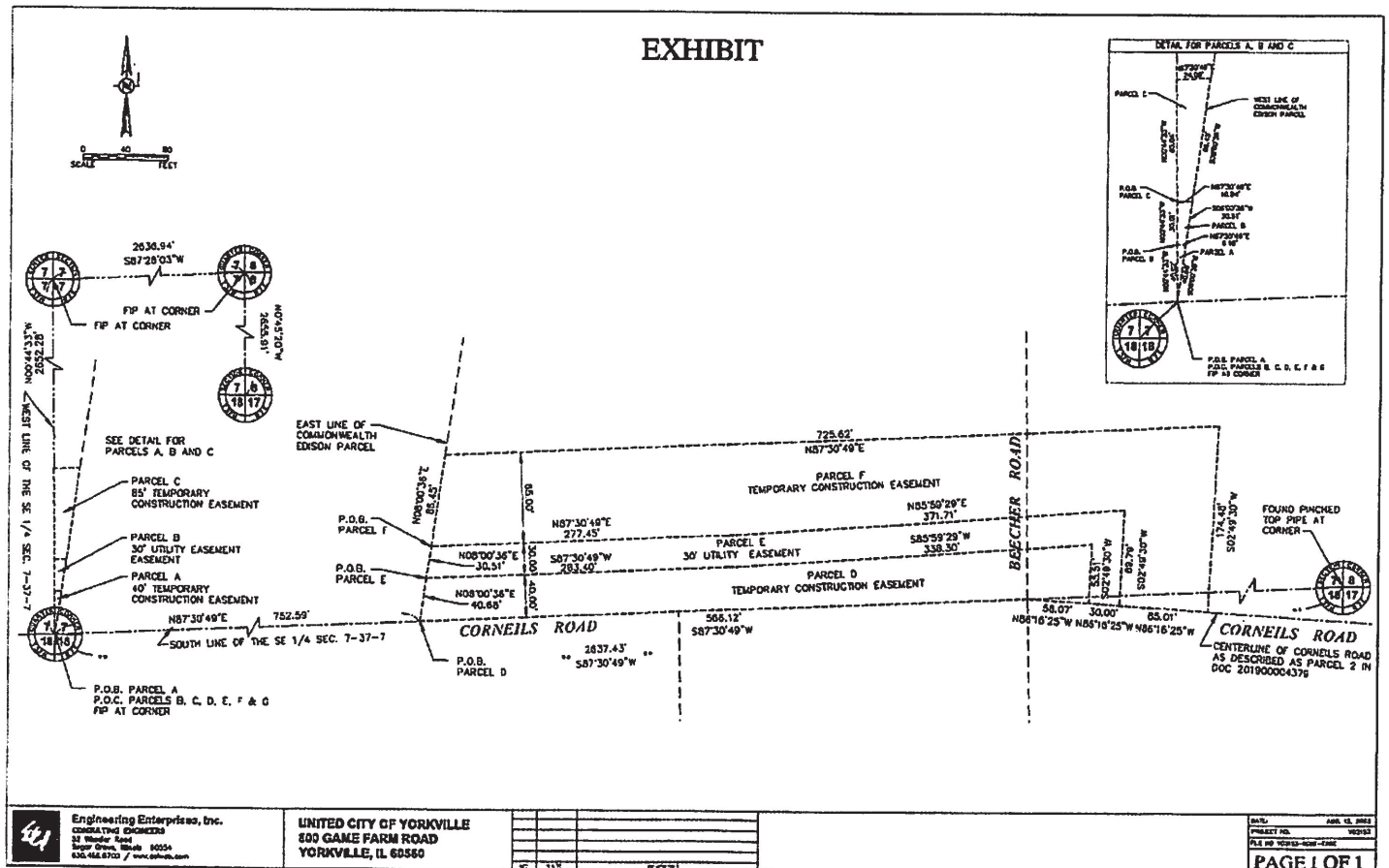
[Signature]
Notary Public



This instrument was prepared by:
Kathleen Field Orr
2024 Hickory Road, Suite 205
Homewood, Illinois 60430

After recording, return to:
Stephenson County
William Hadley, Chairman
50 West Douglas
Freeport, Illinois 61032

EXHIBIT





Debbie Gillette
Kendall County Clerk & Recorder

PLAT ACT AFFIDAVIT OF METES AND BOUNDS

STATE OF ILLINOIS)

)SS

COUNTY OF KENDALL)

Daniel J. Kramer, being duly sworn on oath, states that affiant resides at
Yorkville IL. And further states that: (please check the appropriate box)

- A. ☐ That the attached deed is not in violation of 765 ILCS 205/1(a), in that the sale or exchange is of an entire tract of land not being part of a larger tract of land; or
B. ☒ That the attached deed is not in violation of 765 ILCS 205/1(b) for one of the following reasons:
(please circle the appropriate number)

1. The division or subdivision of land into parcels or tracts of 5.0 acres or more in size which does not involve any new streets or easements of access;
2. The division of lots or blocks of less than one (1) acre in any recorded subdivision which does not involve any new streets or easements of access;
3. The sale or exchange of parcels of land between owners of adjoining and contiguous land;
4. ☒ The conveyance of parcels of land or interests therein for use as right of way for railroads or other public utility facilities and other pipe lines which does not involve any new streets or easements of access;
5. The conveyance of land owned by a railroad or other public utility which does not involve any new streets or easements of access;
6. The conveyance of land for highway or other public purposes or grants or conveyances relating to the dedication of land for public use or instruments relating to the vacation of land impressed with a public use;
7. Conveyances made to correct descriptions in prior conveyances;
8. The sale or exchange of parcels or tracts of land following the division into not more than two (2) parts of a particular parcel or tract of land existing on July 17, 1959, and not involving any new streets or easements of access;
9. The sale of a single lot of less than 5.0 acres from a larger tract when a survey is made by an Illinois Registered Land Surveyor; provided, that this exemption shall not apply to the sale of any subsequent lots from the same larger tract of land, as determined by the dimensions and configuration of the larger tract on October 1, 1973, and provided also that this exemption does not invalidate any local requirements applicable to the subdivision of land;
10. The conveyance is of land described in the same manner as title was taken by grantor(s).

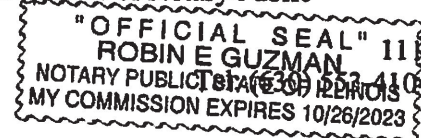
AFFIANT further states that ___ he makes this affidavit for the purpose of inducing the Recorder of Deeds of Kendall County, Illinois, to accept the attached deed for recording.

SUBSCRIBED AND SWORN TO BEFORE ME

This 28th day of October, 2022.

Robin E. Guzman
Signature of Notary Public

[Signature]
Signature of Affiant



11 West Fox Street, Yorkville IL 60560-1498
Tel: (630) 553-4104 • Fax: (630) 553-4119 • Email: Dgillette@co.kendall.il.us

Address Corneils Road
Yorkville, Illinois 60560
County Kendall
Parcel No. D
P.I.N. No. 02-07-400-002

TEMPORARY CONSTRUCTION EASEMENT

Howard W. Rosenwinkel as Trustee of the Howard W. Rosenwinkel Declaration of Living Trust dated March 10, 1992; Rebecca M. Rosenwinkel as Trustee of the Rebecca M. Rosenwinkel Declaration of Living Trust dated March 10, 1992; Michael Rosenwinkel as Trustee of the Michael Rosenwinkel Declaration of Living Trust dated May 22, 2000; Tamara Rosenwinkel as Trustee of the Tamara Rosenwinkel Declaration of Living Trust dated May 22, 2000; John Rosenwinkel as Trustee under the provisions of a trust agreement dated the 10th day of October, 2011 and known as the Rosenwinkel Family Trust No. 501; Mark Rosenwinkel; and, Timothy Rosenwinkel, as Trustee of the Timothy Rosenwinkel Declaration of Living Trust Agreement dated January 15, 2015 (collectively, the "*Grantor*"), for and in consideration of One Dollar (\$1), receipt of which is hereby acknowledged, represents that Grantor collectively own the fee simple title to and hereby grants and conveys to the United City of Yorkville, Kendall County, Illinois ("*Grantee*"), a temporary construction easement for the purpose of sanitary sewer construction, on, over, and through the following described real estate:

[attached hereto as *Exhibit A*]

The above described real estate is herein referred to as the "Premises."

The right, easement and privilege granted herein shall terminate 5 years from the execution of this document or on the completion of the proposed project, whichever is the sooner.

Grantor shall have and retain all rights to use and occupy the Premises and access to Grantor's remaining property, except as herein expressly granted; provided, however, that Grantor's use and occupation of the Premises may not interfere with Grantee's use of the Premises for the purposes herein described.

Grantor, without limiting the interest above granted and conveyed, acknowledges that upon payment of the agreed consideration, all claims arising out of the above acquisition have been settled, including without limitation, any diminution in value to any remaining property of the

Grantor caused by the opening, improving and using the Premises for the sanitary sewer. This acknowledgement does not waive any claim for trespass or negligence against the Grantee or Grantee's agents which may cause damage to the Grantor's remaining property.

This grant shall constitute a covenant, which runs with the land, and shall be binding upon the legal representatives, successors and assigns of Grantors.

This grant shall constitute a covenant, which runs with the land, and shall be binding upon the legal representatives, successors and assigns of Grantor.

Dated this 28th day of October, 2022.

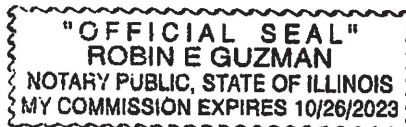
By: Howard Rosenwint
Signature

State of Illinois)
) ss
County of Kendall)

I, Robin E. Guzman, a Notary Public in and for the County and State aforesaid, do hereby certify that Howard Rosenwint personally known to me to be the same person(s) 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 as his free and voluntary act for the uses and purposes therein set forth.

Given under my hand and official seal, this 28th day of October, 2022.

Robin E. Guzman
Notary Public



Dated this 28th day of October, 2022.

By: Rebecca Rosemantel
Signature

State of Illinois)
) ss
County of Kendall)

I, Robin E. Guzman, a Notary Public in and for the County and State aforesaid, do hereby certify that Rebecca Rosemantel, personally known to me to be the same person(s) 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 as his free and voluntary act for the uses and purposes therein set forth.

Given under my hand and official seal, this 28 day of October, 2022.

Robin E. Guzman
Notary Public



Grantor caused by the opening, improving and using the Premises for the sanitary sewer. This acknowledgement does not waive any claim for trespass or negligence against the Grantee or Grantee's agents which may cause damage to the Grantor's remaining property.

This grant shall constitute a covenant, which runs with the land, and shall be binding upon the legal representatives, successors and assigns of Grantors.

This grant shall constitute a covenant, which runs with the land, and shall be binding upon the legal representatives, successors and assigns of Grantor.

Dated this 28th day of October, 2022.

By: Tamara Rosenwinkel Trustee
Signature

State of Illinois)
) ss
County of Kendall)

I, Robin E. Guzman, a Notary Public in and for the County and State aforesaid, do hereby certify that Tamara Rosenwinkel, personally known to me to be the same person(s) 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 as his free and voluntary act for the uses and purposes therein set forth.

Given under my hand and official seal, this 28th day of October, 2022.

Robin E. Guzman
Notary Public



Dated this 28th day of October, 2022.

Mike Rosenwinkel

By: _____
Signature

State of Illinois)
) ss
County of Kendall)

I, Robin E. Guzman, a Notary Public in and for the County and State aforesaid, do hereby certify that Mike Rosenwinkel, personally known to me to be the same person(s) 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 as his free and voluntary act for the uses and purposes therein set forth.

Given under my hand and official seal, this 28th day of October, 2022.

Robin E. Guzman
Notary Public



Dated this 28th day of October, 2022.

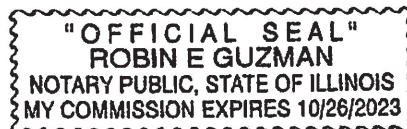
By: John Rosenwinkel
Signature

State of Illinois)
) ss
County of Kendall)

I, Robin E. Guzman, a Notary Public in and for the County and State aforesaid, do hereby certify that John Rosenwinkel, personally known to me to be the same person(s) 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 as his free and voluntary act for the uses and purposes therein set forth.

Given under my hand and official seal, this 28th day of October, 2022.

Robin E. Guzman
Notary Public



Dated this 28th day of October, 2022.

By: [Signature]
Signature

State of Illinois)
) ss
County of Kendall)

I, Robin E. Guzman, a Notary Public in and for the County and State aforesaid, do hereby certify that Timothy Roschinski personally known to me to be the same person(s) 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 as his free and voluntary act for the uses and purposes therein set forth.

Given under my hand and official seal, this 28th day of October, 2022.

[Signature]
Notary Public



Dated this 27 day of October, 2022.

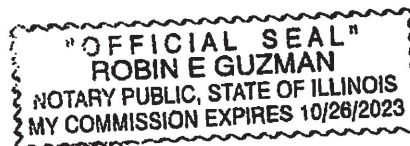
By: [Signature]
Signature

State of Illinois)
) ss
County of Kendall)

I, Robin E. Guzman, a Notary Public in and for the County and State aforesaid, do hereby certify that Mark Rosenwinkel, personally known to me to be the same person(s) 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 as his free and voluntary act for the uses and purposes therein set forth.

Given under my hand and official seal, this 27th day of October, 2022.

[Signature]
Notary Public





Debbie Gillette

Kendall County Clerk & Recorder

PLAT ACT AFFIDAVIT OF METES AND BOUNDS

STATE OF ILLINOIS)

)SS

COUNTY OF KENDALL)

Daniel J. Kramer, being duly sworn on oath, states that affiant resides at
Yorkville, IL. And further states that: (please check the appropriate box)

- A. ☐ That the attached deed is not in violation of 765 ILCS 205/1(a), in that the sale or exchange is of an entire tract of land not being part of a larger tract of land; or
B. ☒ That the attached deed is not in violation of 765 ILCS 205/1(b) for one of the following reasons:
(please circle the appropriate number)

1. The division or subdivision of land into parcels or tracts of 5.0 acres or more in size which does not involve any new streets or easements of access;
2. The division of lots or blocks of less than one (1) acre in any recorded subdivision which does not involve any new streets or easements of access;
3. The sale or exchange of parcels of land between owners of adjoining and contiguous land;
4. ☒ The conveyance of parcels of land or interests therein for use as right of way for railroads or other public utility facilities and other pipe lines which does not involve any new streets or easements of access;
5. The conveyance of land owned by a railroad or other public utility which does not involve any new streets or easements of access;
6. The conveyance of land for highway or other public purposes or grants or conveyances relating to the dedication of land for public use or instruments relating to the vacation of land impressed with a public use;
7. Conveyances made to correct descriptions in prior conveyances;
8. The sale or exchange of parcels or tracts of land following the division into not more than two (2) parts of a particular parcel or tract of land existing on July 17, 1959, and not involving any new streets or easements of access;
9. The sale of a single lot of less than 5.0 acres from a larger tract when a survey is made by an Illinois Registered Land Surveyor; provided, that this exemption shall not apply to the sale of any subsequent lots from the same larger tract of land, as determined by the dimensions and configuration of the larger tract on October 1, 1973, and provided also that this exemption does not invalidate any local requirements applicable to the subdivision of land;
10. The conveyance is of land described in the same manner as title was taken by grantor(s).

AFFIANT further states that ___ he makes this affidavit for the purpose of inducing the Recorder of Deeds of Kendall County, Illinois, to accept the attached deed for recording.

SUBSCRIBED AND SWORN TO BEFORE ME

This 28th day of October, 2022.

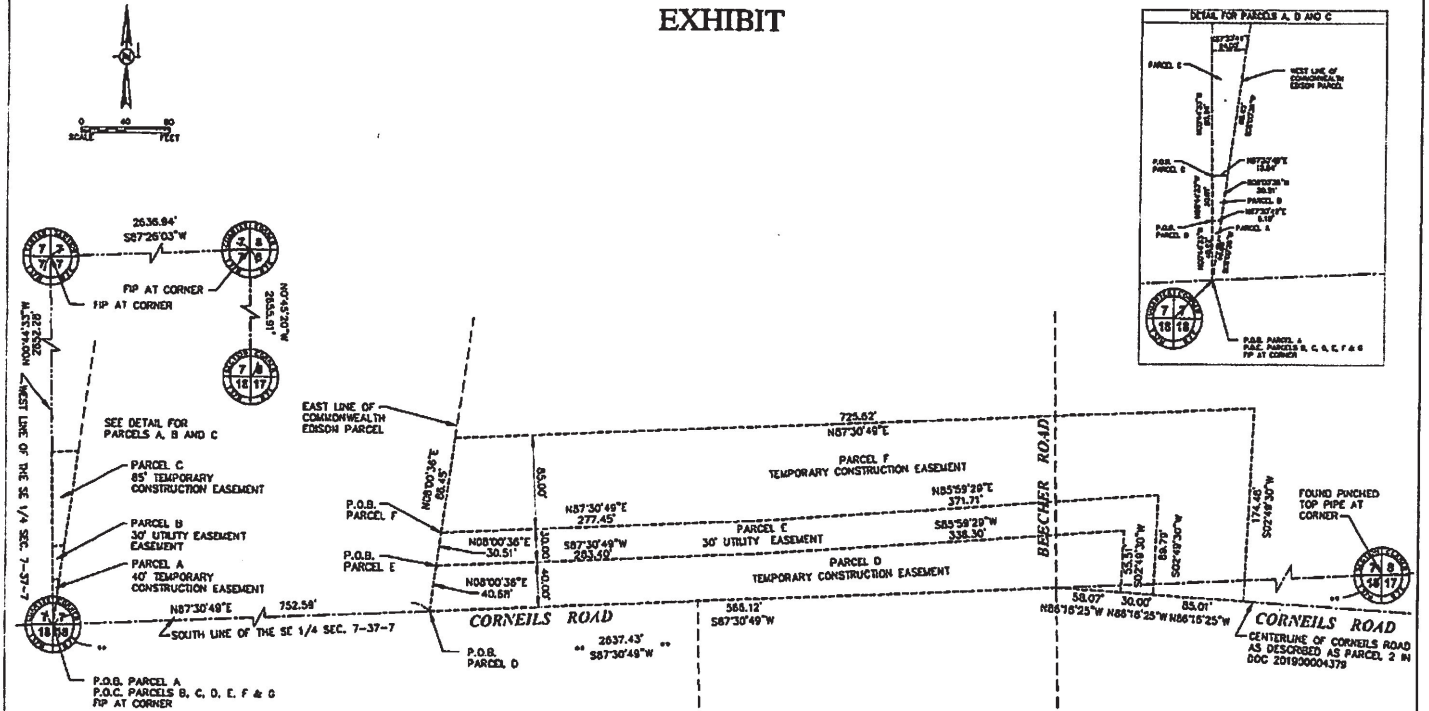
Robin E. Guzman
Signature of Notary Public

Daniel J. Kramer
Signature of Affiant

OFFICIAL
ROBIN E GUZMAN
NOTARY PUBLIC, STATE OF ILLINOIS
MY COMMISSION EXPIRES 10/26/2023

11 West Fox Street, Yorkville IL 60560-1498
• Fax: (630) 553-4119 • Email: Dgillette@co.kendall.il.us

EXHIBIT



Engineering Enterprises, Inc.
 CONCRETE FOUNDATIONS
 22 Westport Road
 Super Grove, Illinois 60084
 815.461.8700 / www.eedinc.com

UNITED CITY OF YORKVILLE
 800 GAME FARM ROAD
 YORKVILLE, IL 60580

DATE: JUNE 01, 2019
 PROJECT NO: 2019-01
 FILE NO: 2019-01-001-001
PAGE 1 OF 1

Owner John A. Meyer, Trustee
 John A. Meyer Trust
Address Corneils Road
 Yorkville, Illinois 60560
County Kendall
Parcel No. A
P.I.N. No. 02-17-100-004, 010
 02-18-200-004

PERMANENT EASEMENT

John A. Meyer, as Trustee of the John A. Meyer Trust under the provisions of a Trust Agreement dated July 19, 2013 (“*Grantor*”), for and in consideration of Ten Thousand Dollars (\$10,000.00), receipt of which is hereby acknowledged, represents that Grantor owns the fee simple title to and hereby grants and conveys to the United City of Yorkville, Kendall County (“*Grantee*”), a permanent easement for the purpose of sanitary sewer construction and maintenance, on, over, and through the following described real estate:

[attached hereto as *Exhibit A*]

The above described real estate is herein referred to as the “Premises.”

Grantor shall have and retain all rights to use and occupy the Premises and access to Grantor’s remaining property, except as herein expressly granted; provided, however, that Grantor’s use and occupation of the Premises may not interfere with Grantee’s use of the Premises for the purposes herein described.

Grantor, without limiting the interest above granted and conveyed, acknowledges that upon payment of the agreed consideration, all claims arising out of the above acquisition have been settled, including without limitation, any diminution in value to any remaining property of the Grantor caused by the opening, improving and using the Premises for the sanitary sewer. This acknowledgement does not waive any claim for trespass or negligence against the Grantee or Grantee’s agents which may cause damage to the Grantor’s remaining property.

This grant shall constitute a covenant, which runs with the land, and shall be binding upon the legal representatives, successors and assigns of Grantor.

Dated this _____ day of _____, 2022.

By: _____
John A. Meyer, Trustee of the
John A. Meyer Trust under Trust
Agreement dated July 19, 2013

State of Illinois)
) ss
County of Kendall)

I, _____, a Notary Public in and for the County and State aforesaid, do hereby
certify that _____, personally known to me to be the same person(s) 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 as his free and voluntary act for the uses
and purposes therein set forth.

Given under my hand and official seal, this ____ day of _____, 2022.

Notary Public

This instrument was prepared by:
Kathleen Field Orr
2024 Hickory Road, Suite 205
Homewood, Illinois 60430

After recording, return to:
United City of Yorkville
800 Game Farm Road
Yorkville, Illinois 60560

Exhibit A

PARCEL A (UTILITY EASEMENT)

THAT PART OF THE NORTHEAST QUARTER OF SECTION 18 AND THE NORTHWEST QUARTER OF SECTION 17, TOWNSHIP 37 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF SAID NORTHEAST QUARTER; THENCE NORTH 87 DEGREES 30 MINUTES 49 SECONDS EAST, ALONG THE NORTH LINE OF SAID NORTHWEST QUARTER, 1318.72 FEET TO THE NORTHWEST CORNER OF THE EAST HALF OF SAID NORTHEAST QUARTER; THENCE SOUTH 01 DEGREE 10 MINUTES 15 SECONDS EAST, ALONG THE WEST LINE OF SAID EAST HALF, 40.15 FEET FOR THE POINT OF BEGINNING; THENCE SOUTH 86 DEGREES 16 MINUTES 25 SECONDS EAST, 55.27 FEET; THENCE NORTH 02 DEGREES 49 MINUTES 30 SECONDS EAST, 40.00 FEET TO THE CENTERLINE OF CORNELIS ROAD AS DESCRIBED IN DOCUMENT 201300015487; THENCE SOUTH 86 DEGREES 16 MINUTES 25 SECONDS EAST ALONG SAID CENTERLINE, 30.00 FEET; THENCE SOUTH 02 DEGREES 49 MINUTES 30 SECONDS WEST, 40.00 FEET; THENCE SOUTH 86 DEGREES 16 MINUTES 25 SECONDS EAST, 2211.37 FEET; THENCE NORTH 03 DEGREES 40 MINUTES 39 SECONDS EAST, 40.00 FEET TO SAID CENTERLINE; THENCE SOUTH 86 DEGREES 16 MINUTES 25 SECONDS EAST, ALONG SAID CENTERLINE, 30.00 FEET; THENCE SOUTH 03 DEGREES 40 MINUTES 39 SECONDS WEST, 40.00 FEET; THENCE SOUTH 86 DEGREES 16 MINUTES 25 SECONDS EAST, 38.00 FEET; THENCE SOUTH 03 DEGREES 40 MINUTES 39 SECONDS WEST, ALONG SAID EAST LINE, 20.00 FEET; THENCE NORTH 86 DEGREES 16 MINUTES 25 SECONDS WEST, 38.00 FEET; THENCE SOUTH 03 DEGREES 40 MINUTES 39 SECONDS WEST, 20.00 FEET; THENCE NORTH 86 DEGREES 16 MINUTES 25 SECONDS WEST, 2270.78 FEET; THENCE NORTH 02 DEGREES 49 MINUTES 30 SECONDS EAST, 20.00 FEET; THENCE NORTH 86 DEGREES 16 MINUTES 25 SECONDS WEST, 53.88 FEET TO THE WEST LINE OF THE EAST HALF OF SAID NORTHEAST QUARTER; THENCE NORTH 01 DEGREE 10 MINUTES 15 SECONDS WEST, ALONG SAID WEST LINE, 20.07 FEET TO THE POINT OF BEGINNING. ALL IN KENDALL COUNTY, ILLINOIS.

PARCEL B (TEMPORARY CONSTRUCTION EASEMENT)

THAT PART OF THE NORTHEAST QUARTER OF SECTION 18 AND THE NORTHWEST QUARTER OF SECTION 17, TOWNSHIP 37 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF SAID NORTHEAST QUARTER; THENCE NORTH 87 DEGREES 30 MINUTES 49 SECONDS EAST, ALONG THE NORTH LINE OF SAID NORTHWEST QUARTER, 1318.72 FEET TO THE NORTHWEST CORNER OF THE EAST HALF OF SAID NORTHEAST QUARTER FOR THE POINT OF BEGINNING; THENCE SOUTH 86 DEGREES 16 MINUTES 25 SECONDS EAST, ALONG THE CENTERLINE OF CORNELIS ROAD AS DESCRIBED IN DOCUMENT 201300015487, 2368.04 FEET; THENCE SOUTH 03 DEGREES 40 MINUTES 39 SECONDS WEST, 155.00 FEET; THENCE NORTH 86 DEGREES 16 MINUTES 25 SECONDS WEST, 2354.90 FEET TO THE WEST LINE OF THE EAST HALF OF THE NORTHEAST QUARTER OF SECTION 18; THENCE NORTH 01 DEGREE 10 MINUTES 15 SECONDS WEST, ALONG SAID WEST LINE, 155.57 FEET TO THE POINT OF BEGINNING. EXCEPT THAT PART DESCRIBED AS FOLLOWS: THAT PART OF THE NORTHEAST QUARTER OF SECTION 18 AND THE NORTHWEST QUARTER OF SECTION 17, TOWNSHIP 37 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF SAID NORTHEAST QUARTER; THENCE NORTH 87 DEGREES 30 MINUTES 49 SECONDS EAST, ALONG THE NORTH LINE OF SAID NORTHWEST QUARTER, 1318.72 FEET TO THE NORTHWEST CORNER OF THE EAST HALF OF SAID NORTHEAST QUARTER; THENCE SOUTH 01 DEGREE 10 MINUTES 15 SECONDS EAST, ALONG THE WEST LINE OF SAID EAST HALF, 40.15 FEET FOR THE POINT OF BEGINNING; THENCE

SOUTH 86 DEGREES 16 MINUTES 25 SECONDS EAST, 55.27 FEET; THENCE NORTH 02 DEGREES 49 MINUTES 30 SECONDS EAST, 40.00 FEET TO THE CENTERLINE OF CORNELIS ROAD AS DESCRIBED IN DOCUMENT 201300015487; THENCE SOUTH 86 DEGREES 16 MINUTES 25 SECONDS EAST ALONG SAID CENTERLINE, 30.00 FEET; THENCE SOUTH 02 DEGREES 49 MINUTES 30 SECONDS WEST, 40.00 FEET; THENCE SOUTH 86 DEGREES 16 MINUTES 25 SECONDS EAST, 2211.37 FEET; THENCE NORTH 03 DEGREES 40 MINUTES 39 SECONDS EAST, 40.00 FEET TO SAID CENTERLINE; THENCE SOUTH 86 DEGREES 16 MINUTES 25 SECONDS EAST, ALONG SAID CENTERLINE, 30.00 FEET; THENCE SOUTH 03 DEGREES 40 MINUTES 39 SECONDS WEST, 40.00 FEET; THENCE SOUTH 86 DEGREES 16 MINUTES 25 SECONDS EAST, 38.00 FEET; THENCE SOUTH 03 DEGREES 40 MINUTES 39 SECONDS WEST, ALONG SAID EAST LINE, 20.00 FEET; THENCE NORTH 86 DEGREES 16 MINUTES 25 SECONDS WEST, 38.00 FEET; THENCE SOUTH 03 DEGREES 40 MINUTES 39 SECONDS WEST, 20.00 FEET; THENCE NORTH 86 DEGREES 16 MINUTES 25 SECONDS WEST, 2270.78 FEET; THENCE NORTH 02 DEGREES 49 MINUTES 30 SECONDS EAST, 20.00 FEET; THENCE NORTH 86 DEGREES 16 MINUTES 25 SECONDS WEST, 53.88 FEET TO THE WEST LINE OF THE EAST HALF OF SAID NORTHEAST QUARTER; THENCE NORTH 01 DEGREE 10 MINUTES 15 SECONDS WEST, ALONG SAID WEST LINE, 20.07 FEET TO THE POINT OF BEGINNING. ALL IN KENDALL COUNTY, ILLINOIS.

Owner John A. Meyer, Trustee
 John A. Meyer Trust
Address Corneils Road
 Yorkville, Illinois 60560
County Kendall
Parcel No. B
P.I.N. No. 02-17-100-004, 010
 02-18-200-004

TEMPORARY CONSTRUCTION EASEMENT

John A. Meyer, as Trustee of the John A. Meyer Trust under the provisions of a Trust Agreement dated July 19, 2013 (“*Grantor*”), for and in consideration of Five Thousand Dollars (\$5,000.00), receipt of which is hereby acknowledged, represents that Grantor owns the fee simple title to and hereby grants and conveys to the United City of Yorkville, Kendall County (“*Grantee*”), a temporary construction easement for the purpose of sanitary sewer construction and maintenance, on, over, and through the following described real estate:

[attached hereto as *Exhibit A*]

The above described real estate is herein referred to as the “Premises.”

The right, easement and privilege granted herein shall terminate eighteen (18) months from the execution of this document, or on the completion of the proposed project, whichever is the sooner.

Grantor shall have and retain all rights to use and occupy the Premises and access to Grantor’s remaining property, except as herein expressly granted; provided, however, that Grantor’s use and occupation of the Premises may not interfere with Grantee’s use of the Premises for the purposes herein described.

Grantor, without limiting the interest above granted and conveyed, acknowledges that upon payment of the agreed consideration, all claims arising out of the above acquisition have been settled, including without limitation, any diminution in value to any remaining property of the Grantor caused by the opening, improving and using the Premises for the sanitary sewer. This acknowledgement does not waive any claim for trespass or negligence against the Grantee or Grantee’s agents which may cause damage to the Grantor’s remaining property.

This grant shall constitute a covenant, which runs with the land, and shall be binding upon the legal representatives, successors and assigns of Grantor.

Dated this _____ day of _____, 2022.

By: _____
John A. Meyer, Trustee of the
John A. Meyer Trust under Trust
Agreement dated July 19, 2013

State of Illinois)
) ss
County of Kendall)

I, _____, a Notary Public in and for the County and State aforesaid, do hereby certify that _____, personally known to me to be the same person(s) 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 as his free and voluntary act for the uses and purposes therein set forth.

Given under my hand and official seal, this ____ day of _____, 2022.

Notary Public

This instrument was prepared by:
Kathleen Field Orr
2024 Hickory Road, Suite 205
Homewood, Illinois 60430

After recording, return to:
United City of Yorkville
800 Game Farm Road
Yorkville, Illinois 60560

Exhibit A

PARCEL A (UTILITY EASEMENT)

THAT PART OF THE NORTHEAST QUARTER OF SECTION 18 AND THE NORTHWEST QUARTER OF SECTION 17, TOWNSHIP 37 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF SAID NORTHEAST QUARTER; THENCE NORTH 87 DEGREES 30 MINUTES 49 SECONDS EAST, ALONG THE NORTH LINE OF SAID NORTHWEST QUARTER, 1318.72 FEET TO THE NORTHWEST CORNER OF THE EAST HALF OF SAID NORTHEAST QUARTER; THENCE SOUTH 01 DEGREE 10 MINUTES 15 SECONDS EAST, ALONG THE WEST LINE OF SAID EAST HALF, 40.15 FEET FOR THE POINT OF BEGINNING; THENCE SOUTH 86 DEGREES 16 MINUTES 25 SECONDS EAST, 55.27 FEET; THENCE NORTH 02 DEGREES 49 MINUTES 30 SECONDS EAST, 40.00 FEET TO THE CENTERLINE OF CORNELIS ROAD AS DESCRIBED IN DOCUMENT 201300015487; THENCE SOUTH 86 DEGREES 16 MINUTES 25 SECONDS EAST ALONG SAID CENTERLINE, 30.00 FEET; THENCE SOUTH 02 DEGREES 49 MINUTES 30 SECONDS WEST, 40.00 FEET; THENCE SOUTH 86 DEGREES 16 MINUTES 25 SECONDS EAST, 2211.37 FEET; THENCE NORTH 03 DEGREES 40 MINUTES 39 SECONDS EAST, 40.00 FEET TO SAID CENTERLINE; THENCE SOUTH 86 DEGREES 16 MINUTES 25 SECONDS EAST, ALONG SAID CENTERLINE, 30.00 FEET; THENCE SOUTH 03 DEGREES 40 MINUTES 39 SECONDS WEST, 40.00 FEET; THENCE SOUTH 86 DEGREES 16 MINUTES 25 SECONDS EAST, 38.00 FEET; THENCE SOUTH 03 DEGREES 40 MINUTES 39 SECONDS WEST, ALONG SAID EAST LINE, 20.00 FEET; THENCE NORTH 86 DEGREES 16 MINUTES 25 SECONDS WEST, 38.00 FEET; THENCE SOUTH 03 DEGREES 40 MINUTES 39 SECONDS WEST, 20.00 FEET; THENCE NORTH 86 DEGREES 16 MINUTES 25 SECONDS WEST, 2270.78 FEET; THENCE NORTH 02 DEGREES 49 MINUTES 30 SECONDS EAST, 20.00 FEET; THENCE NORTH 86 DEGREES 16 MINUTES 25 SECONDS WEST, 53.88 FEET TO THE WEST LINE OF THE EAST HALF OF SAID NORTHEAST QUARTER; THENCE NORTH 01 DEGREE 10 MINUTES 15 SECONDS WEST, ALONG SAID WEST LINE, 20.07 FEET TO THE POINT OF BEGINNING. ALL IN KENDALL COUNTY, ILLINOIS.

PARCEL B (TEMPORARY CONSTRUCTION EASEMENT)

THAT PART OF THE NORTHEAST QUARTER OF SECTION 18 AND THE NORTHWEST QUARTER OF SECTION 17, TOWNSHIP 37 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF SAID NORTHEAST QUARTER; THENCE NORTH 87 DEGREES 30 MINUTES 49 SECONDS EAST, ALONG THE NORTH LINE OF SAID NORTHWEST QUARTER, 1318.72 FEET TO THE NORTHWEST CORNER OF THE EAST HALF OF SAID NORTHEAST QUARTER FOR THE POINT OF BEGINNING; THENCE SOUTH 86 DEGREES 16 MINUTES 25 SECONDS EAST, ALONG THE CENTERLINE OF CORNELIS ROAD AS DESCRIBED IN DOCUMENT 201300015487, 2368.04 FEET; THENCE SOUTH 03 DEGREES 40 MINUTES 39 SECONDS WEST, 155.00 FEET; THENCE NORTH 86 DEGREES 16 MINUTES 25 SECONDS WEST, 2354.90 FEET TO THE WEST LINE OF THE EAST HALF OF THE NORTHEAST QUARTER OF SECTION 18; THENCE NORTH 01 DEGREE 10 MINUTES 15 SECONDS WEST, ALONG SAID WEST LINE, 155.57 FEET TO THE POINT OF BEGINNING. EXCEPT THAT PART DESCRIBED AS FOLLOWS: THAT PART OF THE NORTHEAST QUARTER OF SECTION 18 AND THE NORTHWEST QUARTER OF SECTION 17, TOWNSHIP 37 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF SAID NORTHEAST QUARTER; THENCE NORTH 87 DEGREES 30 MINUTES 49 SECONDS EAST, ALONG THE NORTH LINE OF SAID NORTHWEST QUARTER, 1318.72 FEET TO THE NORTHWEST CORNER OF THE EAST HALF OF SAID NORTHEAST QUARTER; THENCE SOUTH 01 DEGREE 10 MINUTES 15 SECONDS EAST, ALONG THE WEST LINE OF SAID EAST HALF, 40.15 FEET FOR THE POINT OF BEGINNING; THENCE

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