

CITY OF OGLESBY

ORDINANCE NO 1283-021825

**AN ORDINANCE APPROVING A GRANT OF EASEMENT
BETWEEN THE CITY OF OGLESBY AND ROBERT G. AND KAY E. MARINICIC
AND AUTHORIZING THE EXECUTION OF SUCH
GRANT OF EASEMENT**

**ADOPTED BY THE CITY COUNCIL OF THE CITY OF OGLESBY
THIS 18TH DAY OF FEBRUARY, 2025.**

Published in pamphlet form by authority of the City Council
of the City of Oglesby, LaSalle County, Illinois, this 19th day of February, 2025.

STATE OF ILLINOIS)
) SS
COUNTY OF LASALLE)

I, REBECCA CLINARD, certify that I am the duly appointed and acting municipal clerk of the City of Oglesby, LaSalle County, Illinois.

I further certify that on the 18th day of February, 2025, the corporate authorities of the above municipality passed and approved Ordinance No. 1283-021825, entitled "An Ordinance Approving a Grant of Easement between the City of Oglesby and Robert G. and Kay E Marincic and Authorizing Execution of such Grant of Easement", which provided by its terms that it should be published in pamphlet form.

The pamphlet form of Ordinance No. 1283-021825, including the Ordinance and cover sheet thereof, was prepared and a copy of such Ordinance was posted in the municipal building, commencing on the 19th day of February, 2025, and continuing for at least ten days thereafter. Copies of the Ordinance were also available for public inspection upon request in the office of the municipal clerk.

Dated in Oglesby, Illinois, this 19th day of February, 2025.





REBECCA CLINARD, City Clerk

ORDINANCE NO 1283-021825

**AN ORDINANCE APPROVING A GRANT OF EASEMENT
BETWEEN THE CITY OF OGLESBY AND ROBERT G. AND KAY E. MARINIC
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WHEREAS, the City of Oglesby, LaSalle County, Illinois, operates its sewerage system ("the system") and in accordance with the provisions of 65 ILCS 5/11-137-1 and the Local Government Debt Reform Act, 30 ILCS 350/1, et seq. ("collectively the Act"); and

WHEREAS, the Mayor and City Council of the City of Oglesby, LaSalle County, Illinois (the "Corporate Authorities") have determined that it is advisable, necessary and in the best interests of the public health, safety, and welfare to improve the system; and,

WHEREAS, the City has engaged the services of Chamlin and Associates to design a new sewage treatment plant for the City; and

WHEREAS, in order to construct and maintain said new sewage treatment plant and outflow sewer the City needs to acquire permanent easements from Robert G. and Kay E. Marincic for the property described in and on the terms and conditions set forth in a Grant of Easement, a copy of which is attached hereto as "Exhibit A" and made a part hereof;

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF OGLESBY, LASALLE COUNTY, ILLINOIS, AS FOLLOWS:

Section 1. The findings and determinations set forth in the preamble to this Ordinance are hereby made findings and determinations of the City Council of the City of Oglesby and are incorporated into the body of this Ordinance as if set forth in full.

Section 2. The City Council of the City of Oglesby hereby accepts and approves the Grant of Easement between the City of Oglesby and Robert G. and Kay E. Marincic, a copy of which is attached hereto and marked "Exhibit A".

Section 3. By this Ordinance, the Mayor of the City of Oglesby is hereby authorized and directed to execute and deliver and the City Clerk is hereby authorized and directed to attest and seal the Grant of Easement between the City of Oglesby and Robert G. and Kay E. Marincic, a copy of which is attached hereto and marked "Exhibit A".

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

Section 5. The City Clerk is hereby instructed to publish this Ordinance in pamphlet form as required by law.

PRESENTED, PASSED AND ADOPTED at a regular meeting of the City Council of the City of Oglesby, LaSalle County, Illinois, on this 18th day of February, 2025, by an aye and nay roll call vote as follows:

HILLARY MOYLE	<input checked="" type="checkbox"/> AYE; <input type="checkbox"/> NAY; <input type="checkbox"/> ABSENT; <input type="checkbox"/> PASS
GREGORY MCDERMOTT	<input checked="" type="checkbox"/> AYE; <input type="checkbox"/> NAY; <input type="checkbox"/> ABSENT; <input type="checkbox"/> PASS
ANTONIO STEFANELLI	<input checked="" type="checkbox"/> AYE; <input type="checkbox"/> NAY; <input type="checkbox"/> ABSENT; <input type="checkbox"/> PASS
RICHARD BALDRIDGE	<input checked="" type="checkbox"/> AYE; <input type="checkbox"/> NAY; <input type="checkbox"/> ABSENT; <input type="checkbox"/> PASS
JASON CURRAN	<input checked="" type="checkbox"/> AYE; <input type="checkbox"/> NAY; <input type="checkbox"/> ABSENT; <input type="checkbox"/> PASS



JASON CURRAN, Mayor

ATTEST:



REBECCA CLINARD, City Clerk

"EXHIBIT A"

GRANT OF EASEMENT

PREPARED BY:

Patrick A. Barry
P.O. Box 517
LaSalle, IL 61301-0517

MAIL TO:

Patrick A. Barry
P.O. Box 517
LaSalle, IL 61301

GRANTORS, **ROBERT G. MARINCIC** and **KAY E. MARINCIC**, for and in consideration of Ten Dollars (\$10.00) and other good and valuable consideration in hand paid, DO HEREBY GRANT to the GRANTEE, the **CITY OF OGLESBY, LASALLE COUNTY, ILLINOIS**, an Illinois Municipal Corporation, and to its successors and assigns, duly organized and existing under the laws of the State of Illinois, PERPETUAL EASEMENTS on, over, under and through the following-described real estate Tracts, for the purpose of constructing, operating, maintaining, repairing, removing and renewing a sanitary and storm outfall sewer and flowage therefrom all at GRANTEE'S sole cost and expense, to wit:

Tract #1 (Flowage Easement):

A STRIP OF LAND 125 FEET IN WIDTH 62.5 FEET ON EACH SIDE OF THE PROPOSED OUTFALL SEWER LOCATED WITHIN THE BNSF RAILWAY'S (FORMERLY CHICAGO, BURLINGTON & QUINCY RAILROAD COMPANY) 100.0 FOOT WIDE L&S JUNCTION TO LASALLE, ILLINOIS BRANCH LINE LOCATED IN THE EAST HALF OF THE SOUTHEAST QUARTER OF SECTION 25,, TOWNSHIP 33 NORTH, RANGE 1 EAST OF THE THIRD PRINCIPAL MERIDIAN, ALL SITUATED IN THE CITY OF OGLESBY, LASALLE COUNTY, ILLINOIS.
GRANTOR,

Tract 2 (Access Easement):

33 FOOT WIDE INGRESS AND EGRESS EASEMENT IN THE NORTH HALF AND IN THE SOUTHEAST QUARTER OF SECTION 25, TOWNSHIP 33 NORTH, RANGE 1 EAST OF THE THIRD PRINCIPAL MERIDIAN, 16.5 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE; BEGINNING AT THE INTERSECTION OF

THE EAST LINE OF THE THIRTY FOOT TRAIL, (60 FOOT UTILITY & INGRESS AND EGRESS EASEMENT) AS SHOWN ON THE FINAL PLAT OF STONE BLUFF TERRACE, RECORDED AS DOC. NO. 2010-19481 AT THE LASALLE COUNTY RECORDERS OFFICE AND THE EXISTING DRIVE, THENCE SOUTHEASTERLY ALONG THE CENTERLINE OF SAID DRIVE TO A POINT WHERE THE DRIVE HEADS SOUTHERLY AND A PATH CONTINUES SOUTHEASTERLY PARALLELING THE VERMILLION RIVER, THENCE CONTINUE SOUTHEASTERLY ALONG SAID PATH TO ITS INTERSECTION WITH THE CITY OF OGLESBYS OUTFALL SEWER, ITS POINT OF TERMINATION ALL SITUATED IN THE CITY OGLESBY, LASALLE COUNTY, ILLINOIS.

Grantor herein may make use of the Easement Tract, so long as such use does not interfere with the rights herein granted, or create a hazardous condition, except that Grantor herein, their successors and assigns, shall make no excavation on the Easement Tract, except in such manner so as not to disturb or interfere with the facilities to be located therein or access rights thereto, nor shall Grantor place or erect any buildings on the Easement Tract.

Grantor further agrees that Grantee and its agents, successors and/or assigns may, at all reasonable times and without interference to Grantor's use of their remaining property adjacent to the Easement Tract, go on, over and across the Easement Tract when necessary to do so in furtherance of this Grant of Easement. In the event of any destruction of any improvements of Grantor's by Grantee, Grantee shall repair and restore any such improvements to the same or better condition and/or shall reimburse Grantee for any damage or loss.

The easements and rights herein granted, together with the obligations hereby imposed, are appurtenant to and shall run with title to all or any portion of the Easement Tract and the adjacent land owned by Grantee and shall be binding upon and inure to the benefit of Grantor and Grantee and their respective grantees, successors, assigns, mortgagees, ground lessees, tenants, occupants and any person or persons claiming under or through any of them.

Grantee does hereby agree to protect, indemnify and hold Grantor harmless from and against any and all liabilities, losses, damages, costs and expenses (including reasonable attorney's fees and litigation expenses) arising from injury or death of any person or damage or loss of property occurring on or due to the use of the Easement Tract by Grantee or Grantee's officers, employees, agents or representatives, and arising out of the operation, maintenance and use of the utilities placed therein.

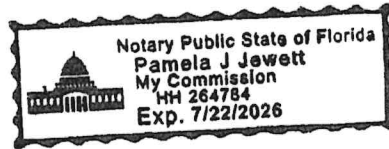
Grantee agrees that the above-mentioned rights and its use of the Easement Tract shall, at all times be in compliance with all applicable environmental laws, rules and regulations, and in no event shall hazardous or toxic waste materials be on the Easement Tract.

STATE OF ILLINOIS)
) SS
COUNTY OF LASALLE)

I, the undersigned, a Notary Public, in and for said County, in the State aforesaid, Do Hereby Certify that **ROBERT G. MARINCIC** and **KAY E. MARINCIC**, personally known to me to be the same persons whose names are subscribed to the foregoing instrument, appeared before me this day in person and acknowledge that they signed, sealed and delivered the said instrument as their free and voluntary act, for the uses and purposes therein set forth.

Given under my hand and notarial seal this 4th day of FEB, 2025.

Pamela Jewett
NOTARY PUBLIC

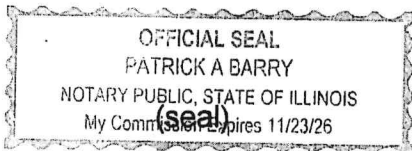


STATE OF ILLINOIS)
) SS
COUNTY OF LASALLE)

I, the undersigned, a Notary Public in and for the County and State aforesaid, DO HEREBY CERTIFY that **JASON CURRAN**, Mayor, and **REBECCA CLINARD**, City Clerk, personally known to me to be the same persons whose names are subscribed to the foregoing instrument, appeared before me this day in person, and acknowledged that they signed, sealed and delivered the said instrument as their free and voluntary act, and as the free and voluntary act of the City of Oglesby for the uses and purposes therein set forth, including any release and waiver of the right of homestead.

Given under my hand and notary seal, this 3rd day of March, 2025.

Patrick A Barry
NOTARY PUBLIC



My commission expires: 11/23/26

Any work to be performed within the Easement Tract by Grantee, its employees, contractors and agents, shall be completed in good and workmanlike manner, and for any work done on the Easement Tract, the property shall be restored by Grantee to its original or better condition.

IN WITNESS WHEREOF, Grantor has executed this Grant of Easement and Grantee has accepted it this 6th day of FEB, 2025.



ROBERT G. MARINCIC, Grantor



KAY E MARINCIC, Grantor

**CITY OF OGLESBY,
LASALLE COUNTY, ILLINOIS,**
An Illinois Municipal Corporation, Grantee

By: 

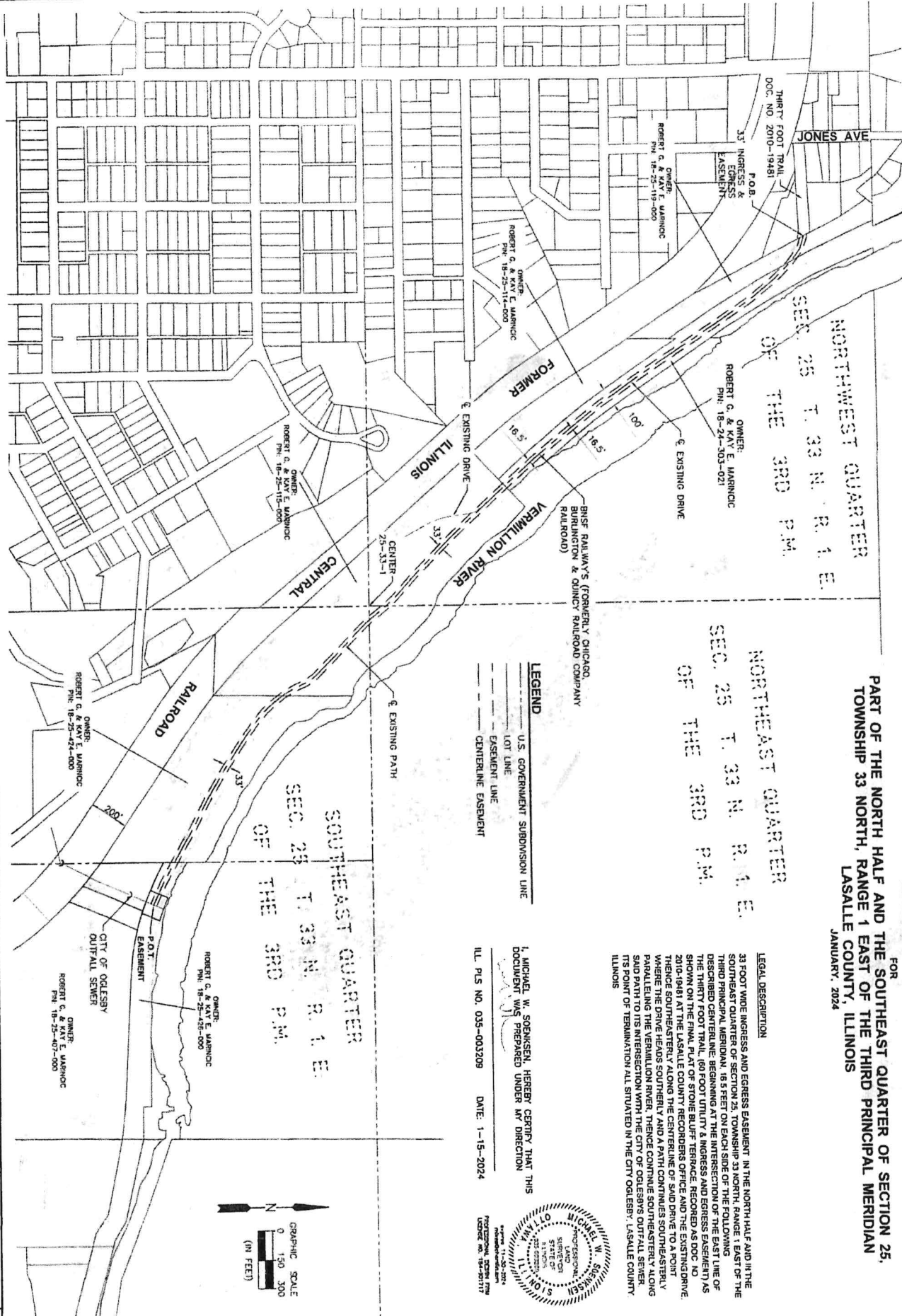
JASON CURRAN, Mayor

ATTEST:



REBECCA CLINARD, City Clerk

PERU MORRIS
 OTTAWA MENOCITA
 ILLINOIS

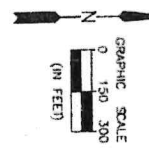


EASEMENT PLAT
 FOR
**PART OF THE NORTH HALF AND THE SOUTHEAST QUARTER OF SECTION 25,
 TOWNSHIP 33 NORTH, RANGE 1 EAST OF THE THIRD PRINCIPAL MERIDIAN
 LASALLE COUNTY, ILLINOIS**
 JANUARY, 2024

LEGAL DESCRIPTION
 33 FOOT WIDE INGRESS AND EGRESS EASEMENT IN THE NORTH HALF AND IN THE SOUTHEAST QUARTER OF SECTION 25 NORTH, RANGE 1 EAST OF THE THIRD PRINCIPAL MERIDIAN BEGINNING AT THE INTERSECTION OF THE EAST LINE OF DESCRIBED FOOT TRAIL, 160 FOOT UTILITY & EGRESS EASEMENT AS SHOWN ON THE FINAL PLAT OF STONE BLUFF TERRACE, RECORDED AS DOC. NO. 2010-1981 AT THE LASALLE COUNTY RECORDS OFFICE AND THE EXISTING DRIVE THENCE SOUTHEASTERLY ALONG THE CENTERLINE OF SAID DRIVE WHERE THE DRIVE HEADS SOUTHERLY AND A PATH CONTINUES SOUTHEASTERLY PARALLELING THE VERMILION RIVER THENCE CONTINUE SOUTHEASTERLY ALONG SAID PATH TO ITS INTERSECTION WITH THE CITY OF OGLESBY OUTFALL SEWER ITS POINT OF TERMINATION ALL SITUATED IN THE CITY OF OGLESBY, LASALLE COUNTY ILLINOIS

LEGEND
 U.S. GOVERNMENT SUBDIVISION LINE
 LOT LINE
 EASEMENT LINE
 CENTERLINE EASEMENT

I, MICHAEL W. SOBKSEN, HEREBY CERTIFY THAT THIS DOCUMENT WAS PREPARED UNDER MY DIRECTION
 ILL. PLS. NO. 035-003209 DATE: 1-15-2024



REVISIONS		DESCRIPTION	
NO.	DATE	BY	REVISIONS

DRAWN BY: KED	DATE: 01/2024
CHECKED BY: LMS	

EASEMENT PLAT	
SCALE AS NOTED	SHEET 1
FILE NO.: 5875.01 Y-	OF 1