

FORM APPROVED BY LAW

RECORDED EUGENE "GENE" MOORE MAYWOOD OFFICE

0847/000 84 004 Page 1 of 8 2000-07-17 12:11:31 Cook County Recorder 35.50



THE BURLINGTON NORTHERN AND SANTA FE RAILWAY COMPANY

SUPPLEMENT TO TEMPORARY EASEMENT AGREEMENT

BY MUTUAL AGREEMENT, the Temporary Easement between Illinois State Toll Highway Authority, Grantee, and THE ATCHISON, TOPEKA AND SANTA FE RAILWAY COMPANY, Grantor for the proposed construction of I-355 South extension in , County of Cook, State of Illinois executed by Grantor on March 5, 1996, is hereby amended to read as follows:

The term of this temporary easement is hereby extended through April 1, 2004 or completion of the project, whichever occurs first. The compensation for said temporary easement extension shall be \$11,150.00.

Grantee acknowledges that a material consideration for this agreement, without which it would not be made, is the agreement between Grantee and Railroad, that the Grantee shall pay upon return of the signed agreement by Grantee to Railroad's agent, Catellus Management a processing/administrative fee in the amount of \$1,000.00, over and above the agreed upon easement price.

The original temporary easement is attached as Exhibit "1" and all terms and conditions will remain in full force and effect except as hereby amended.

It is specifically agreed and understood by the parties hereto that the Grantee shall, before July 30, 1999, accept and sign this Supplement Agreement and return same together with the \$12,150.00 acquisition and administrative fee covered herein to Railroad's agent. Failure of the Grantee to perform within the time restrictions will render this Agreement null and void in its entirety.

All other terms and conditions of said agreement shall remain in full force and effect, except as provided herein.

IN WITNESS WHEREOF, the parties have executed this agreement as of this 19 day of July, 1999.

THE BURLINGTON NORTHERN AND SANTA FE RAILWAY COMPANY

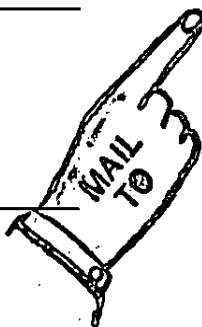
By: [Signature] DIRECTOR CONTRACTS

Title:

return to: Dawn Birk ISTHA 2700 Ogden Ave. Downers Grove, IL 60515

Illinois State Toll Highway Authority

By: [Signature] PROPERTY MANAGER



ORIGINAL

UNOFFICIAL COPY**COPY**

EXHIBIT "1"

I-355 South Extension
Will and Cook Counties
Parcel Numbers NS-701-016.1TE
and NS-71-016.2TE

TEMPORARY EASEMENT

That THE ATCHISON, TOPEKA AND SANTA FE RAILWAY COMPANY, a Delaware corporation, ("Grantor"), for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, does hereby grant unto the ILLINOIS STATE TOLL HIGHWAY AUTHORITY ("Grantee"), a temporary easement over and across the following described tract or parcel of land, to-wit:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

It is expressly understood by both parties named above that the above described tract or parcel of land is granted to Grantee on a temporary basis for a period of three (3) years, beginning April 1, 1996 and ending April 1, 1999.

The above described land is granted for the purpose of Grantee's removal of improvements and construction of North-South Tollway (I-355) South extension and appurtenances thereto, with the right and privilege at all times during the above term of said temporary easement to Grantee named herein, its agents, employees, workmen and representatives, Grantee and assigns, to ingress and egress in, along, upon, over and across the above described easement area for the purpose of removing the improvements and constructing said I-355 South extension and appurtenances thereto.

This temporary easement is subject to all utilities and improvements which have heretofore been constructed on the temporary easement area described above and is further subject to any easement, franchise or privileges which may have heretofore been granted over, across or under the above described temporary easement area. It is expressly understood and agreed that no interest, right or title to the above described temporary easement area shall pass by this instrument, except the right for Grantee, their workmen, agents and assigns, to use said temporary easement area for the time period named above for the purpose of constructing the above said I-355 South Extension and appurtenances thereto. In the event that it is necessary for Grantee to occupy the above described temporary easement area for a period in excess of three (3) years from April 1, 1996, Grantee reserves the right to and option to renew its rights granted herein upon written consent from Grantor for the additional required period needed to complete this project.

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It is further agreed by and between the parties hereto that Grantee shall cause all excess dirt, debris and construction equipment to be removed from the temporary construction easement area and restore the easement area described above to an acceptable condition within ninety (90) days after the completion of Grantee's I-355 South extension and appurtenances thereto.

Grantee agrees that its operations hereunder will not interfere with Grantor's operations, ingress and egress to the property.

Grantee agrees to promptly pay for any and all damages to property of Grantor off said temporary easement area by reason of the construction of I-355 South extension except those rights under other separate agreements.

This temporary easement shall be binding upon and inure to the benefit of the respective parties, their successors, heirs or assigns, hereto.

IN WITNESS WHEREOF, Grantor has caused this instrument to be executed on this 5th day of March, 1996.

THE ATCHISON, TOPEKA AND SANTA FE RAILWAY COMPANY

By: E. R. Spangler

E. R. Spangler

Its: Director Permits & Contracts

ATTEST:

H. L. Reynolds
Assistant Secretary

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STATE OF KANSAS §
 § SS
 COUNTY OF SHAWNEE §

The foregoing instrument was acknowledged before me this 5th day of March, 1996 by E. R. Spangler, Director Permits & Contracts of THE ATCHISON, TOPEKA AND SANTA FE RAILWAY COMPANY, a Delaware corporation on behalf of the corporation.

Given under my hand and Notarial Seal this 5th day of March, 1996.



Patricia L. Matzke
 NOTARY PUBLIC

My Commission Expires: 2-07-99

UNOFFICIAL COPY**EXHIBIT "A"**00528491 *g.s.f.8*

TWO PARCELS OF LAND IN THE COUNTY OF COOK, STATE OF ILLINOIS, DESCRIBED AS FOLLOWS:

PARCEL NS-701-016.1TE

THAT PART OF THE NORTHWEST QUARTER OF SECTION 30, TOWNSHIP 37 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN LYING NORTHWESTERLY OF THE NORTHWESTERLY RIGHT OF WAY LINE OF THE ILLINOIS AND MICHIGAN CANAL RESERVE AND SOUTHEASTERLY OF LOT 225 OF THE SANITARY DISTRICT TRUSTEE'S SUBDIVISION RECORDED AS DOCUMENT NUMBER 4180218 FILED MARCH 31, 1908 IN THE RECORDER'S OFFICE OF COOK COUNTY, ILLINOIS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF SAID NORTHWESTERLY RIGHT OF WAY LINE OF THE ILLINOIS AND MICHIGAN CANAL RESERVE AND THE WEST LINE OF SAID SECTION 30, BEING A POINT DISTANT 1,749.92 FEET NORTH OF THE SOUTHWEST CORNER OF SAID NORTHWEST QUARTER OF SECTION 30; THENCE NORTH 60 DEGREES 30 MINUTES 30 SECONDS EAST, ALONG SAID NORTHWESTERLY RIGHT OF WAY LINE, A DISTANCE OF 104.94 FEET TO THE POINT OF BEGINNING; THENCE NORTH 60 DEGREES 30 MINUTES 30 SECONDS EAST CONTINUING ALONG SAID NORTHWESTERLY RIGHT OF WAY LINE, A DISTANCE OF 60.81 FEET TO A POINT ON A NON-TANGENT CURVE, HAVING A CHORD BEARING OF NORTH 19 DEGREES 39 MINUTES 28 SECONDS WEST, A RADIUS OF 7,719.44 FEET, CONCAVE TO THE NORTHEAST; THENCE NORTHWESTERLY ALONG SAID CURVE, A DISTANCE OF 123.82 FEET TO THE SOUTHEASTERLY LOT LINE OF SAID LOT 225 BEING ALSO A LINE PARALLEL WITH AND 122.00 FEET NORTHWESTERLY OF SAID NORTHWESTERLY RIGHT OF WAY LINE; THENCE SOUTH 60 DEGREES 30 MINUTES 30 SECONDS WEST, ALONG SAID LOT LINE, A DISTANCE OF 60.97 FEET TO A POINT ON A NON-TANGENT CURVE, HAVING A CHORD BEARING OF SOUTH 19 DEGREES 44 MINUTES 04 SECONDS EAST, A RADIUS OF 7,779.44 FEET, CONCAVE TO THE NORTHEAST; THENCE SOUTHEASTERLY ALONG SAID CURVE, A DISTANCE OF 123.79 FEET TO SAID POINT OF BEGINNING, CONTAINING 0.1705 ACRES (7,428 SQUARE FEET), MORE OR LESS.

PARCEL NS-701-016.2TE

THAT PART OF THE NORTHWEST QUARTER OF SECTION 30, TOWNSHIP 37 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN LYING NORTHWESTERLY OF THE NORTHWESTERLY RIGHT OF WAY LINE OF THE ILLINOIS AND MICHIGAN CANAL RESERVE AND SOUTHEASTERLY OF LOT 225 OF THE SANITARY DISTRICT TRUSTEE'S SUBDIVISION RECORDED AS DOCUMENT NUMBER 4180218 FILED MARCH 31, 1908 IN THE RECORDER'S OFFICE OF COOK COUNTY, ILLINOIS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

PIN 22-30-500-001
22-30-500-002

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EXHIBIT "A"
PAGE 2

COMMENCING AT THE INTERSECTION OF SAID NORTHWESTERLY RIGHT OF WAY LINE OF THE ILLINOIS AND MICHIGAN CANAL RESERVE AND THE WEST LINE OF SAID SECTION 30, BEING A POINT DISTANT 1,749.92 FEET NORTH OF THE SOUTHWEST CORNER OF SAID NORTHWEST QUARTER OF SECTION 30; THENCE NORTH 60 DEGREES 30 MINUTES 30 SECONDS EAST, ALONG SAID NORTHWESTERLY RIGHT OF WAY LINE, A DISTANCE OF 327.96 FEET TO THE POINT OF BEGINNING; THENCE NORTH 60 DEGREES 30 MINUTES 30 SECONDS EAST CONTINUING ALONG SAID NORTHWESTERLY RIGHT OF WAY LINE, A DISTANCE OF 60.85 FEET TO A POINT ON A NON-TANGENT CURVE, HAVING A CHORD BEARING OF NORTH 19 DEGREES 21 MINUTES 59 SECONDS WEST, A RADIUS OF 7,499.44 FEET, CONCAVE TO THE NORTHEAST; THENCE NORTHWESTERLY ALONG SAID CURVE, A DISTANCE OF 123.93 FEET TO THE SOUTHEASTERLY LOT LINE OF SAID LOT 225 BEING ALSO A LINE PARALLEL WITH AND 122.00 FEET NORTHWESTERLY OF SAID NORTHWESTERLY RIGHT OF WAY LINE; THENCE SOUTH 60 DEGREES 30 MINUTES 30 SECONDS WEST, ALONG SAID LOT LINE, A DISTANCE OF 61.03 FEET TO A POINT ON A NON-TANGENT CURVE, HAVING A CHORD BEARING OF SOUTH 19 DEGREES 26 MINUTES 51 SECONDS EAST, A RADIUS OF 7,559.44 FEET, CONCAVE TO THE NORTHEAST; THENCE SOUTHEASTERLY ALONG SAID CURVE, A DISTANCE OF 123.90 FEET TO SAID POINT OF BEGINNING, CONTAINING 0.1707 ACRES (7,435 SQUARE FEET), MORE OR LESS.

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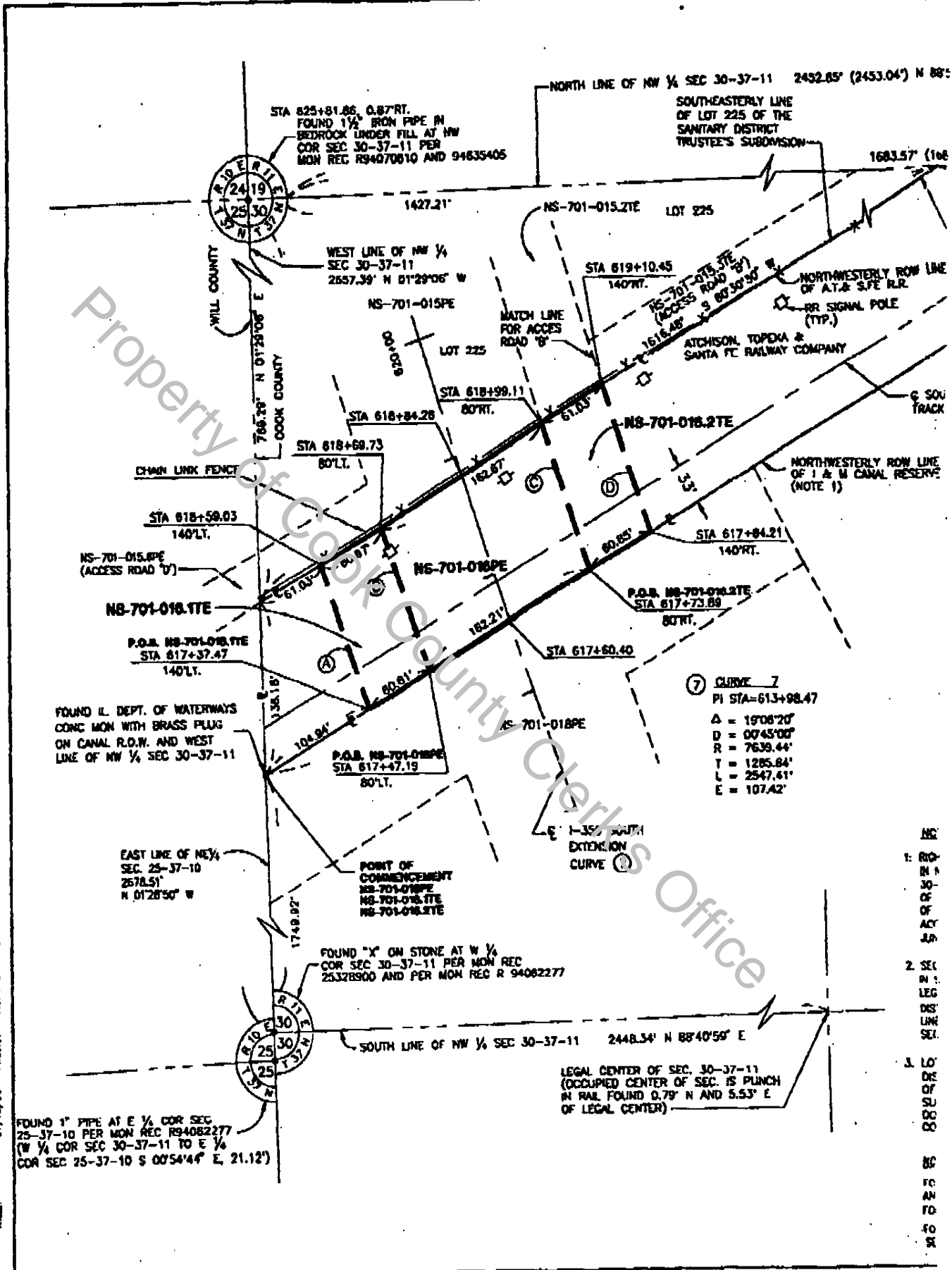
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County Clerk's Office

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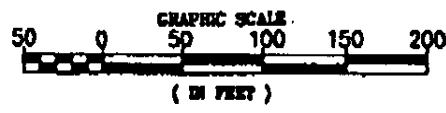
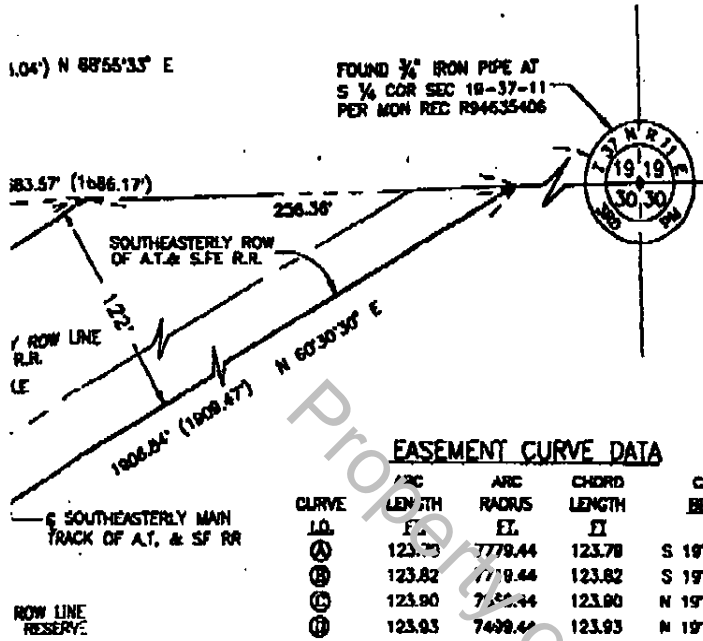
6/17/10/10 11:26:37 PLOT FILE & DRAWER 2

6/17/10/10 11:26:37 PLOT FILE & DRAWER 2

| | | | | |
|-------------------------------|----------------------|--|-----------|-----------------------------|
| DRAWN BY P. SANTILLI | DATE 01-10-06 | GlobeTrotter Surveying & Engineering 1111 North Main Street Chicago, Illinois 60610 | CONTRACT | THE ILLINOIS TOLLWAY |
| CHECKED BY W. DONOFRIO | SCALE 1"=50' | | CP-03-701 | |

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LEGEND

- PROPERTY (DEED) LINE
- FENCE LINE
- CENTERLINE
- PROPOSED RIGHT-OF-WAY LINE
- PROPOSED EASEMENT LINE
- EXISTING RIGHT-OF-WAY LINE
- EXISTING EASEMENT LINE
- LAND SECTION LINE
- ACCESS CONTROL LINE
- MEASURED DATA
- RECORDED DATA
- SET IRON PIPE WITH RED CAP
- STAMPED W/ ISTHA ROW
- FOUND MONUMENT
- EXISTING BUILDING
- CONIFEROUS TREE
- DECIDUOUS TREE

EASEMENT CURVE DATA

| CURVE I.D. | ARC LENGTH | ARC RADIUS | CHORD LENGTH | CHORD BEARING |
|------------|------------|------------|--------------|----------------|
| 1 | 123.79 | 7779.44 | 123.79 | S 19°44'04\" E |
| 2 | 123.82 | 7778.44 | 123.82 | S 19°39'28\" E |
| 3 | 123.90 | 7780.44 | 123.90 | N 19°28'51\" W |
| 4 | 123.93 | 7499.44 | 123.93 | N 19°21'59\" W |

BOLLINGER, LACH & ASSOCIATES
APPROVED
 DATE: 1/29/96

STATE OF ILLINOIS
 COUNTY OF COOK

WE HEREBY CERTIFY THAT I, WAYNE W. DONOFRIE, AN ILLINOIS PROFESSIONAL LAND SURVEYOR, HAVE SURVEYED THE PROPERTY SHOWN HEREON IN SECTION 30, TOWNSHIP 37 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN IN COOK COUNTY, ILLINOIS AND THAT TO THE BEST OF MY KNOWLEDGE AND BELIEF, THIS PLAT IS A TRUE AND CORRECT REPRESENTATION OF SAID SURVEY, AND THAT ALL MONUMENTS FOUND OR ESTABLISHED ARE OF PERMANENT QUALITY AND OCCUPY THE POSITIONS SHOWN HEREON AND THAT THE MONUMENTS ARE SUFFICIENT TO ENABLE THE SURVEY TO BE RETRACED.

DATED AT CHICAGO, ILLINOIS THIS 10TH DAY OF JANUARY, 1996 A.D.
Wayne W. Donofrie
 ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 35-2281

- NOTES:
- RIGHT-OF-WAY LINES OF ILLINOIS AND MICHIGAN CANAL, IN NORTHWEST QUARTER OF SECTION 30-37-11 REFER TO THE COUNTY CLERK'S DIVISION OF SECTION 30, TOWNSHIP 37 NORTH, RANGE 11 EAST OF THE 3RD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS, ACCORDING TO RECORD DOCUMENT NUMBER 275499 FILED AT 9:00 AM, JUN. 8, 1890, IN THE RECORDER'S OFFICE OF COOK COUNTY, ILLINOIS.
 - SECTION DIVISION LINES IN SEC 30-37-11 WERE DETERMINED FROM THE LEGAL CENTER OF SAID SECTION. DISTANCES ALONG COOK/MIL COUNTY LINE ARE BASED ON WEST LINE OF NW 1/4 SEC 30-37-11.
 - LOT NUMBERS REFER TO THE SANITARY DISTRICT TRUSTEE'S SUBDIVISION RIGHT-OF-WAY ACCORDING TO THE PLAY OF SURVEY RECORDED MARCH 31, 1908 AS DOCUMENT NUMBER 4180218 IN COOK COUNTY RECORDER'S OFFICE.



OWNER NOTE:
 ATCHISON, TOPEKA AND SANTA FE RAILWAY COMPANY

EXHIBIT 'A'

NS-701-016PE
 NS-701-016.1TE
 NS-701-016.2TE

| PARCEL | AREA | | TYPE OF TAKE | | |
|----------------|-------|---------|--------------|--------------|--------------|
| | ACRES | SQ. FT. | FEE | PERM. ESM'NT | TEMP. ESM'NT |
| TOTAL HOLDING | | | | | |
| REMAINDER | | | | | |
| NS-701-016PE | .4548 | 19,818 | | X | |
| NS-701-016.1TE | .1705 | 7,428 | | | X |
| NS-701-016.2TE | .1707 | 7,435 | | | X |

STATE TOLL HIGHWAY AUTHORITY
 ON: AUTHORITY DRIVE
 WYNERE GROVE, ILLINOIS 60515

| REVISIONS | | PLAT OF SURVEY | |
|-----------|------|----------------|---|
| NO. | DATE | DESCRIPTION | |
| | | | PART OF NW 1/4 SECTION 30-37-11 3RD PM PLAT NO. 9 |
| | | | OWNER: SEE OWNER NOTE SHEET 1 OF 2 |