

Southern Illinois University
Board of Trustees
May 9, 2013

APPROVAL OF TEMPORARY AND PERMANENT EASEMENT:
PEDESTRIAN AND BICYCLE PATH,
PARKING LOT 102,
CARBONDALE CAMPUS, SIUC

Summary

Approval is requested for a temporary and permanent easement for the City of Carbondale, a municipal corporation whose address is 200 South Illinois Avenue, P. O. Box 2047, Carbondale, Illinois 62902-2047, for installation and maintenance of a pedestrian and bicycle path along and adjacent to Parking Lot 102 located west of the Studio Arts Building.

Rationale for Adoption

The City of Carbondale has requested a temporary and permanent easement for installation and maintenance of a new pedestrian and bicycle path along and adjacent to Parking Lot 102 located west of the Studio Arts Building. This project will promote a sustainable lifestyle by providing a safe and accessible alternative to vehicle use. The work is estimated to begin during the fall of 2013.

This project was created in collaboration with the City of Carbondale, the SIU Carbondale Administration, the SIUC Cycling Club and the Carbondale Sustainability Council. The estimated cost for this project is \$65,000 which includes site preparation and surface work and appurtenances including light fixtures and lamps. The University will be responsible for providing the electric power. Funding for this work has been acquired from the Green Fee. The Chancellor, SIUC, and the Vice Chancellor for Administration and Finance recommended this item to the President.

The legal descriptions were prepared by the City of Carbondale. The Office of General Counsel and the University Administration have reviewed the documents and found them acceptable.

Considerations Against Adoption

University officers are aware of none.

Resolution

BE IT RESOLVED, By the Board of Trustees of Southern Illinois University in regular meeting assembled, That:

(1) The request to grant a temporary and permanent easement to the City of Carbondale, a municipal corporation whose address is 200 South Illinois Avenue, P. O. Box 2047, Carbondale, Illinois 62902-2047, for installation and maintenance of a pedestrian and bicycle path along and adjacent to Parking Lot 102 located west of the Studio Arts Building, be and is hereby approved.

(2) The easements granted to the City of Carbondale are described in the attached documents and are on file with the Office of the Board of Trustees.

(3) The President of Southern Illinois University be and is hereby authorized to take whatever action may be required in the execution of this resolution in accordance with established policies and procedures.

DEED GRANTING EASEMENT

Grantor, THE BOARD OF TRUSTEES OF SOUTHERN ILLINOIS UNIVERSITY, of the City of Carbondale, County of Jackson and State of Illinois, owner of land described as follows:

A portion of the original main line right of way of the Illinois Central Railroad Company property lying in Section 21, Township 9 South, Range 1 West of the 3rd Principal Meridian, Carbondale, Jackson County, Illinois, described as follows:

Beginning at an iron pin and aluminum survey cap set at the point of intersection of a line lying 25 feet East of the centerline of the most Easterly track of Illinois Central Railroad Company, with the North right of way line of East College Street; thence Northerly along a line parallel with and 25 feet Easterly of said track centerline, along a chord bearing North 03 degrees 59minutes 27 seconds West, a chord distance of 91.67 feet to an iron pin and aluminum cap; thence continuing Northerly along a line parallel with and 25 feet Easterly of said track centerline, along a chord bearing North 04 degrees 22 minutes 52 seconds West, a chord distance of 91.67 feet to an iron pin and aluminum cap; thence continuing Northerly along a line parallel with and 25 feet Easterly of said track centerline, along a chord bearing North 04 degrees 46 minutes 17 seconds West, a chord distance 91.67 feet to an iron pin and aluminum cap; thence continuing Northerly along a line parallel with and 25 feet Easterly of said track centerline, along a chord bearing North 05 degrees 09 minutes 42 seconds West, a chord distance of 91.66 feet to an iron pin and aluminum cap located at a point in the North line of Out Lot 131, projected Westerly; thence North 86 degrees 10 minutes 23 seconds East, along said projected line of Out Lot 131, projected Westerly; thence North 86 degrees 10 minutes 23 seconds East, along said projected line, a distance of 59.75 feet to an iron pin and aluminum cap located at the Northwest corner of said Out Lot 131; thence South 05 degrees 15 minutes 56 seconds East, along the westerly line of said Out Lot 131, a distance of 365.00 feet to the Southwest corner of a 2 story brick building and the Southwest corner of said Out Lot 131, said point also being in the North right of way of East College Street; thence South 84 degrees 36 minutes 39 seconds West, along said North right of way line, a distance of 64.14 feet to the point of beginning. Said tract containing 22,372 square feet (0.514 acres), more or less.

For Recorder's Use Only

for and in consideration of Ten and no/100 Dollars (\$10.00) and other good and valuable consideration, receipt of which is acknowledged, does hereby grant, bargain, sell, and convey to Grantee, **CITY OF CARBONDALE** a municipal corporation, whose address is 200 South Illinois Avenue, P. O. Box 2047, Carbondale, Illinois 62902-2047, the following: a temporary easement for the construction of a Pedestrian and Bicycle Path and appurtenances including

utilities as necessary for its designated purpose by Grantee on and under the following described parcel:

The temporary easement shall be the west fifty (50) of the said described tract. Said parcel containing 18,250 square feet (0.419 acres), more or less.

Grantee shall restore the surface of said parcel to its original condition upon completion of said construction. This temporary easement shall terminate upon completion of construction of the said pedestrian and bicycle path and appurtenances.

The easement granted by this deed is for the benefit of and is appurtenant to that real property, or any portion of such property, in the County of Jackson, State of Illinois, upon which the City of Carbondale is constructing what is known as the Downtown Pedestrian and Bicycle Path as identified on Exhibit A to Resolution No. _____ dated _____, 2013, and filed in the office of the City Clerk. City of Carbondale, Illinois.

IN WITNESS WHEREOF. I have caused this deed to be executed at Carbondale, Illinois on the _____ day of _____, 2013.

GRANTOR: THE BOARD OF TRUSTEES OF SOUTHERN ILLINOIS UNIVERSITY

BY: _____

Title: _____

ATTEST:

BY: _____

Title: _____

**GRANTEE:
City of Carbondale, a municipal corporation**

BY: _____
Joel Fritzler

TITLE: _____
Mayor

ATTEST: _____
Jennifer Sorrell, City Clerk

STATE OF ILLINOIS)
) SS.
COUNTY OF JACKSON)

I, the undersigned, a Notary Public, in and for said County and State aforesaid, do hereby certify that _____, personally known to me to be the _____ of the Board of Trustees who is the grantor, and _____, personally known to me to be the _____ of the Board of Trustees and 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 severally acknowledged that as such _____, and they signed and delivered the said instrument as _____ and of said Board of Trustees, pursuant to authority given by the Board of Trustees, as their free and voluntary act, and as the free and voluntary act and deed of said Board of Trustees for the uses and purposes therein set forth.

Given under my hand and official seal this _____ day of _____, 2013.

Notary Public

This instrument was prepared by:
City of Carbondale
200 S. Illinois Avenue
Carbondale, Illinois 62902
Telephone: 618/549-5302

DEED GRANTING EASEMENT

Grantor, THE BOARD OF TRUSTEES OF SOUTHERN ILLINOIS UNIVERSITY, of the City of Carbondale, County of Jackson and State of Illinois, owner of land described as follows:

A portion of the original main line right of way of the Illinois Central Railroad Company property lying in Section 21, Township 9 South, Range 1 West of the 3rd Principal Meridian, Carbondale, Jackson County, Illinois, described as follows:

Beginning at an iron pin and aluminum survey cap set at the point of intersection of a line lying 25 feet East of the centerline of the most Easterly track of Illinois Central Railroad Company, with the North right of way line of East College Street; thence Northerly along a line parallel with and 25 feet Easterly of said track centerline, along a chord bearing North 03 degrees 59minutes 27 seconds West, a chord distance of 91.67 feet to an iron pin and aluminum cap; thence continuing Northerly along a line parallel with and 25 feet Easterly of said track centerline, along a chord bearing North 04 degrees 22 minutes 52 seconds West, a chord distance of 91.67 feet to an iron pin and aluminum cap; thence continuing Northerly along a line parallel with and 25 feet Easterly of said track centerline, along a chord bearing North 04 degrees 46 minutes 17 seconds West, a chord distance 91.67 feet to an iron pin and aluminum cap; thence continuing Northerly along a line parallel with and 25 feet Easterly of said track centerline, along a chord bearing North 05 degrees 09 minutes 42 seconds West, a chord distance of 91.66 feet to an iron pin and aluminum cap located at a point in the North line of Out Lot 131, projected Westerly; thence North 86 degrees 10 minutes 23 seconds East, along said projected line of Out Lot 131, projected Westerly; thence North 86 degrees 10 minutes 23 seconds East, along said projected line, a distance of 59.75 feet to an iron pin and aluminum cap located at the Northwest corner of said Out Lot 131; thence South 05 degrees 15 minutes 56 seconds East, along the westerly line of said Out Lot 131, a distance of 365.00 feet to the Southwest corner of a 2 story brick building and the Southwest corner of said Out Lot 131, said point also being in the North right of way of East College Street; thence South 84 degrees 36 minutes 39 seconds West, along said North right of way line, a distance of 64.14 feet to the point of beginning. Said tract containing 22,372 square feet (0.514 acres), more or less.

For Recorder's Use Only

for and in consideration of Ten and no/100 Dollars (\$10.00) and other good and valuable consideration, receipt of which is acknowledged, does hereby grant, bargain, sell, and convey to Grantee, **CITY OF CARBONDALE** a municipal corporation, whose address is 200 South Illinois Avenue, P. O. Box 2047, Carbondale, Illinois 62902-2047, the following: a permanent easement for a Pedestrian and Bicycle Path and appurtenances including utilities to be

constructed, repaired and maintained as necessary for its designated purpose by Grantee on and under the following described parcel:

The easement shall be the west fifteen (15) feet of the said described tract; plus the west thirty (30) feet of the north twenty (20) feet of the south eighty-five (85) feet of the said described tract; plus the west twenty (20) feet of the north fifty-five (55) feet of the said described tract; plus the west twenty-five (25) feet of the north thirty (30) feet of the described tract of land. Said parcel containing 6,221 square feet (0.143 acres), more or less.

Grantee shall restore the surface of said parcel to its original condition upon completion of said construction and shall be solely responsible for maintaining the surface of said parcel including the pedestrian and bicycle path surface, light fixtures, lamps, and other appurtenances. Grantee shall be solely responsible for grass cutting and trimming on the parcel. Grantor will provide electric power for Pedestrian and Bicycle Path lighting within the easement granted by this instrument only.

The easement granted by this deed is for the benefit of and is appurtenant to that real property, or any portion of such property, in the County of Jackson, State of Illinois, upon which the City of Carbondale is constructing what is known as the Downtown Pedestrian and Bicycle Path as identified on Exhibit A to Resolution No. _____ dated _____, 2013, and filed in the office of the City Clerk. City of Carbondale, Illinois.

IN WITNESS WHEREOF. I have caused this deed to be executed at Carbondale, Illinois on the _____ day of _____, 2013.

GRANTOR: THE BOARD OF TRUSTEES OF SOUTHERN ILLINOIS UNIVERSITY

BY: _____

Title: _____

ATTEST:

BY: _____

Title: _____

GRANTEE:
City of Carbondale, a municipal corporation

BY: _____
Joel Fritzler

TITLE: _____
Mayor

ATTEST: _____
Jennifer Sorrell, City Clerk



STATE OF ILLINOIS)
) SS.
COUNTY OF JACKSON)

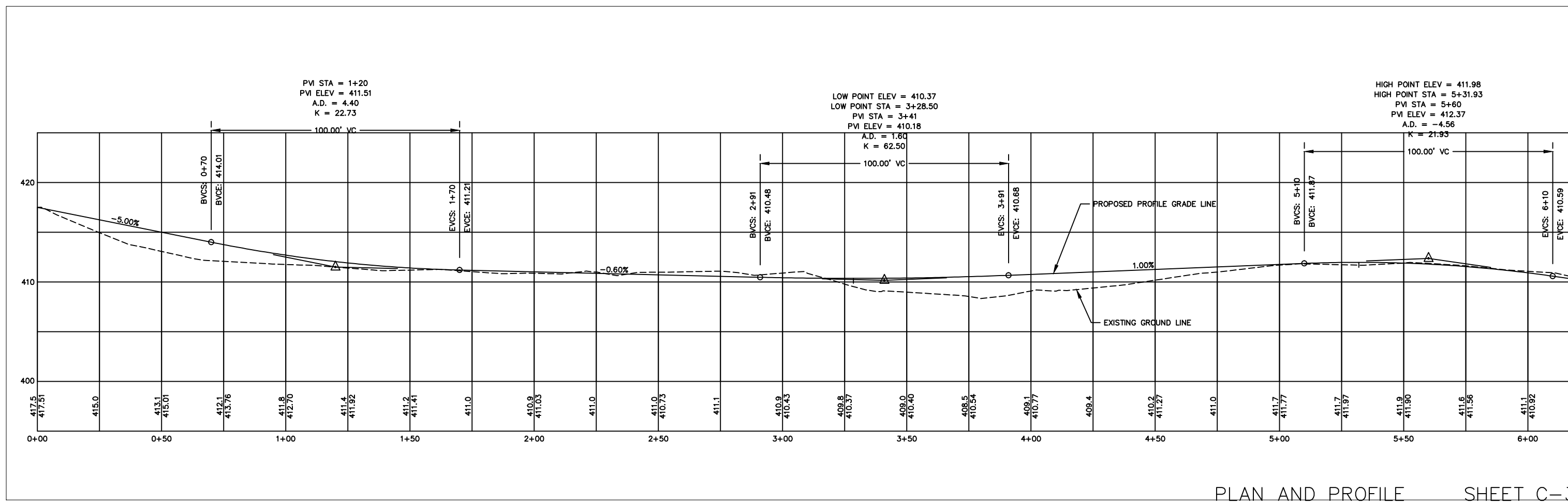
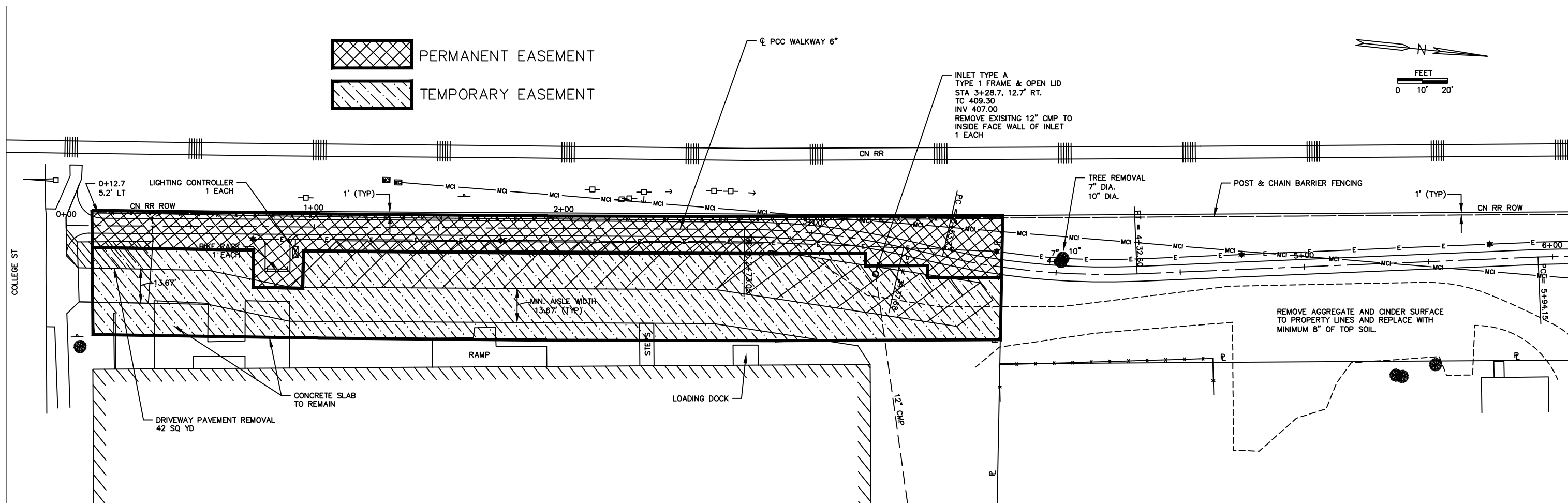
I, the undersigned, a Notary Public, in and for said County and State aforesaid, do hereby certify that _____, personally known to me to be the _____ of the Board of Trustees who is the grantor, and _____, personally known to me to be the _____ of the Board of Trustees and personally known to me to be the same persons whose names are subscribed to the foregoing instrument, appeared before me this day in person and severally acknowledged that as such _____, and they signed and delivered the said instrument as _____ and of said Board of Trustees, pursuant to authority given by the Board of Trustees, as their free and voluntary act, and as the free and voluntary act and deed of said Board of Trustees for the uses and purposes therein set forth.

Given under my hand and official seal this _____ day of _____, 2013.

Notary Public

This instrument was prepared by:
City of Carbondale
200 S. Illinois Avenue
Carbondale, Illinois 62902
Telephone: 618/549-5302

 PERMANENT EASEMENT
 TEMPORARY EASEMENT



DRAWN BY: ?
 DATE: ?
 PLOT SCALE: ?
 LAYER STATE: ?
 PS PLOT TAB: ?
 CTB FILE: ?
 PLOT VIEW: ?
 LINETYPE SCALE: ?