

ORD.  
05-09

2005R09275

03/11/2005 09:24AM

SANGAMON COUNTY  
ILLINOIS

\$32.00  
7  
CHRISTINE

MARY ANN LAMM  
SANGAMON COUNTY RECORDER

*This Space for Recorder of Deeds*

**DECLARATION OF COVENANTS AND RESTRICTIONS WITH RESPECT TO  
UTILITY EASEMENT**

The Village of Chatham, Illinois, an Illinois municipal corporation, ("Declarant"), as partial consideration for an easement granted by Phoenix Grove Ventures, LLC and recorded with the Recorder of Deeds of Sangamon County, Illinois on 3/11/05 as Document No. 2005R09275, hereby declares the following covenant and restriction as to an existing utility easement owned by Declarant and located adjacent to Illinois Route 4 in Chatham, Illinois, and legally described in Exhibit A hereto (the "Easement").

A condition and restriction of the Easement is that all is that all utility lines and works will be installed and maintained underground in accordance with standard industry practices, and in such event, the surface of the land will be restored to the condition and grade it had prior to the construction or maintenance activities.

000032

The condition and restriction described in this instrument is a covenant running with the land legally in Exhibit A hereto, and are binding upon and inure to the benefit of the successors and assigns of the parties.

Dated this 8 day of MARCH, 2005.

VILLAGE OF CHATHAM, ILLINOIS

By: Thomas Gray  
Village President

STATE OF ILLINOIS            )  
  )     SS  
COUNTY OF SANGAMON     )

I, the undersigned, a Notary Public, in and for said County and State aforesaid, do hereby certify that Thomas Gray, personally known to me to be the Village President of the Village of Chatham, Illinois, an Illinois municipal corporation, and personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that as such person, s/he signed and delivered the said instrument as the duly authorized representative of the Village of Chatham, for the uses and purposes therein set forth.

Given under my hand and Notarial Seal this 8<sup>th</sup> day of March 2005.

Jill A. Butler  
Notary Public



000033

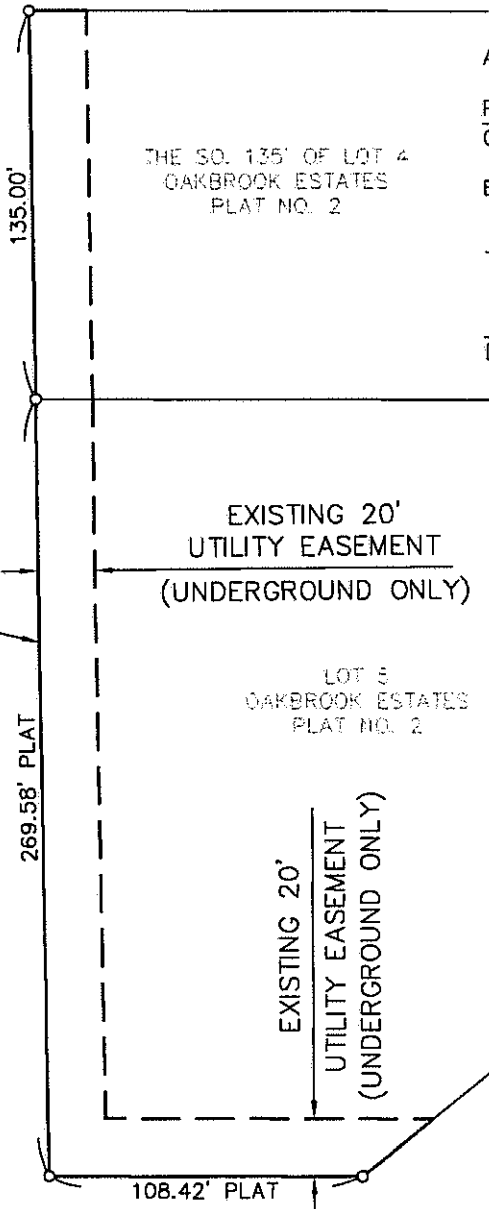
# EXHIBIT "A"

## LEGAL DESCRIPTION

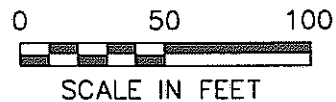
THE WEST 20 FEET OF THE SOUTH 135 FEET OF LOT 4 AND THE WEST 20 FEET OF LOT 5 AND THE SOUTH 20 FEET OF LOT 5 IN OAKBROOK ESTATES SUBDIVISION, PLAT NO. 2 AS RECORDED AS DOCUMENT NUMBER 96-13810 IN THE OFFICE OF THE SANGAMON COUNTY RECORDER OF DEEDS.

ILLINOIS ROUTE 4

R.O.W. LINE IL. RTE. 4



APPROVED AND ACCEPTED BY:  
 PHOENIX GROVE VENTURES, L.L.C.  
 OWNER   
 BY:   
 TITLE: Manager  
3-9-05  
 DATE SIGNED



**LEGEND**  
 IRON PIPE ○

REVISIONS	DATE	BY



**GREENE & BRADFORD, INC.**  
 OF SPRINGFIELD  
 CONSULTING ENGINEERS  
 3501 CONSTITUTION DRIVE  
 SPRINGFIELD, ILLINOIS 62711  
 (217) 793-8844, (217) 793-6227 FAX

DATE	02/14/05
DRAWN	CRUM
PROJ. NO.	04-312
FIELD BOOK	-
COMPUTER FILE NO.	04312exhibit2.dwg

PROFESSIONAL LAND SURVEYING FIRM NO. 048-00009B

Ordinance No. 05- 09

**AN ORDINANCE APPROVING A DECLARATION OF COVENANTS AND RESTRICTIONS WITH RESPECT TO UTILITY EASEMENT**

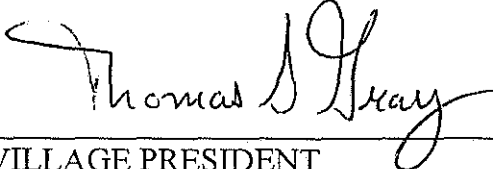
*BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF CHATHAM, SANGAMON COUNTY, ILLINOIS, AS FOLLOWS:*

**SECTION 1:** The Village hereby approves the Declaration Of Covenants And Restrictions With Respect To Utility Easement attached hereto.


**SECTION 2:** The Clerk shall cause a true and correct copy of the attached Declaration Of Covenants And Restrictions With Respect To Utility Easement to be filed with the Recorder of Deeds of Sangamon County, Illinois.

**SECTION 3:** This Ordinance is effective immediately.

PASSED this 8 day of MARCH, 2005.

  
\_\_\_\_\_  
VILLAGE PRESIDENT

ATTEST:

  
\_\_\_\_\_  
Village Clerk



AYES: 4 HERR BOYLE McGRATH KAUNAGH  
NAYS: 0

PASSED: 3-8-05

000035

APPROVED: 3-8-05

ABSENT: 2 McADAMS, Mc CARTHY

ORDINANCE CERTIFICATE

STATE OF ILLINOIS            )  
  ) SS.  
COUNTY OF SANGAMON        )

I, the undersigned, do hereby certify that I am the duly qualified and acting Village Clerk of the Village of Chatham, Sangamon County, Illinois.


I do further certify that the ordinance attached hereto is a full, true, and exact copy of Ordinance No. 05-09, adopted by the President and Board of Trustees of said Village on the 8 day of MARCH, 2005, said Ordinance being entitled:

**AN ORDINANCE APPROVING A DECLARATION OF COVENANTS AND RESTRICTIONS WITH RESPECT TO UTILITY EASEMENT**

I do further certify that prior to the making of this certificate, the said Ordinance was spread at length upon the permanent records of said Village, where it now appears and remains.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of said Village this 8 day of MARCH, 2005.



  
Village Clerk

000037

Prepared by/Return to:

John M. Myers  
RABIN, MYERS, HANKEN & DURR, P.C.  
1300 South Eighth St.  
Springfield, IL 62703  
217.544.5000  
217.544.5017 (fax)  
jmyers@springfieldlaw.com



000038