VILLAGE OF ORLAND PARK

14700 Ravinia Avenue
Orland Park, IL 60462
www.orland-park.il.us

Resolution No: 1303 **File Number: 2013-0140**

RESOLUTION APPROVING PARTIAL RELEASE OF CONSERVATION EASEMENT AND CONSENT TO TEMPORARY CONSTRUCTION EASEMENT (CATHOLIC CEMETERIES - 159TH STREET AND 104TH AVENUE)

VILLAGE OF ORLAND PARK

STATE OF ILLINOIS, COUNTIES OF COOK AND WILL

VILLAGE OF ORLAND PARK

Resolution No: 1303

RESOLUTION APPROVING PARTIAL RELEASE OF CONSERVATION EASEMENT AND CONSENT TO TEMPORARY CONSTRUCTION EASEMENT (CATHOLIC CEMETERIES - 159TH STREET AND 104TH AVENUE)

WHEREAS, the Illinois Department of Transportation ("IDOT") is acquiring certain rights-of-way and temporary construction easements along 159th Street at or near 104th Avenue in the Village; and

WHEREAS, The Catholic Bishop of Chicago ("Owner") is granting right-of-way and easements to IDOT, which right-of-way and easements encroach upon a Conservation Easement granted by Owner to the Village by Grant of Conservation Easement dated February 4, 2004, and recorded in Cook County, Illinois, on February 27, 2004, as document number 0405831088; and

WHEREAS, the encroachment by the proposed right-of-way and easements upon said Conservation Easement is only 1.174 acres (exclusive of that portion previously used for roadway purposes), and it is in the best interest of the Village to permit said encroachment and to allow IDOT to acquire the desired right-of-way and temporary construction easements at that location.

NOW, THEREFORE, BE IT RESOLVED by the Village President and Board of Trustees of the Village of Orland Park, Cook and Will Counties, Illinois, that:

(a) the Village partially releases its interest in and to that portion of the February 4, 2004, Conservation Easement described above, and

(b) the Village President and Village Clerk are hereby authorized and directed to execute, on behalf of the Village, the "Partial Release of Easement and Consent to Temporary Construction Easement" in substantially the form attached hereto as EXHIBIT 1.

PASSED this 4th day of March, 2013

/s/ David P. Maher

David P. Maher, Village Clerk

Aye:	7	Trustee Fenton, Trustee O'Halloran, Trustee Dodge, Trustee Schussler, Trustee Gira, Trustee Griffin Ruzich, and President McLaughlin
Nay:	0	

VILLAGE OF ORLAND PARK

Resolution No: 1303

DEPOSITED in my office this 4th day of March, 2013

/s/ David P. Maher

David P. Maher, Village Clerk

APPROVED this 4th day of March, 2013

/s/ Daniel J. McLaughlin

Daniel J. McLaughlin, Village President

RECORDER'S USE

Illinois Department of Transportation

Route	US 6 / Illinois 7
Section	Will-Cook Road to US 45
County	Cook
Job No.	R-90-028-11
Parcel No.	0HS0062 & TE
PIN Nos.	27-21-100-002
	27-21-300-001

Partial Release of Easement
and
Consent to Temporary Construction Easement

The Village of Orland Park, a Home Rule Municipal Corporation of the State of Illinois ("Village") holds certain rights and interests, including but not limited to easement interests, in real property as set forth in that certain Grant of Conservation Easement (Catholic Cemeteries 159th Street and 104th Avenue) dated February 9, 2004 and recorded on February 27, 2004 as Document No. 0405831088 in the Recorder's Office of Cook County, Illinois ("Easement").

The Village, for and in consideration of ten dollars ($10.00) in hand paid, receipt of which is hereby acknowledged, and pursuant to the authority given by its Board of Trustees, does hereby:

(1) release all right, title, interest, claim or demand it may have acquired in, through, or by such Easement, to that portion of the Protected Property (as such term is defined in the Easement), which is legally described as follows and located in Cook County, Illinois:

SEE ATTACHED EXHIBIT A

and

(2) consents to the creation of a temporary construction easement for construction and highway purposes for the benefit of the People of the State of Illinois, Department of Transportation on, over, and through that portion of the Protected Property, which is legally described as follows and located in Cook County, Illinois, and agrees to the subordination of the Easement to such temporary construction easement:

SEE ATTACHED EXHIBIT B

The remaining property described in the Easement shall continue to be held under the terms thereof.

EXHIBIT 1

Dated this ____ day of _____, 2013.

VILLAGE OF ORLAND PARK

By:_____

Village President

ATTEST:

By: _____

Village Clerk

State of Illinois)

)ss.

County of _____)

This instrument was acknowledged before me on _____, 2013 by _____, as President, and _____, as Clerk of the Village of Orland Park, a Home Rule Municipal Corporation of the State of Illinois.

Given under my hand and Notarial Seal this _____ day of _____, 2013.

_____

Notary Public

SEAL

My commission expires:

Prepared by: Illinois Department of Transportation, Division of Highways/District 1, 201 West Center Court, Schaumburg, IL 60196-1096

Return to: Illinois Department of Transportation, Division of Highways/District 1, 201 West Center Court, Schaumburg, IL 60196-1096. Attn: Judy Cortese

1/31/2013

EXHIBIT A
TO
Partial Release of Easement
and
Consent to Temporary Construction Easement

LEGAL DESCRIPTION – 0HS0062
That part of the West Half of Section 21, Township 36 North, Range 12 East of the Third Principal Meridian, Cook County, Illinois described as follows:
Beginning at the Northwest Corner of said West Half; thence North 88 degrees 04 minutes 27 seconds East, on the North line of said West Half, 2153.41 feet to the Northerly extension of the West line of Lot 3 in Costco-Orland Park Subdivision, recorded October 26, 2005 as document number 0529903097; thence South 01 degree 56 minutes 09 seconds East, on said Northerly extension, 62.67 feet; thence South 88 degrees 21 minutes 01 second West, 1261.50 feet; thence South 01 degree 39 minutes 20 seconds East, 10.00 feet; thence South 88 degrees 21 minutes 01 second West, 762.00 feet; thence South 64 degrees 55 minutes 04 seconds West, 87.49 feet to the East line of 104th Avenue per document 16977659; thence; thence South 88 degrees 21 minutes 01 second West, 50.00 feet to the West line of said West Half; thence North 01 degree 36 minutes 11 seconds West, on said West line, 97.09 feet to the point of beginning.

Said parcel containing 3.119 acres, more or less, of which 2.043 acres, more or less, have been previously used for roadway purposes.

EXHIBIT B
TO
Partial Release of Easement
and
Consent to Temporary Construction Easement

LEGAL DESCRIPTION – 0HS0062TE-A
That part of the West Half of Section 21, Township 36 North, Range 12 East of the Third Principal Meridian, Cook County, Illinois described as follows:
Commencing at the Northwest Corner of said West Half; thence South 01 degree 36 minutes 11 seconds East, on the West line of said West Half, 97.09 feet; thence North 88 degrees 21 minutes 01 second East, 50.00 feet to the East line of 104th Avenue per document number 16977659; thence North 64 degrees 55 minutes 04 seconds East, 87.49 feet; thence North 88 degrees 21 minutes 01 second East, 750.00 feet for the point of beginning; thence continuing North 88 degrees 21 minutes 01 second East, 12.00 feet; thence North 01 degree 39 minutes 20 seconds West, 10.00 feet; thence North 88 degrees 21 minutes 01 second East, 38.00 feet; thence South 01 degree 39 minutes 20 seconds East, 50.00 feet; thence South 88 degrees 21 minutes 01 seconds West, 50.00 feet; thence North 01 degree 39 minutes 20 seconds West, 40.00 feet to the point of beginning.

Said parcel containing 0.055 acres, more or less.

LEGAL DESCRIPTION – 0HS0062TE-B
That part of the West Half of Section 21, Township 36 North, Range 12 East of the Third Principal Meridian, Cook County, Illinois described as follows:
Commencing at the Northwest Corner of said West Half; thence South 01 degree 36 minutes 11 seconds East, on the West line of said West Half, 97.09 feet; thence North 88 degrees 21 minutes 01 second East, 50.00 feet to the East line of 104th Avenue per document number 16977659; thence North 64 degrees 55 minutes 04 seconds East, 87.49 feet; thence North 88 degrees 21 minutes 01 second East, 762.00 feet; thence North 01 degree 39 minutes 20 seconds West, 10.00 feet; thence North 88 degrees 21 minutes 01 second East, 78.00 feet for the point of beginning; thence continuing North 88 degrees 21 minutes 01 second East, 63.00 feet; thence South 01 degree 39 minutes 20 seconds East, 30.00 feet; thence South 88 degrees 21 minutes 01 second West, 63.00 feet; thence North 01 degree 39 minutes 20 seconds West, 30.00 feet to the point of beginning.

Said parcel containing 0.043 acres, more or less.