

AN ORDINANCE

AUTHORIZING THE GRANTING OF AN EASEMENT

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NOKOMIS, COUNTY OF MONTGOMERY AND STATE OF ILLINOIS:

Section 1. It is hereby found and declared, more than three-fourths of the members of the City Council voting therefore, that the granting to the Central Illinois Public Service Company, its successors and assigns, of an easement in the form hereinafter set forth upon, over, under and through the land hereinafter described for the construction, operation and maintenance of a certain gas pipeline equipment, such equipment to form a part of a gas transmission and distribution system to be owned and operated by the Grantee, its successors and assigns, extending from land owned by the Grantee and the structures thereon in Montgomery County, Illinois, to other lands and structures beyond the land hereinafter described with the right of ingress and egress to and from the said tract at any and all times and by the acceptance hereby, Grantee agrees to bury such pipeline so that it will not interfere with the usage or the drainage of the land and such right should be executed and delivered to the said Central Illinois Public Service Company at and for the consideration of One Dollar (\$1.00), payable simultaneously with the delivery by the City of the grant.

Section 2. The said grant shall be executed in the following form:

KNOW ALL MEN BY THESE PRESENTS:

That the Grantor, The City of Nokomis, A Municipal Corporation, Nokomis, Montgomery County, Illinois, in consideration of the sum of One Dollar (\$1.00) in hand paid by the Central Illinois Public Service Company, the Grantee herein, the receipt whereof is hereby acknowledged, hereby grants to the said Grantee, its successors or assigns, the right to construct, lay, operate, renew, alter, inspect and maintain a pipeline for the transportation of gas, upon, over, under and through the land hereinafter described, such pipeline to form

a part of a gas transmission and distribution system to be owned and operated by the Grantee, its successors or assigns, extending from the land owned by the Grantee and the structures thereon in Montgomery County, Illinois to other lands and structures located beyond the land hereinafter described, with the right to remove trees and brush on the said land so far as may be necessary and the right of ingress and egress to and from such pipeline at any and all times. By the acceptance hereof, the Grantee agrees to bury such pipeline so that it will not interfere with the cultivation or drainage of the land and also to pay promptly any and all damages to stock, crops, fences and land which may be suffered from the construction, laying, operation, renewal, alterations, inspection or maintenance of such pipeline. The land of the Grantor upon, over, under and through which this grant is given and the location of the Pipeline thereon are described as follows:

The North Half (N. $\frac{1}{2}$) of Lot Number Ten (L. #10) in Block Number Thirty Two (Blk. #32) of the Original Town, now City of Nokomis and being located in the North West Quarter (N.W. $\frac{1}{4}$) of Section Twenty Three (Sec. 23) in Township Ten North (T. 10. N), Range Two West (R. 2. W), of the Third Principal Meridian (3rd. P.M.), Montgomery County, Illinois.

The said gas pipeline shall be located Two Feet (2') South of the North line of the above described property and extending Southwestwardly a distance of One Hundred Forty Feet (140') from the Easterly line thereof.

Dated this 15th day of October A.D. 1962.

Section 3. The Mayor and the City Clerk are hereby authorized and directed to execute the aforesaid grant of easement and deliver the same to the Central Illinois Public Service Company upon receipt of cash consideration of One Dollar (\$1.00) hereinafter provided.

Section 4. The ordinance shall take effect from and after its passage and approval.

Section 5. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Passed October 15 1962

Approved October 15 1962

A. C. Kuehler
Mayor

Recorded October 16 1962

Attest:

Millicent Morgan 1962
City Clerk

RIGHT OF WAY GRANT

Know All Men By These Presents:

That the Grantor, The City of Nokomis, A Municipal Corporation, Nokomis, Montgomery County, Illinois

in consideration of the sum of One Dollar (\$1.00) - - - - - in hand paid by the Central Illinois Public Service Company, the Grantee herein, the receipt whereof is hereby acknowledged, ~~and the further consideration of~~ hereby grant to the said Grantee, its successors or assigns, the right to construct, lay, operate, renew, alter, inspect and maintain a pipeline for the transportation of gas upon, over, under and through the land hereinafter described, such pipe line to form a part of a gas transmission and distribution system to be owned and operated by the Grantee, its successors or assigns, extending from the land owned by the Grantee and the structures thereon in Montgomery County, Illinois, to other lands and structures located beyond the land hereinafter described, with the right to remove trees and brush on the said land so far as may be necessary and the right of ingress and egress to and from such pipeline at any and all times. By the acceptance hereof, the Grantee agrees to bury such pipeline so that it will not interfere with the cultivation or drainage of the land and also to pay promptly any and all damage to stock, crops, fences and land which may be suffered from the construction, laying, operation, renewal, alteration, inspection or maintenance of such pipeline. The land of the Grantor... upon, over, under and through which this grant is given and the location of the pipeline thereon, are described as follows:

The North Half (N. $\frac{1}{2}$) of Lot Number Ten (L. #10) in Block Number Thirty Two (Blk. #32) of the Original Town, now City of Nokomis and being located in the North West Quarter (N.W. $\frac{1}{4}$) of Section Twenty Three (Sec. 23) in Township Ten North (T. 10.N), Range Two West (R. 2.W), of the Third Principal Meridian (3rd.P.M.), Montgomery County, Illinois.

The said gas pipeline to be located Two Feet (2') South of the North line of the above described property and extending Southwestwardly a distance of One Hundred Forty Feet (140') from the Easterly line thereof.

~~Should the Grantee fail to pay the further consideration above specified on or before twelve months from this date, then this right shall become null and void.~~

Dated this 15th day of October A. D. 19 62.

ATTEST:	(Seal)	(Seal)
BY:	(Seal)	(Seal)
.....	(Seal)	(Seal)
<u>Millicent Morgan</u> City Clerk	(Seal)	<u>A.C. Kottkamp</u> Mayor	(Seal)
.....	(Seal)	(Seal)

Received this 15th day of October 1962 Draft No. 1962-10-15 for \$1.00 in full settlement for ~~this grant~~