

ORDINANCE 2021-47

**ORDINANCE ACCEPTING A PLAT OF EASEMENT
GRANT FOR CERTAIN PROPERTY LOCATED AT
9210 MILWAUKEE AND GOLF MILL CENTER
IN THE VILLAGE OF NILES**

Dated: This 24th day of August, 2021.

**Published in Pamphlet Form by Authority
of the
President and Board of Trustees
Village of Niles**

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ORDINANCE ACCEPTING A PLAT OF EASEMENT GRANT FOR CERTAIN PROPERTY LOCATED AT 9210 MILWAUKEE AND GOLF MILL CENTER IN THE VILLAGE OF NILES

NOW, THEREFORE, BE IT ORDAINED, by the President and the Board of Trustees of the Village of Niles, Cook County, Illinois, as follows:

SECTION 1: The Plat of Easement for certain property located at 9210 Milwaukee and Golf Mill Center as further described and situated in the Village of Niles, Cook County, Illinois, be the same hereby accepted and attached as Exhibit "A", hereto and incorporated herein by reference:

PERMANENT EASEMENT 0001PE:

THAT PART OF NORTH HALF OF SECTION 14, TOWNSHIP 41 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS, BEARINGS AND DISTANCES ARE BASED ON THE ILLINOIS STATE PLANE COORDINATE SYSTEM, EAST ZONE, NAD83 (2011 ADJUSTMENT), DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT LOCATED 50.00 FEET EAST AND 40.00 FEET NORTH OF THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 14; THENCE NORTH 87 DEGREES 58 MINUTES 24 SECONDS EAST ALONG THE NORTH LINE OF CHURCH STREET, SAID LINE BEING 40.00 FEET NORTH OF AND PARALLEL WITH THE SOUTH LINE OF SAID NORTHWEST QUARTER OF SECTION 14, A DISTANCE OF 1243.78 FEET TO THE WEST LINE OF CUMBERLAND AVENUE EXTENDED NORTHERLY, AND TO THE POINT OF BEGINNING; THENCE NORTH 00 DEGREES 22 MINUTES 31 SECONDS EAST ALONG SAID WEST LINE EXTENDED NORTHERLY, 9.01 FEET; THENCE NORTH 87 DEGREES 58 MINUTES 24 SECONDS EAST ALONG A LINE THAT IS 9.00 FEET NORTH OF AND PARALLEL WITH SAID NORTH LINE OF CHURCH STREET, 471.31 FEET; THENCE NORTHEASTERLY 151.17 FEET ALONG A NON-TANGENT CURVE TO THE RIGHT BEING 9.00 FEET NORTHWESTERLY OF AND PARALLEL WITH THE NORTHWESTERLY LINE OF MARYLAND STREET AS DEDICATED SEPTEMBER 30, 1959 BY DOCUMENT NUMBER 1888825, HAVING A RADIUS OF 145.00 FEET, THE CHORD OF SAID CURVE BEARS NORTH 31 DEGREES 23 MINUTES 59 SECONDS EAST 144.42 FEET TO A POINT OF TANGENCY; THENCE NORTH 61 DEGREES 16 MINUTES 02 SECONDS EAST ALONG SAID PARALLEL LINE OF MARYLAND STREET, 215.64 FEET TO THE WESTERLY LINE OF MILWAUKEE AVENUE; THENCE SOUTH 28 DEGREES 33 MINUTES 31 SECONDS EAST ALONG SAID WESTERLY LINE 9.00 FEET TO SAID NORTHWESTERLY LINE OF MARYLAND STREET; THENCE SOUTH 61 DEGREES 16 MINUTES 02 SECONDS WEST ALONG SAID NORTHWESTERLY LINE OF MARYLAND STREET 215.61 FEET, MEASURED (213.57 FEET, RECORDED) TO A POINT OF CURVE; THENCE SOUTHWESTERLY ALONG SAID NORTHWESTERLY LINE OF MARYLAND STREET 150.24 FEET, MEASURED (151.51 FEET, RECORDED) ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 136.00 FEET, THE CHORD OF SAID CURVE BEARS SOUTH 29 DEGREES 37 MINUTES 13 SECONDS WEST 142.71 FEET TO SAID NORTH LINE OF CHURCH STREET; THENCE SOUTH 87 DEGREES 58 MINUTES 24 SECONDS WEST ALONG SAID NORTH LINE OF CHURCH STREET 480.40 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINING 0.174 ACRES (7,579 SQ.FT.), MORE OR LESS.

SECTION 2: The owner of the property has donated this easement to the Village in consideration for the plat of easement as referenced.

SECTION 3: The Village shall hereby file a certified copy of the Ordinance and Plat of Easement with the Recorder of Deeds of Cook County, Illinois.

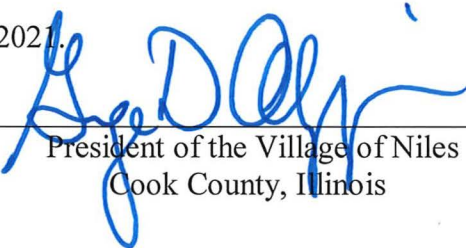
SECTION 4: This Ordinance shall be in full force and effect from and after its passage, approval and publication as provided by law.

SECTION 5: That all ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of any such conflict.

SECTION 6: That any section or provision of this ordinance that is construed to be invalid or void shall not affect the remaining sections or provisions which shall remain in full force and effect thereafter.

PASSED: This 24th day of August, 2021
AYES: 7 Alpagianis, Jekot, LoVerde, Matyas, McCreery, Niedermaier, Strzelecki
NAYS: 0
ABSENT: 0
ABSTAIN: 0

APPROVED by me this 24th day of August, 2021.



President of the Village of Niles
Cook County, Illinois

ATTESTED AND FILED in my office this 24th day of August, 2021, and published in pamphlet form as provided by law in the Village of Niles, Illinois.



Village Clerk

Ordinance 2021-47

PLAT OF EASEMENT

LEGAL DESCRIPTIONS:

PERMANENT EASEMENT 0001PE:

THAT PART OF NORTH HALF OF SECTION 14, TOWNSHIP 41 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS, BEARINGS AND DISTANCES ARE BASED ON THE ILLINOIS STATE PLANE COORDINATE SYSTEM, EAST ZONE, NAD83 (2011 ADJUSTMENT), DESCRIBED AS FOLLOWS:

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SAID PARCEL CONTAINING 0.174 ACRES (1,579 SQ.FT.), MORE OR LESS.

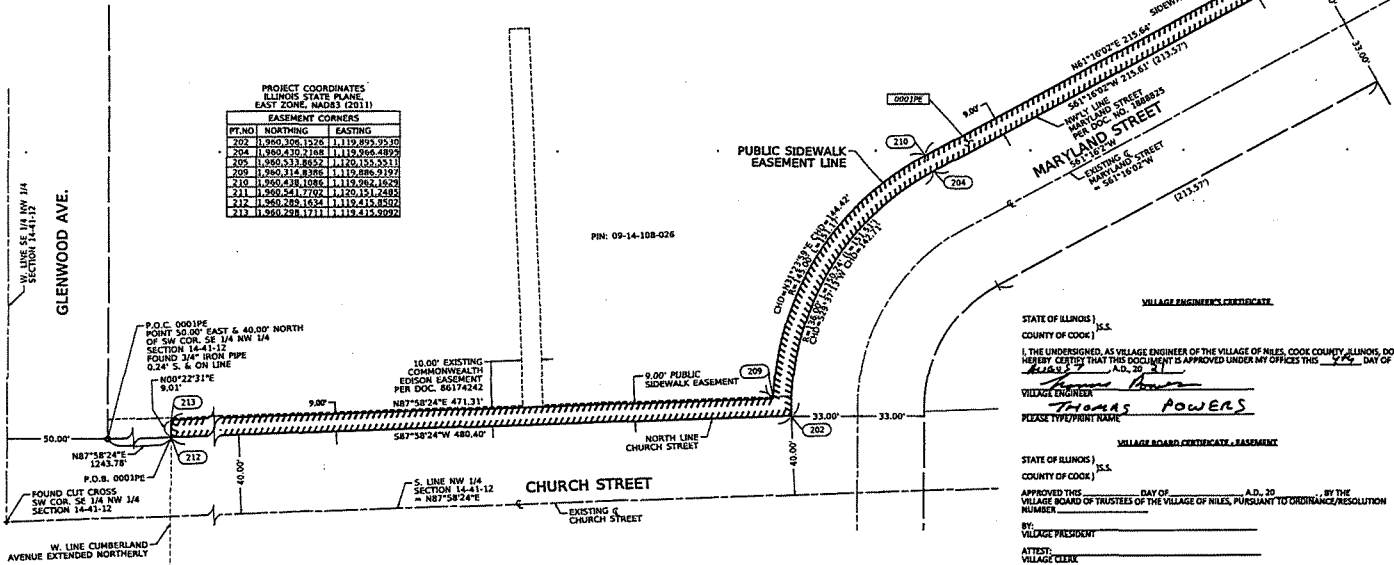
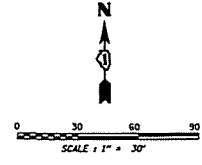
GENERAL NOTES:

- 1) THIS PLAT REPRESENTS AN EASEMENT PLAT.
- 2) THIS PLAT HAS BEEN PREPARED WITH THE BENEFIT OF A TITLE COMMITMENT PREPARED BY WHEATLAND TITLE GUARANTY COMPANY, FILE NUMBER CWA-2016CO-12907.0 WITH A COMMITMENT DATE OF MARCH 11, 2016.
- 3) THE DESCRIPTION SHOWN HEREON HAS BEEN FURNISHED BY THE SURVEYOR.
- 4) REFER TO TITLE POLICY FOR BUILDING AND EASEMENT RESTRICTIONS.
- 5) BEARINGS ARE BASED ON ILLINOIS STATE PLANE COORDINATE SYSTEM, EAST ZONE, NAD 83 (2011).
- 6) IMPROVEMENTS SUCH AS, BUT NOT LIMITED TO UNDERGROUND UTILITIES, LANDSCAPE FEATURES, FOUNDATIONS, ETC., HAVE NOT BEEN LOCATED EXCEPT AS SHOWN.
- 7) FIELD WORK COMPLETED ON OCTOBER, 2020.

PUBLIC SIDEWALK EASEMENT PROVISIONS

SUBJECT TO ALL EASEMENTS, LIENS, AND ENCUMBRANCES OF RECORD, THE SIDEWALK EASEMENT HEREON SHOWN IS HEREBY RESERVED FOR AND GRANTED TO THE VILLAGE OF NILES AND THE ILLINOIS DEPARTMENT OF TRANSPORTATION, ITS SUCCESSORS AND ASSIGNS FOR THE USE AND BENEFIT OF THE PUBLIC TO INSTALL, OPERATE, MAINTAIN, AND REMOVE, FROM TIME TO TIME, SIDEWALKS ACROSS, ALONG AND UPON THE SURFACE OF THE PROPERTY HEREON NOTED AS "PUBLIC SIDEWALK EASEMENT".

ALSO GRANTED HERewith IS THE RIGHT TO CUT, TRIM OR REMOVE TREES, BUSHES AND ROOTS AS MAY BE REASONABLY REQUIRED INCIDENT TO THE RIGHTS HEREIN GIVEN, AND THE RIGHT TO ENTER UPON THE SUBDIVIDED PROPERTY FOR ALL SUCH PURPOSES, OBSTRUCTIONS SHALL NOT BE PLACED OVER GRANTEE'S FACILITIES ON, IN, UPON OR OVER THE PROPERTY WITHIN THE EASEMENTS WITHOUT THE PRIOR WRITTEN CONSENT OF GRANTEE. AFTER INSTALLATION OF ANY SUCH FACILITIES, THE GRADE OF THE PROPERTY SHALL NOT BE ALTERED IN A MANNER SO AS TO INTERFERE WITH THE PROPER OPERATION AND MAINTENANCE THEREOF.



PROJECT COORDINATES ILLINOIS STATE PLANE EAST ZONE, NAD83 (2011)		
PT.NO	NORTHING	EASTING
202	11,960,298.1526	11,119,879.3535
204	11,960,410.2185	11,119,796.4879
205	11,960,333.8632	11,120,153.0311
206	11,960,314.8265	11,119,898.5197
207	11,960,438.1085	11,119,961.0226
211	11,960,241.1702	11,120,151.2489
212	11,960,208.1634	11,119,415.8707
213	11,960,228.1711	11,119,415.8992

PARCEL NUMBER	OWNER	TOTAL PARCEL ACRES	PART EASEMENT ACRES	AREA IN EASEMENT R.O.W. ACRES	REMAINDER AREA ACRES	EASEMENT AREA ACRES	SQUARE FEET	PARCEL INDEX NUMBER
0001PE	SVAP GOLF MILL RETAIL, L.P. A DELAWARE LIMITED PARTNERSHIP	50.0±			50.0±	0.174	7,579	09-14-108-026-000

FILE NAME	USER NAME	DESIGNED	REVISED
7000			

**SIDEWALK EASEMENT
GREENWOOD - NILES
GREENWOOD STORM SEWER SURVEY**

CLAASSEN, WHITE & ASSOCIATES, P.C.
LAND SURVEYORS
321 AIRPORT DRIVE, UNIT 1, JOLIET, ILLINOIS 60431
(815) 744-3720 clausenwhite@cwa-survey.com
CWA JOB #7000

PLAT OF EASEMENT

SCALE: 1"=30' SHEET 1 OF SHEETS STA. TO STA.

OWNER'S CERTIFICATE - EASEMENT (CORPORATION)

THIS IS TO CERTIFY THAT SVAP GOLF MILL RETAIL, L.P., A DELAWARE LIMITED PARTNERSHIP, IS THE SECOND OWNER OF THE EASEMENT DESCRIBED IN THE SURVEYOR'S CERTIFICATE AFFIRED HEREON, AND DOES HEREBY CONSENT TO THE EASEMENT GRANTED ON SAID PROPERTY, AND THE VARIOUS DEDICATIONS, GRANTS AND RESERVATIONS OF EASEMENT AND RIGHTS-OF-WAY DEPICTED HEREON.

DATED THIS _____ DAY OF _____ A.D. 2021.

SIGNATURE _____

PLEASE TYPE/PRINT NAME _____

OWNER'S CERTIFICATE SIGNATURE BLOCK

SVAP GOLF MILL RETAIL, L.P.
a Delaware limited partnership
By: SVAP Golf Mill Retail GP, LLC,
a Delaware limited liability company,
Its General Partner

By: SVAP Golf Mill, L.P.,
a Delaware limited partnership,
Its Manager

By: SVAP GP, LLC,
a Delaware limited liability company,
Its General Partner

Name: MATTHEW WITTEK
Title: VICE PRESIDENT

OWNER'S NAME AND ADDRESS

SVAP GOLF MILL RETAIL, L.P.
322 BAYVIEW SUITE 100
WEST PALM BEACH, FLORIDA 33401

NOTARY PUBLIC

STATE OF FLORIDA
COUNTY OF PALM BEACH

The foregoing instrument was acknowledged before me by means of physical presence or online notarization, this 28th day of June, A.D. 2021, by Matthew Wittek, Vice President of SVAP GP, LLC, a Delaware limited liability company, the general partner of SVAP Golf Mill, L.P., a Delaware limited partnership, the Manager of SVAP Golf Mill Retail GP, LLC, a Delaware limited liability company, which is the General Partner of SVAP GOLF MILL RETAIL, L.P., a Delaware limited partnership, on behalf of SVAP GP, LLC, and such person is personally known to me or I have produced a _____ as identification.

PRINTED NAME: MATTHEW WITTEK

NOTARY PUBLIC: 66618584

SERIAL NUMBER: 07/1/2023

MY COMMISSION EXPIRES: _____

MORTGAGE CERTIFICATE

THIS IS TO CERTIFY THAT I, THE UNDERSIGNED, AS AN AUTHORIZED AGENT UNDER THE PROVISIONS OF A MORTGAGE ASSIGNMENT OF RIGHTS, SECURITY AGREEMENT AND FUTURE FILING DATED OCTOBER 28, 2016, AND RECORDED OCTOBER 31, 2016 IN COOK COUNTY IN THE STATE OF ILLINOIS AS DOCUMENT NUMBER 18353041, AS HERETOFORE MODIFIED AND AMENDED, HEREBY CERTIFY THAT IMPORGAN CHASE BANK, N.A. IS THE MORTGAGEE OF THE PROPERTY DESCRIBED IN THE SURVEYOR'S CERTIFICATE AFFIRED HEREON, AND THAT AS SUCH IT DOES HEREBY ACKNOWLEDGE THE PROVISIONS OF THE OWNER'S CERTIFICATE, AFFIRED HEREON.

DATED THIS 17th DAY OF JUNE, A.D. 2021.

IMPORGAN CHASE BANK, N.A.
700 NORTH PEARL STREET, 13th FLOOR
DALLAS, TEXAS 75201
MAIL CODE TX-1-2625

BY: Nancy Deaconson
NAME: Nancy Deaconson
TITLE: Vice President

MORTGAGEE'S NAME AND ADDRESS:

IMPORGAN CHASE BANK, N.A.
700 NORTH PEARL STREET, 13th FLOOR
DALLAS, TEXAS 75201
MAIL CODE TX-1-2625

MORTGAGEE NOTARY PUBLIC

STATE OF ILLINOIS
COUNTY OF COOK

I, THE UNDERSIGNED, AS VILLAGE ENGINEER OF THE VILLAGE OF NILES, COOK COUNTY, ILLINOIS, DO HEREBY CERTIFY THAT THIS DOCUMENT IS APPROVED UNDER MY OFFICE THIS 17th DAY OF JUNE, A.D. 2021.

VILLAGE ENGINEER:
THOMAS POWERS
PLEASE TYPE/PRINT NAME

VILLAGE BOARD CERTIFICATE - EASEMENT

STATE OF ILLINOIS
COUNTY OF COOK

APPROVED THIS _____ DAY OF _____ A.D. 20 _____ BY THE VILLAGE BOARD OF TRUSTEES OF THE VILLAGE OF NILES, PURSUANT TO ORDINANCE/RESOLUTION NUMBER _____

BY: _____
VILLAGE PRESIDENT

ATTEST:
VILLAGE CLERK

THIS PLAT IS TO BE RECORDED BY THE VILLAGE OF NILES, ILLINOIS FOR THE UNDERSIGNED, UPON RECORDECTION RETURN THIS PLAT TO:

VILLAGE OF NILES, VILLAGE ENGINEER
680 W. TOWNS AVENUE
NILES, ILLINOIS 60714

DATED AT JOLIET, ILLINOIS THIS 16th DAY OF MARCH, 2021 A.D.

By: David A. Claassen VICE PRESIDENT
ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 035-002962
LICENSE EXPIRES NOVEMBER 30, 2023
THIS INSTRUMENT IS SUBJECT TO THE CURRENT ILLINOIS SURVEYING AND THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY.



F.A. RITE	SECTION	COUNTY	TOTAL SHEETS	SHEET NO.
		COOK	1	1

CONTRACT NO. _____ ILLINOISED AND PROJECT _____