

E: Ambrosia Land Inv.



A02653049

MICHAEL T. COSTELLO
RECORDER OF DEEDS
ST. CLAIR COUNTY
BELLEVILLE, IL
06/03/2020 09:36:26AM
TOTAL FEE: \$34.00
PAGES: 12

**EASEMENT
AGREEMENT**

THIS EASEMENT AGREEMENT is made this 21st day of May, 2020 by and between **AMBROSIA LAND INVESTMENTS, LLC**, an Illinois limited liability company (hereinafter referred to as "Ambrosia"), and **THE CITY OF MASCOUTAH, ILLINOIS**, an Illinois municipal corporation (hereinafter referred to as "Mascoutah").

WHEREAS, Ambrosia is the owner of a 30.0 foot wide strip of land described on Exhibit "A" attached hereto and incorporated herein by reference (hereinafter referred to as the "Ambrosia Easement Property"); and

WHEREAS, Mascoutah owns a 30.0 foot wide strip of land described on Exhibit "B" attached hereto and incorporated herein by reference (hereinafter referred to as the "Mascoutah Parcel"), which lies south of and adjacent to a part of the Ambrosia Easement Property and upon a part of which there has been constructed a city street; and

WHEREAS, there exists a 30.0 foot wide strip of land which lies south of and adjacent to a part of the Ambrosia Easement Property and west of and adjacent to the Mascoutah Parcel (hereinafter referred to as the "Street Extension Parcel"), which has been dedicated for a city street but upon which no street has yet been constructed; and

WHEREAS, Ambrosia desires to grant to Mascoutah, and Mascoutah desires to acquire from Ambrosia, an easement over, across, upon and through the Ambrosia Easement Property on the terms and conditions hereinafter set forth.

NOW, THEREFORE, in consideration of the sum of One Dollar (\$1.00), the grant and agreements hereinafter set forth, and other good and valuable consideration, the receipt and sufficiency of which is acknowledged by the parties hereto:

1. The above recitals are incorporated herein by this reference.



2. Ambrosia hereby grants and conveys unto Mascoutah a perpetual easement for ingress, egress and utilities over, across, upon and through the Ambrosia Easement Property for the benefit of the Mascoutah Parcel and the Street Extension Parcel.

3. When Ambrosia or its successors or assigns develops for residential or commercial purposes any part of Ambrosia's parcels identified by permanent parcel numbers 10-30-0-400-028 and 10-29-0-100-006 and described on Exhibit "C" attached hereto and incorporated herein by reference (hereinafter referred to as the "Ambrosia Parcels"):

a. Mascoutah will, at its cost and expense, construct a city street on 1) the part of the Mascoutah Parcel upon which a city street has not been constructed, and 2) the full length of the Street Extension Parcel to the east boundary line of Ambrosia Parcel number 10-30-0-400-028, and

b. Ambrosia will, at its cost and expense, construct a street on the Ambrosia Easement Property. If Ambrosia Parcel 10-29-0-100-006 is being developed, Ambrosia shall construct the city street only so far from Route 4 as is being developed at that time. If Ambrosia Parcel 10-30-0-400-028 is being developed, Ambrosia shall construct the city street from Route 4 for the entire length of the Ambrosia Easement Property.

4. Ambrosia retains and reserves the right to use the Ambrosia Easement Property, provided that such use does not unreasonably interfere with the use thereof by the easement holder.

5. Mascoutah shall at all times use the Ambrosia Easement Property in a manner which will prevent unreasonable wear and tear thereto.

6. No building or other obstruction shall be placed on the Ambrosia Easement Property which interferes with the use thereof.

7. The easement granted in this Agreement shall be appurtenant to, for the benefit of, and will run with title to the Mascoutah Parcel and the Street Extension Property.

8. This Agreement shall be binding upon and inure to the benefit of Ambrosia, Mascoutah, and their respective successors and assigns.

9. The easement granted in this Agreement is non-exclusive, and Ambrosia retains and reserves the right to grant and convey easements and rights in the Ambrosia Easement Property to such other persons and entities as Ambrosia may deem proper.

10. A map showing the Ambrosia Easement Property, the Mascoutah Parcel, the Street Extension Parcel, and the Ambrosia Parcels is attached hereto as Exhibit "D" and incorporated herein by reference.

EXEMPT UNDER PROVISIONS OF PARAGRAPH E-SEC. 31-45
OF THE REAL ESTATE TRANSFER TAX LAW.

x Steve R. Wilke 5/21/20 -2-

IN WITNESS WHEREOF, the parties hereto have duly executed this instrument as of the day and year first above written.

“AMBROSIA”

AMBROSIA LAND INVESTMENTS, LLC

By: Steve R. Wilke
Steve R. Wilke, Its Duly Authorized Member

“MASCOUTAH”

CITY OF MASCOUTAH, ILLINOIS

By: Jerry Daugherty
Jerry Daugherty, Mayor

STATE OF ILLINOIS)
)
COUNTY OF ST. CLAIR)

I, a Notary Public for the State and County aforesaid, do hereby certify that Steve R. Wilke, 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 he signed and delivered the said instrument as his free and voluntary act, and as the free and voluntary act of Ambrosia Land Investments, LLC, for the uses and purposes therein set forth.

Given under my hand and notarial seal this 21st day of May, 2020.

Kari M. Kalicki
Notary Public



STATE OF ILLINOIS)
) ss.
COUNTY OF ST. CLAIR)

I, a Notary Public for the State and County aforesaid, do hereby certify that Jerry Daugherty, 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 he signed and delivered the said instrument as his free and voluntary act, and as the free and voluntary act of the City of Mascoutah, Illinois, for the uses and purposes therein set forth.

Given under my hand and notarial seal this 21st day of May, 2020.

Melissa A. Schanz
Notary Public

Permanent Index Numbers:

10-30-0-400-028
10-29-0-100-006
10-29-0-303-031



**EXHIBIT A
LEGAL DESCRIPTION OF
AMBROSIA EASEMENT PROPERTY**



Millennia Professional Services of Illinois, Ltd.

11 Executive Drive, Suite 12 · Fairview Heights, Illinois 62208 · (Office) 618.624.8810 · (Fax) 618.624.8811

LEGAL DESCRIPTION

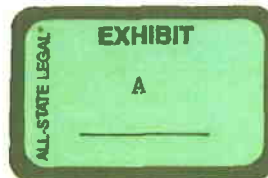
Option C

A tract of land being part of the West Half of the Northwest Quarter of Section 29, Township 1 North, Range 6 West of the Third Principal Meridian, St. Clair County, Illinois, being described more particularly as follows:

A 30.0 foot wide strip of land being the south 30.0 feet of a tract of land described as follows:

Commencing at the Northwest Corner of said Section 29; thence on an assumed bearing of South 00 degrees 50 minutes 36 seconds East, on the West line of said Section 29, distance of 1346.38 feet to the Point of Beginning;
thence South 89 degrees 02 minutes 50 seconds East, a distance of 1270.72 feet to the westerly right of way line of Illinois Route 4;
thence South 00 degrees 45 minutes 22 seconds East along said westerly Right of way line of Illinois Route 4, a distance of 1324.01 feet to the south line of said Northwest Quarter of Section 29;
thence North 89 degrees 09 minutes 04 seconds West, on said south line of the Northwest Quarter of Section 29, a distance of 1268.63 feet to said west line of Section 29;
thence North 00 degrees 50 minutes 36 seconds West, on said West line of Section 29, a distance of 1326.38 feet to the Point of Beginning.

Except coal, gas and other mineral rights excepted or reserved in prior conveyances.



Option C

EXHIBIT B
LEGAL DESCRIPTION OF
MASCOUTAH PARCEL

Part of Final Plat of Legacy Place Subdivision, being part of the Northwest Quarter of the Southwest Quarter of Section 29, Township 1 North, Range 6 West of the Third Principal Meridian, St. Clair County, Illinois, reference being had to the plat thereof in the St. Clair County Recorder's Office in Document Number A02517717 and being more particularly described as follows.

A strip of land thirty (30) feet in width, adjoining the northerly lines of Lots 1 and 3 and Outlots A and B of said Final Plat of Legacy Place and being shown as "ROW TO BE DEDICATED" on said Final Plat of Legacy Place Subdivision.

**Said tract contains 0.63 acres more or less
Subject to easements, conditions and restrictions of record.
Permanent Parcel No. 10290303031**



EXHIBIT C
LEGAL DESCRIPTION OF
AMBROSIA PARCELS

Parcel 1 (Parcel No. 10-30-0-400-028)

A tract of land, being part of the Northeast Quarter (NE1/4) of the Southeast Quarter (SE1/4) of Section 30, Township 1 North, Range 6 West of the Third Principal Meridian, St. Clair County, Illinois, and more particularly described as follows:

Beginning at a stone marking the Northwest corner of said NE 1/4 of the SE 1/4 of said Section 30, running thence East along the North line of said NE 1/4 of the SE 1/4, a distance of 1322.0 feet to a point on the East line of said NE 1/4 of the SE 1/4, thence South along said East line of said NE 1/4 of the SE 1/4, a distance of 1295.0 feet to a point on the North right-of-way line of the Diversion Channel; thence West along said North right-of-way line, a distance of 1325.8 feet to a point on the West line of said NE 1/4 of the SE 1/4; thence North along said West line of said NE 1/4 of the SE 1/4, a distance of 1319.5 feet to the place of beginning, containing 39.73 acres, more or less.

EXCEPTING THEREFROM THE FOLLOWING:

Part of the Northeast Quarter of the Southeast Quarter of Section 30, Township 1 North, Range 6 West of the Third Principal Meridian, St. Clair County, Illinois, being more particularly described as follows.

Commencing at the iron pipe found at the northeast corner of the Southeast Quarter of Section 30, thence South 0 degrees 42 minutes 49 seconds East (assumed bearing), along the east line of the Southeast Quarter of Section 30, a distance of 1292 48 feet (1292 39 feet record) to the north line of the Mascoutah Surface Water Protection District property as described in the Recorder's Office of St. Clair County, Illinois, in Deed Book 1768 on Page 517 and being the Point of Beginning of the tract described herein, thence South 89 degrees 59 minutes 39 seconds West along the north line of the Mascoutah Surface Water Protection District property, a distance of 1326 00 feet to the west line of the Northeast Quarter of the Southeast Quarter of Section 30, thence North 0 degrees 36 minutes 20 seconds West along said west line, a distance of 10 00 feet, thence North 89 degrees 59 minutes 39 seconds East along a line lying 10 00 feet northerly of and parallel with the north line of said Mascoutah Surface Water Protection District property, a distance of 1326 98 feet to the aforementioned east line of the Southeast Quarter of Section 30, thence South 0 degrees 42 minutes 49 seconds East along said east line, a distance of 10 00 feet to the Point of Beginning and containing 0 30 acres (13,280 square feet)

Except the coal, oil, gas and other minerals underlying said premises and the right to mine and remove same

Situated in St. Clair County, Illinois

Parcel 2 (Parcel No. 10-29-0-100-006)

A tract of land being a part of West Half of the Northwest Quarter of Section 29, Township 1 North, Range 6 West of the Third Principal Meridian, St. Clair County, Illinois and being more particularly described as follows:

Commencing at the Northwest corner of said Section 29; thence on an assumed bearing of South 00°50'36" East, on the West line of said Section 29, a distance of 1346.38 feet to the Point of Beginning.

From said Point of Beginning, thence South 89 degrees 02 minutes 50 seconds East, a distance of 1270.72 feet to the westerly right of way line of Illinois Route 4; thence South 00 degrees 45 minutes 22 seconds East, on said westerly right of way line of Illinois Route 4, a distance of 1324.01 feet to the south line of said Northwest Quarter of Section 29; thence North 89 degrees 09 minutes 04 seconds West, on said south line of the Northwest Quarter of Section 29, a distance of 1268.63 feet to said west line of Section 29; thence North 00 degrees 50 minutes 36 seconds West, on said West line of Section 29, a distance of 1326.38 feet to the Point of Beginning.

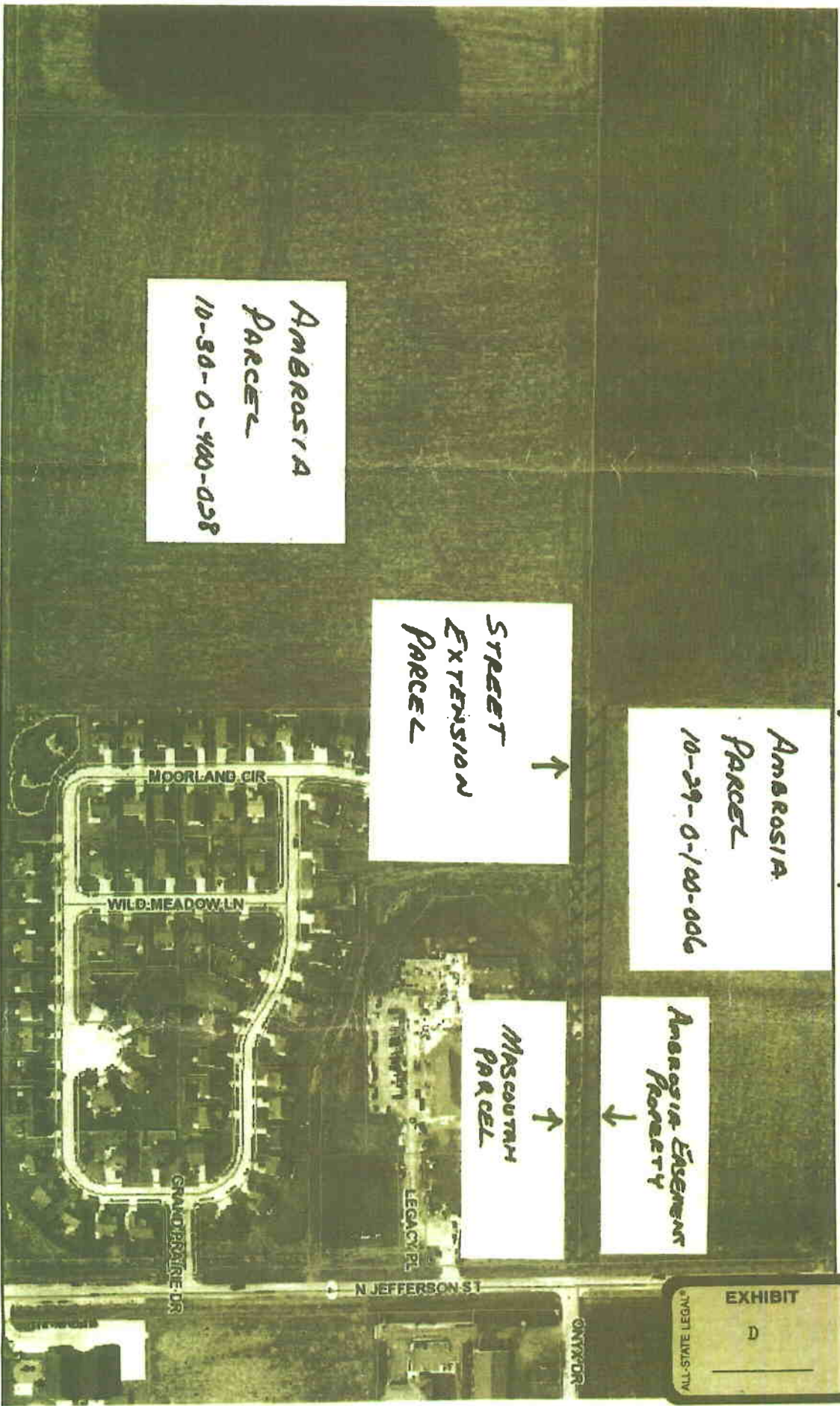


EXHIBIT D
MAP OF AMBROSIA EASEMENT PROPERTY, MASCOUTAH PARCEL,
STREET EXTENSION PARCEL, AND AMBROSIA PARCELS

St Clair County Parcel Map

4/2020 3:52:20 PM

- Major Highways
- Scott Flight Line
- Railroads
- Municipalities
- MidAmerica Flight Line
- BELLEVILLE
- BROOKLYN
- CAHOKIA
- ALORTON



ALL-STATE LEGAL
EXHIBIT
D

