

VILLAGE OF NORTH AURORA



VILLAGE OF NORTH AURORA  
KANE COUNTY, ILLINOIS

RESOLUTION NO. R19-04-01-02

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**RESOLUTION ACCEPTING A GRANT OF EASEMENT**  
**IN THE LIBERTY BUSINESS CENTER**  
**IN THE VILLAGE OF NORTH AURORA**

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Adopted by the  
Board of Trustees and President  
of the Village of North Aurora  
this 1st day of April, 2019

Published in Pamphlet Form  
by authority of the Board of Trustees of the  
Village of North Aurora, Kane County, Illinois,  
this \_\_\_ day of \_\_\_\_\_, 2019  
by \_\_\_\_\_.

Signed

*Dale Berman*

VILLAGE OF NORTH AURORA

RESOLUTION NO. R19-04-01-02

**RESOLUTION ACCEPTING A GRANT OF EASEMENT IN THE  
LIBERTY BUSINESS CENTER IN THE VILLAGE OF NORTH AURORA**

**NOW, THEREFORE, BE IT RESOLVED** by the President and Board of Trustees of the Village of North Aurora, Kane County, Illinois, as follows:

1. The Plat of Easement for a public utility and drainage easement from Liberty Illinois, LP the form attached hereto and incorporated herein by reference as Exhibit "A" (the "Easement") granting an easement for public utility and drainage purposes is hereby accepted over, on, through and in the property legally described as follows:

PART OF LOT 6 IN LIBERTY BUSINESS CENTER NORTH AURORA, BEING A SUBDIVISION OF PART OF THE SOUTHEAST QUARTER OF SECTION 3, TOWNSHIP 38 NORTH, RANGE 8, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED DECEMBER 28, 2007 AS DOCUMENT NO. 2007K125658, IN KANE COUNTY, ILLINOIS.

2. Village staff is hereby directed and authorized to record the Plat of Easement and to take any and all actions necessary and appropriate to accept and take ownership and control over the Easement and to maintain it in perpetuity.

3. This Resolution shall take immediate force and effect from and after its passage and approval as provided by law.

157 Presented to the Board of Trustees of the Village of North Aurora, Kane County, Illinois this April day of April, 2019 A.D.

Passed by the Board of Trustees of the Village of North Aurora, Kane County, Illinois this 157 day of April, 2019 A.D.

Mark Carroll  
Mark Gaffino  
Michael Lowery

yes  
yes  
yes

Laura Curtis  
Mark Guethle  
Tao Martinez

absent  
yes  
absent

Approved and signed by me as President of the Board of Trustees of the Village of North Aurora, Kane County, Illinois this \_\_\_ day of \_\_\_, 2019 A.D.

Dale Berman

Dale Berman, Village President

ATTEST:

Louise Murray  
Village Clerk

**VILLAGE OF NORTH AURORA**

**EXHIBIT A**

STATE OF \_\_\_\_\_ }  
COUNTY OF \_\_\_\_\_ }

THIS IS TO CERTIFY THAT LINCOLN ELLIORS, LP, AN ELLIORS LIMITED PARTNERSHIP, IS THE OWNER OF THE PROPERTY DESCRIBED AND SHOWN HEREON AND AS SUCH OWNER, HAS CAUSED THE PROPERTY PLATTED AS SHOWN HEREON, FOR THE USES AND PURPOSES THEREIN SET FORTH, AND SAID LIMITED PARTNERSHIP DOES HEREBY ACKNOWLEDGE AND ADOPT THE NAME UNDER THE STYLE AND TITLE AFORESAID.

DATE AT \_\_\_\_\_ THEN \_\_\_\_\_ DAY OF \_\_\_\_\_  
A.D. 20 \_\_\_\_\_

BY: LIBERTY RANCH VENTURE, L.P., ITS SOLE GENERAL PARTNER

ITS LIBERTY PROPERTY LIMITED PARTNERSHIP, ITS SOLE MEMBER

BY: LIBERTY PROPERTY TRUST, ITS SOLE GENERAL PARTNER

REF: \_\_\_\_\_ TITLE: \_\_\_\_\_

**ADDRESS:** \_\_\_\_\_

STATE OF \_\_\_\_\_ }  
COUNTY OF \_\_\_\_\_ }

I, \_\_\_\_\_, A NOTARY PUBLIC IN AND FOR THE SAID COUNTY IN THE  
STATE OF \_\_\_\_\_, DO HEREBY CERTIFY THAT \_\_\_\_\_ (PRINT NAME)  
(TITLE OF SAID LIMITED PARTNERSHIP, WHO IS PERSONALLY KNOWN TO ME TO  
BE THE SAME PERSONS WHOSE NAMES ARE SUBSCRIBED TO THE FOREGOING INSTRUMENT, AS SUCH  
PERSONS PERSONALLY APPEARED BEFORE ME AND WERE FULLY AND FREELY INFORMED  
THAT HE/SHE SIGNED AND DELIVERED THE SAID INSTRUMENT AS SUCH OWN FRID AND VOLUNTARY ACT  
AND THE FREE AND VOLUNTARY ACT OF SAID LIMITED PARTNERSHIP, FOR THE USES AND PURPOSES THEREIN SET  
FORTH.

GIVEN UNDER MY HAND AND NOTARIAL SEAL THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ A.D. 20\_\_\_\_

**HISTORY PUBLIC SIGNATURE**

**PRINT NAME:**

AN EASEMENT FOR SERVING THE SUBDIVISION AND OTHER PROPERTY WITH ELECTRIC AND COMMUNICATION SERVICE IS HEREBY RESERVED FOR AND GRANTED TO

COMMONWEALTH Edison and  
SBC AMERICAN BELL TELEPHONE COMPANY, AND ITS GRANTEES

THEIR RESPECTIVE LEGAL, SUCCESSORS, AND ASSIGNS, JOINTLY AND SEVERALLY, TO CONSTRUCT, MAINTAIN, REPAIR, REPLACE, UPGRADE, IMPROVE, OPERATE, MAINTAIN, REPAIR, REPLACE, UPGRADE, FROM TIME TO TIME, POLES, GUYWIRE, ANCHORS, WIRE CABLES, CROSSTIES, MANHOLELS, TRANSFORMERS, PEDESTALS, EQUIPMENT CABINETS OR OTHER FACILITIES USED IN CONNECTION WITH OVERHEAD AND UNDERGROUND TRANSMISSION AND DISTRIBUTION OF ELECTRICITY, COMMUNICATIONS, SOUND AND SIGNALING, IN OVERLAP AREAS, HEREIN DESIGNATED AS "COMMON AREAS" OR "COMMON AREAS OF THE PROPERTY" BY DOTTED LINES OR (SIMILAR DESIGNATION) ON THE PLAT AND/OR "EASEMENT", "UTILITY EASEMENT", "PUBLIC UTILITY EASEMENT", "PAVE" (OR SIMILAR DESIGNATION), THE PROPERTY DESIGNATED IN THE DECLARATION OF COVENANTS AND/OR ON THIS PLAT AS "COMMON ELEMENTS", AND THE PROPERTY DESIGNATED ON THE PLAT AS "COMMON AREA OR AREAS", AND THE PROPERTY DESIGNATED ON THE PLAT FOR STREETS AND ALLEYS, WHETHER PUBLIC OR PRIVATE, TOGETHER WITH THE RIGHTS TO INSTALL, MAINTAIN, REPAIR, REPLACE, UPGRADE, IMPROVE, OPERATE, MAINTAIN, REPAIR, REPLACE, UPGRADE, OR AREAS TO SERVE IMPROVEMENTS THEREON, OR ON ADJACENT LOTS, AND COMMON AREA OR AREAS, THE RIGHT TO CUT, TRIM OR REMOVE TREES, BUSHES, ROOTS AND SAPLINGS AND TO CLEAR OBSTRUCTIONS FROM THE SURFACE AND SUBSURFACE AS MAY BE REASONABLY REQUIRED INCIDENT TO THE RIGHTS HEREIN GRANTED, AND THE RIGHT TO PLACE OR CAUSE TO BE PLACED, MAINTAINED, REPAIRED, REPLACED, UPGRADED, OR OBSTRUCTIONS SHALL NOT BE PLACED OR GRANTED, FACILITIES OR IN, UPON OR OVER THE PROPERTY WITHIN THE DOTTED OR DOTTED LINES (OR SIMILAR DESIGNATION) MARKED "EASEMENT", "UTILITY EASEMENT", "PUBLIC UTILITY EASEMENT", "PAVE" (OR SIMILAR DESIGNATION) WITHOUT THE PRIOR WRITTEN CONSENT OF GRANTEES. AFTER INSTALLATION OF ANY SUCH FACILITIES, THE GRADE OF THE SUBJUGGED PROPERTY SHALL NOT BE ALTERED IN A MANNER SO AS TO INTERFERE WITH THE PROPER OPERATION AND

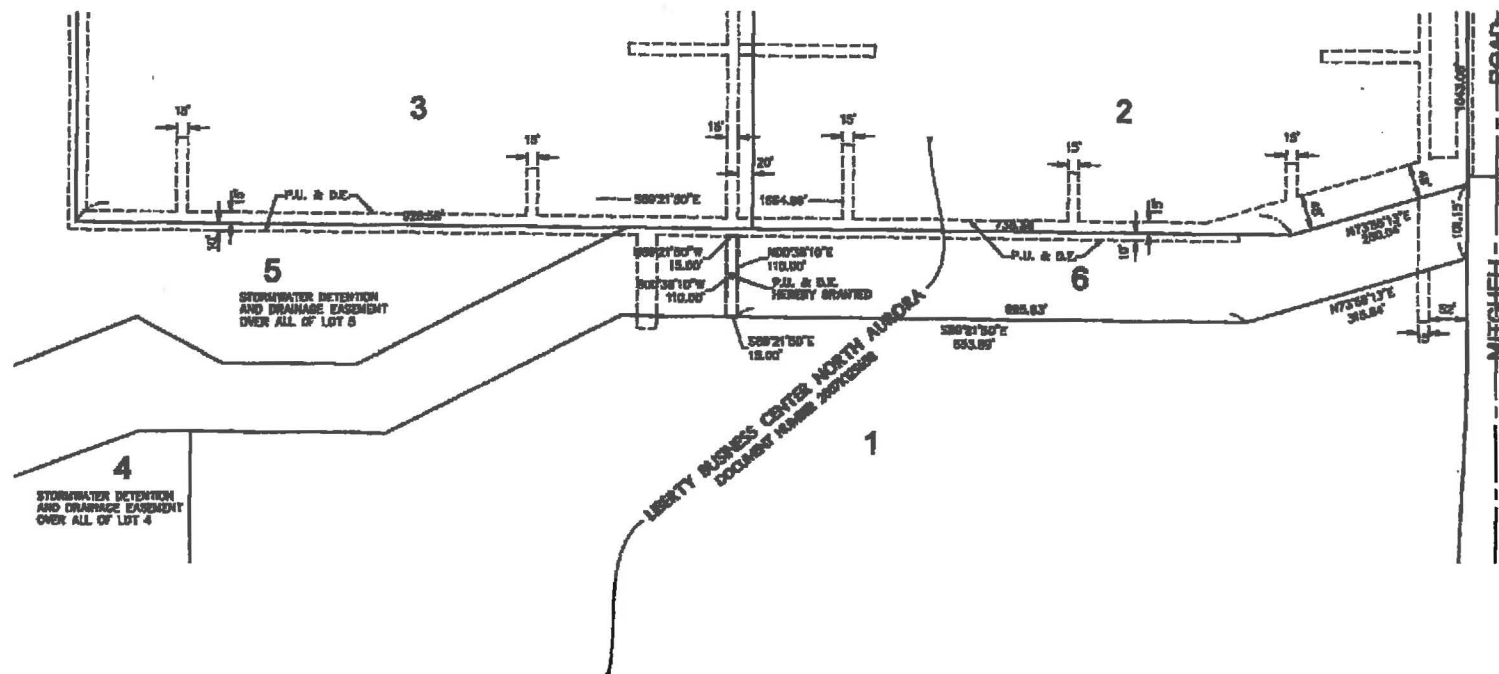
THE TERM "COMMON ELEMENTS" SHALL HAVE THE MEANING SET FORTH FOR SUCH TERM IN THE "CONDOMINIUM PROPERTY ACT", CHAPTER 705, § 66, R.S. 2, AS AMENDED FROM TIME TO TIME.

THE TERM "COMMON AREA ARCHA" IS DEFINED AS A LOT, PARCEL OR AREA OF REAL PROPERTY, THE HISTORICAL USE AND MAINTENANCE OF WHICH IS REQUIRED IN WHOLE OR IN AN APPROPRIATION TO THE SEPARATELY OWNED LOTS, PARCELS OR AREAS WITHIN THE PLANNED DEVELOPMENT, EVEN THOUGH SUCH BE OTHERWISE DEDICATED ON THE PLAT BY TERMS SUCH AS "OUTLOTS," "COMMON ELEMENTS," "OPEN SPACE," "OPEN AREA," "COMMON DRIVING," "PARKING," AND "COMMON AREA." THE TERM "COMMON AREA OR AREAS," AND "COMMON ELEMENTS" INCLUDE VULNERABLE REAL PROPERTY SURFACED WITH INTERIOR DRIVEWAYS AND WALKWAYS, STAIRS, ELEVATORS, COMMON WALLS, ROADS, PARKING, TRAILS, OPEN SPACES, POOLS OR STRUCTURES SUCH AS A POOL, RETENTION POND OR RECREATIONAL BUILDING, RELOCATION OF FACILITIES WILL BE DONE BY GRANTEE AT COST OF THE GRANTOR/LAND OWNER, UPON WRITTEN REQUEST.

**PUBLIC UTILITY AND DRAINAGE EASEMENT PROVISIONS**  
A PERMANENT NON-EXCLUSIVE EASEMENT IS HEREBY RESERVED FOR AND GRANTED TO THE VILLAGE OF NORTH AURORA AND TO ALL PUBLIC UTILITY COMPANIES OF ANY KIND OPERATING UNDER FRANCHISE GRANTED THEM EASEMENT RIGHTS FROM THE VILLAGE, INCLUDING, BUT NOT LIMITED TO JONES SPACELINE COLLECTIVE, KLINCK BELL TELEPHONE COMPANY, CHICAGO ELECTRIC COMPANY, CHICAGO GAS COMPANY, CHICAGO NATURAL GAS COMPANY, CHICAGO WATERWORKS COMPANY, CHICAGO WATER, UPON, ACROSS, OVER, UNDER, AND THROUGH THE AREAS SHOWN BY DASHED LINES AND LABELED PUBLIC UTILITIES AND DRAINAGE EASEMENT (P.U. & D.E.) FOR THE PURPOSE OF INSTALLING, CONSTRUCTING, INSPECTING, OPERATING, REPLACING, REPAIRING, MAINTAINING, REMOVING, REPAIRING, CLEARING, AND MAINTAINING ELECTRICAL, CABLE TELEVISION, TELEPHONE, GAS, WATER, AND SEWER LINES AND APPURTENANCES, SANITARY, STORM, AND DRAINAGE MAINS, STORMWATER DIVERSION, AND INTENTION, WATERMANS, AND ANY AND ALL MANHOLE, HYDRANTS, PIPES, CONNECTIONS, CATCH BASINS, BUFFALO BODIES, AND WITHOUT LIMITATION, SUCH OTHER INSTALLATION AS MAY BE REQUIRED TO FURNISH PUBLIC UTILITY SERVICE TO ANY AND ALL SUCH APPLICANCES AND ADDITIONS THEREON, WHEREBY THE PUBLIC UTILITY MAY USE ANY AND ALL SUCH AREAS, RIGHTS, ACCESS, EGRESS, AND EGRESS, AND INSTALL PLATED HEREON FOR THE NECESSARY PERSONNEL AND EQUIPMENT TO DO ANY OR ALL OF THE ABOVE WORK. THE RIGHT IS ALSO HEREBY GRANTED TO SAID VILLAGE AND UTILITIES TO CUT DOWN, TRIM, OR REMOVE ANY TREES, SHRUBS, OR PLANTS, OR ANY PART THEREOF, WHICH ARE LOCATED WITHIN THE AREAS SHOWN BY DASHED LINES AND LABELED INSTALLATIONS IN, ON, UPON, ACROSS, UNDER, OR THROUGH SAID EASEMENTS. NO PERMANENT BUILDINGS SHALL BE PLACED ON SAID EASEMENTS, BUT SAME MAY BE USED FOR PAVED PARKING AREAS AND DRIVEWAYS, GARAGES, TREES, LANDSCAPING, AND OTHER PURPOSES THAT DO NOT THEN OR LATER INTERFERE WITH THE AFORESAID USES AND RIGHTS AND ARE NOT FOR THE BENEFIT OF THE ADJACENT PROPERTY. THE ADJACENT PROPERTY SHALL BE SUBJECT TO THE PRIOR AFFECTATION OF SAID VILLAGE SO AS NOT TO INTERFERE WITH OTHER UTILITY LINES AND DRAINAGE AFTER INSTALLATION OF SAID UTILITIES. THE FINAL SURFACE OF THE EASEMENT SHALL BE RESTORED TO A CONDITION NOT LESS FAVORABLE THAN THAT EXISTING PRIOR TO THE INSTALLATION OF SAID UTILITIES. THE DRAINAGE UPON SAID EASEMENT EXCEPT WHERE SPECIFICALLY PERMITTED BY WRITTEN AUTHORITY OF THE VILLAGE OF NORTH AURORA

A PERMANENT NON-EXCLUSIVE EASEMENT IS HEREBY RESERVED FOR AND GRANTED TO THE VILLAGE OF NORTH AURORA AND COUNTRYSIDE FIRE PROTECTION DISTRICT AND THEIR RESPECTIVE OFFICERS, EMPLOYEES AND AGENTS WITH PRIVATE DRIVES AND PARKING AREAS WITHIN THE PROPERTY FOR ACCESS FOR POLICE PROTECTION, TOGETHER WITH RELATED EMERGENCY AND SERVICE VEHICLES AND EQUIPMENT AND PLUMBING WORKS.

PART OF LOT 6 IN LIBERTY BUSINESS CENTER NORTH AURORA, BEING A SUBDIVISION OF PART OF THE SOUTHEAST QUARTER OF SECTION 3, TOWNSHIP 38 NORTH, RANGE 6 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED DECEMBER 28, 2007 AS DOCUMENT NUMBER 2007K125858, IN KANE COUNTY, ILLINOIS.



ALL EVIDENCE SHOWN HEREON WERE GRANTED BY LIBERTY  
BUSINESS CENTER-NORTH ALABAMA EUROPEAN RECORDS  
DECEMBER 12, 2007 AS DOCUMENT NUMBER 2007K120408, IN  
HANE COUNTY, ALABAMA.

Q1 = RECORD NUMBER IN DATABASE  
Q2 = NUMBERING SCHEME ON DATABASE  
Q3 = CALCULATION NUMBER ON DATABASE  
Q4 = DATA SCHEME  
A = ADD COLUMN  
R = REMOVE  
CH = CHANG  
CH = CHANG  
REL. = RELATION SCHEME LINE  
P.A. & D.C. = PUBLICATION & DEDUCTION SCHEME  
UK = UKRY CURRENT

\_\_\_\_\_ PRICE LINE  
 \_\_\_\_\_ EXHIBIT LINE HEAVY SHOWN  
 \_\_\_\_\_ EXHIBIT EMBROID LINE  
 \_\_\_\_\_ OUTLINE  
 \_\_\_\_\_ DRESS SKIRT LINE  
 \_\_\_\_\_ SKIRT LINE

STATE OF ILLINOIS }  
COUNTY OF KANE } SS  
APPROVED AND ACCEPTED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D. 20\_\_\_\_  
BOARD OF TRUSTEES,  
VILLAGE OF NORTH AURORA, ILLINOIS (PRESIDENT)  
(VILLAGE CLERK)

STATE OF ILLINOIS }  
COUNTY OF KANE }  
THIS INSTRUMENT NO. \_\_\_\_\_ WAS FILED FOR RECORD IN THE RECORDER'S OFFICE OF  
KANE COUNTY, ILLINOIS ON THE \_\_\_\_\_  
DAY OF \_\_\_\_\_ 20\_\_ AT \_\_\_\_\_ O'CLOCK \_\_\_\_M. AND  
RECORDED ON PLAT ENVELOPE NO. \_\_\_\_\_

### COUNTY OF COCONINO

THE ABOVE PLAN WAS PREPARED UNDER MY DIRECT SUPERVISION FROM EXISTING RECORDS, MAPS AND PLATS.

COMPASS LAND SURVEYING LTD.  
PROFESSIONAL DESIGN FIRM  
LAND SURVEYOR CORPORATION NO. 184.002771  
LICENCE EXPIRES 4/30/21

BY SCOTT KREBS DATE: 2/22/11  
ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 3008  
LICENSE EXPIRES DATE: 11/30/2011

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ALBUQUERQUE, N.M. 87102

**ANGELA L. BORDO**

SCALE P = 100

1 OF 1

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