

RESOLUTION NO: 2022-R-010

A RESOLUTION AUTHORIZING EXECUTION
OF AN EASEMENT AGREEMENT TO ILLINOIS
DEPARTMENT OF TRANSPORTATION D.B.A. IDOT

BE IT RESOLVED by the Metro East Sanitary District, as follows:

1. That the form and substance of certain Easement Agreement (the "Agreement"), between the Metro East sanitary District ("Grantor") and the Illinois Department of Transportation D.B.A. IDOT ("Grantee"), for an easement for land assigned PIN 18-1-14-00-000-002, 18-1-14-14-00-000-002.001, 18-1-14-14-00-000-002.002 and 18-1-14-14-00-000-002.003, as set forth in the form of an Agreement submitted to this meeting, is hereby approved.
2. That the proper officials, agents and employees of the Metro East Sanitary District are hereby authorized and directed to take such further action as they may deem necessary or appropriate to perform all obligations and commitments of the District in accordance with the provision of the Agreement.
3. That all resolutions or parts of resolutions in conflict with the provision of this Resolution are hereby repealed.
4. That this resolution shall be in full force and effect from and after its passage as provided by law.

BE IT SO RESOLVED by the Board of Commissioners of the Metro East Sanitary District in meeting duly assembled this 20 day of December, 2022.

Passed: December 20, 2022.

Approved: December 20, 2022.

Metro East Sanitary District



President

Attest:



Clerk

Owner Metro East Sanitary District
Address IL Route 111 at Cahokia
Diversion Canal
Route FAP Route 582 (IL 111)
County Madison
Job No. R-98-020-20
Parcel No. 8020024
P.I.N. No. 18-1-14-14-00-000-002, 18-1-14-14-00-000-002.001
18-1-14-14-00-000-002.002, 18-1-14-14-00-000-002.003
Section 5BR-2

PERMANENT EASEMENT
(Governmental Entity)

The Metro East Sanitary District, successor to the East Side Levee and Sanitary District, a governmental entity organized and existing under and by virtue of the laws of the State of Illinois and duly authorized to do business under the Statutes of the State of Illinois, (Grantor), by Scott Orney, its President, for and in consideration of Thirty Thousand and No/100 Dollars (\$30,000.00), receipt of which is hereby acknowledged, and pursuant to the provisions of 70 ILCS 605/4-27(e) and 70 ILCS 605/4-14 hereby represents that Grantor owns the fee simple title to and grants and conveys to the People of the State of Illinois, Department of Transportation, (Grantee), a permanent easement for the purpose of construction and maintenance of a bridge and access road and for other highway purposes, on, over and through the following described real estate:

A tract of land being part of the Northeast Quarter and of the Northwest Quarter of Section 14, Township 4 North, Range 9 West of the Third Principal Meridian, Madison County, Illinois, described as follows:

Commencing at the northwest corner of said Northeast Quarter; thence on an assumed bearing of thence South 01 degrees 02 minutes 17 seconds East on the west line of said Northeast Quarter, 265.98 feet to the south line of a tract of land described in the deed to the Wood River Drainage & Levee District, as recorded in Book 1714 Page 18 of the Madison County Recorder's Office Records and the Point of the Beginning.

From said Point of Beginning; thence South 85 degrees 56 minutes 59 seconds East on said south line, 149.01 feet; thence South 00 degrees 29 minutes 02 seconds East, 351.10 feet; thence North 85 degrees 56 minutes 59 seconds West, 145.60 feet to a point on said west line; thence North 86 degrees 02 minutes 10 seconds West, 105.17 feet; thence North 00 degrees 29 minutes 02 seconds West, 351.01 feet to said south line; thence South 86 degrees 05 minutes 10 seconds East on said south line, 101.76 feet to the Point of the Beginning.

Said Parcel 8020024PE-A contains 87,771 square feet, or 2.0149 acre, more or less.

Parcel 8020024PE-B

A tract of land being part of the Northeast Quarter of Section 14, Township 4 North, Range 9 West of the Third Principal Meridian, Madison County, Illinois described as follows:

Commencing at the northwest corner of said Northeast Quarter; thence on an assumed bearing of thence South 01 degrees 02 minutes 17 seconds East on the west line of said Northeast Quarter, 617.43 feet; thence South 85 degrees 56 minutes 59 seconds East,

79.40 feet to the east right of way line of FAP Route 582 (Illinois Route 111) as recorded in Book 768 Page 255 of the Madison County Recorder's Office records and the Point of Beginning.

From said Point of Beginning; thence continuing South 85 degrees 56 minutes 59 seconds East 66.20 feet; thence South 34 degrees 35 minutes 46 seconds East 133.73 feet to a point that is 141.00 feet and normally distant from said east right of way line; thence South 00 degrees 29 minutes 02 seconds East and parallel to said east right of way line, 130.00 feet; thence South 89 degrees 30 minutes 58 seconds West, 141.00 feet to said east right of way line; thence North 00 degrees 29 minutes 02 seconds West on said east right of way line, 245.96 feet to the Point of Beginning.

Said Parcel 8020024PE-B contains 29,961 square feet, or 0.6878 acre, more or less.

Said Parcels 8020024PE-A and 8020024PE-B contain a total of 117,732 square feet or 2.7027 acres, more or less.

situated in the County of Madison, State of Illinois 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 and improvements located thereon are herein referred to as the "premises."

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

In accordance with the provisions of the Construction and Maintenance Agreement between Grantee and Grantor, Grantee, at Grantee's expense, shall perform all work and furnish any material necessary for the construction and maintenance of Grantee's improvements upon the premises. Grantor shall have no responsibility for maintenance of any of Grantee's improvements upon the premises. To the extent permitted by law, Grantee agrees, at its own expense, to repair all injury or damage that may be caused by Grantee or its contractors to the premises or any adjoining property of the Grantor, which may arise out of or be in any way connected with construction and maintenance of the improvements thereon. Grantee agrees for and on behalf of itself and all persons who may at any time use, occupy, visit or maintain the premises herein granted that the Grantor shall not be responsible for damages, loss to property, injuries or death, which may arise from or be incident to the use or occupation of the premises for the purposes set forth herein.

This permanent easement is made, executed and delivered pursuant to a resolution duly adopted at a meeting held on the 20 day of December, 2022.

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 opening, improving, and using the premises for highway purposes. This acknowledgment does not waive any claim for trespass or negligence against the Grantee or Grantee's agents which may cause damage to 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 20 day of December, 2022.

Metro East Sanitary District, successor to
East Side Levee and Sanitary District
Name of Governmental Entity

By: [Signature]
Signature

Scott Oney, President
Print Name and Title

ATTEST:

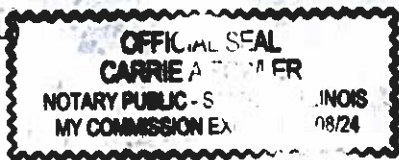
By: [Signature]
Signature

Stacy Partney, District Clerk
Print Name and Title

State of Illinois)
County of Madison) ss

This instrument was acknowledged before me on December 20, 2022, by
Scott Oney, as President
and Stacy Partney, as District Clerk
of Metro East Sanitary District, successor to East Side Levee and Sanitary District, a
governmental entity organized and existing under the laws of Illinois.

(SEAL)



[Signature]
Notary Public

My Commission Expires: 5/8/2024

This instrument was prepared by and after recording, return to:

Illinois Department of Transportation
ATTN: Bureau of Land Acquisition