

**PARTIAL RELEASE OF
PUBLIC UTILITY
EASEMENT**

Peoria County

This instrument prepared by
and upon recording return to:

Michael A. Keeton
Miller, Hall & Triggs, LLC
416 Main Street, Suite 1125
Peoria, IL 61602-1161

PARTIAL RELEASE OF PUBLIC UTILITY EASEMENT

This Partial Release of Public Utility Easement ("Partial Release") is executed this 15th day of January, 2015 by the CITY OF PEORIA, a municipal corporation, in the County of Peoria and State of Illinois ("City").

RECITALS

WHEREAS, the City, did by Ordinance No. 16,028 dated November 21, 2006, and recorded in the office of the Recorder of Deeds of Peoria County on December 11, 2006 as Document No. 06-39913 (the "Vacation Ordinance", attached hereto as Exhibit A), provide for the vacation of rights of way over certain real property as described within the Vacation Ordinance (the "Vacated Rights of Way"), with the reservation unto itself for any existing sewers and unto all public utility companies then operating in, upon, over and under said Vacated Rights of Way, all rights and privileges theretofore granted by City ordinances, including but not limited to, rights under franchises and agreements, which said rights and privileges were to continue in full force and effect the same as if the Vacation Ordinance otherwise vacating said Vacated Rights of Way had not been adopted and passed, and such rights and privileges with respect to said public utility companies were to remain in effect until, and to terminate upon, the abandonment or release of such use or the relocation of such use outside the Vacated Rights of Way; and

WHEREAS, certain real property upon which the majority of the Vacated Rights of Way are located is legally described and graphically depicted upon Exhibit B hereof (the "Subject Property"); and

WHEREAS, at the time of the execution and recording of the Vacation Ordinance, a sanitary sewer owned by the City and operated by THE GREATER PEORIA SANITARY AND SEWAGE DISPOSAL DISTRICT, a municipal corporation of the County of Peoria and State of Illinois ("GPSD") was located upon the Subject Property within and under that portion of the Vacated Rights of Way identified within the Vacation Ordinance as "all of the Alley running East-West through Blocks 73, 80 and 89 in...Aiken, Monson, and Sanford's Addition..." (the "Vacated Alley"); and

WHEREAS, at the request of the developer of the Subject Property, and after consultation and agreement with GPSD, the City has agreed to abandon all of its public utility rights, title and interest in and to the Vacated Rights of Way on the Subject Property, except for the "Excepted Sanitary Sewer Tract", as graphically depicted upon Exhibit C hereof and referenced therein as "EASEMENT TO REMAIN"; and


NOW, THEREFORE, for and in consideration of the sum of One and No/100 Dollars (\$1.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the City agrees as follows:

City hereby releases all right, title and interest which it may have in and to the Vacated Rights of Way located on the Subject Property, except for the Excepted Sanitary Sewer Tract.

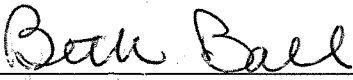
It is expressly understood that all other easement rights of record of City (if any) as located upon the Subject Property shall continue in full force and effect.

IN WITNESS WHEREOF, City has caused this Partial Release to be duly executed the day above stated.


City of Peoria, a Municipal Corporation

By: 
Patrick Urich
City Manager

ATTEST:

By: 
Beth A. Ball
City Clerk

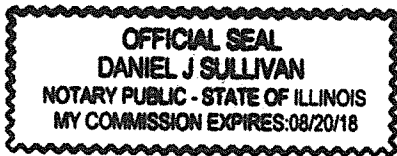
APPROVED
LEGAL DEPARTMENT

By: 

STATE OF ILLINOIS)
) SS.
COUNTY OF PEORIA)

I, the undersigned, a Notary Public, in and for said County and State aforesaid, DO HEREBY CERTIFY, that Patrick Urich and Beth A. Ball, personally known to me to be the same persons whose names are subscribed to the foregoing instrument as such City Manager and City Clerk respectively, appeared before me this day in person and severally acknowledged that they signed, sealed and delivered said instrument as their free and voluntary act as such City Manager and City Clerk respectively, and as the free and voluntary act of said municipal corporation, for the uses and purposes therein set forth, and on their respective oaths stated that they were duly authorized to execute said instrument and that the seal affixed thereto is the seal of said corporation.

GIVEN under my hand and notarial seal this 15th day of January, A.D. 2015.



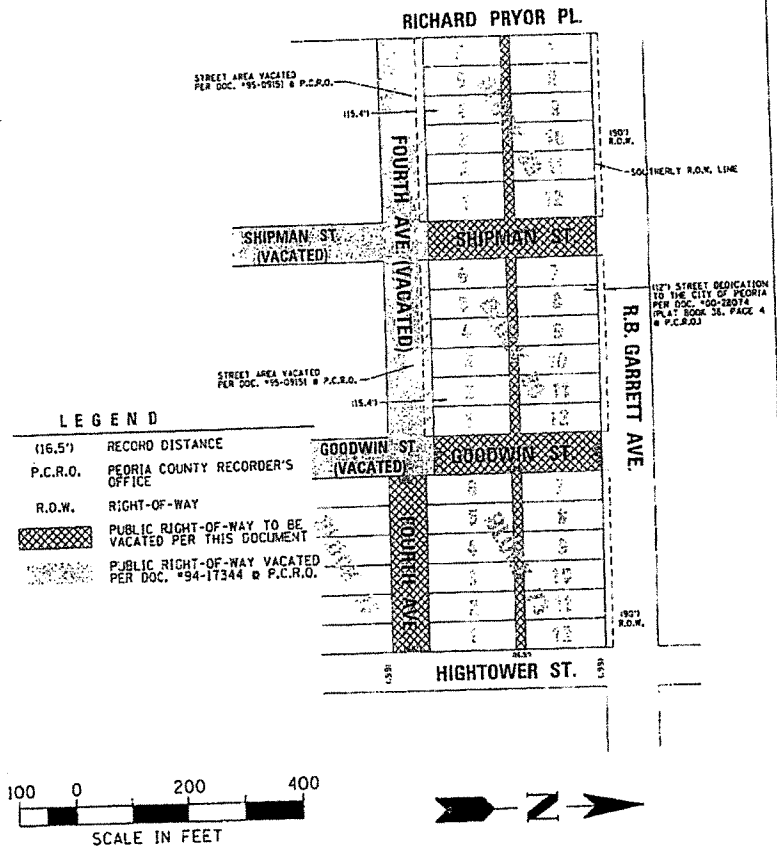
Daniel Sullivan
Notary Public

EXHIBIT A Vacation Ordinance

ORDINANCE NO. 16,028

EXHIBIT A

A PART OF AIKEN, MONSON AND SANFORD'S ADDITION TO THE TOWN (NOW CITY) OF PEORIA AS SHOWN IN PLAT BOOK "G", PAGE 43 AT THE PEORIA COUNTY RECORDER'S OFFICE, BEING A SUBDIVISION OF PART OF THE NORTHWEST QUARTER OF SECTION 9, TOWNSHIP-8-NORTH, RANGE-8-EAST OF THE FOURTH PRINCIPAL MERIDIAN, PEORIA COUNTY, ILLINOIS.



06-29913

<p>CLIENT: City of Peoria 419 Fulton Street, Suite 401 Peoria, Illinois 61602</p>	<p>TITLE: EXHIBIT A PUBLIC STREET VACATION</p>	<p>PROJECT NO. 06-417</p> <p>SHEET 1 OF 1</p> <p>DRAWING NO.</p>												
<p>CHRISTOPHER B. BURKE ENGINEERING LTD. 202 NE Madison Avenue Suite 201 Peoria, Illinois 61602 (309) 678-3000</p>		<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td>DESIGN</td> <td>D.K.</td> <td>SCALE</td> <td>1/200</td> </tr> <tr> <td>DRAWN</td> <td>C.V.</td> <td>DATE</td> <td>11-7-06</td> </tr> <tr> <td>CHECKED</td> <td></td> <td>PLANT DATE</td> <td>11/17/2006</td> </tr> </table>	DESIGN	D.K.	SCALE	1/200	DRAWN	C.V.	DATE	11-7-06	CHECKED		PLANT DATE	11/17/2006
DESIGN	D.K.	SCALE	1/200											
DRAWN	C.V.	DATE	11-7-06											
CHECKED		PLANT DATE	11/17/2006											

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EXHIBIT B, Page 1 of 2
Legal Description of Subject Property
(Graphical Depiction Next Page)

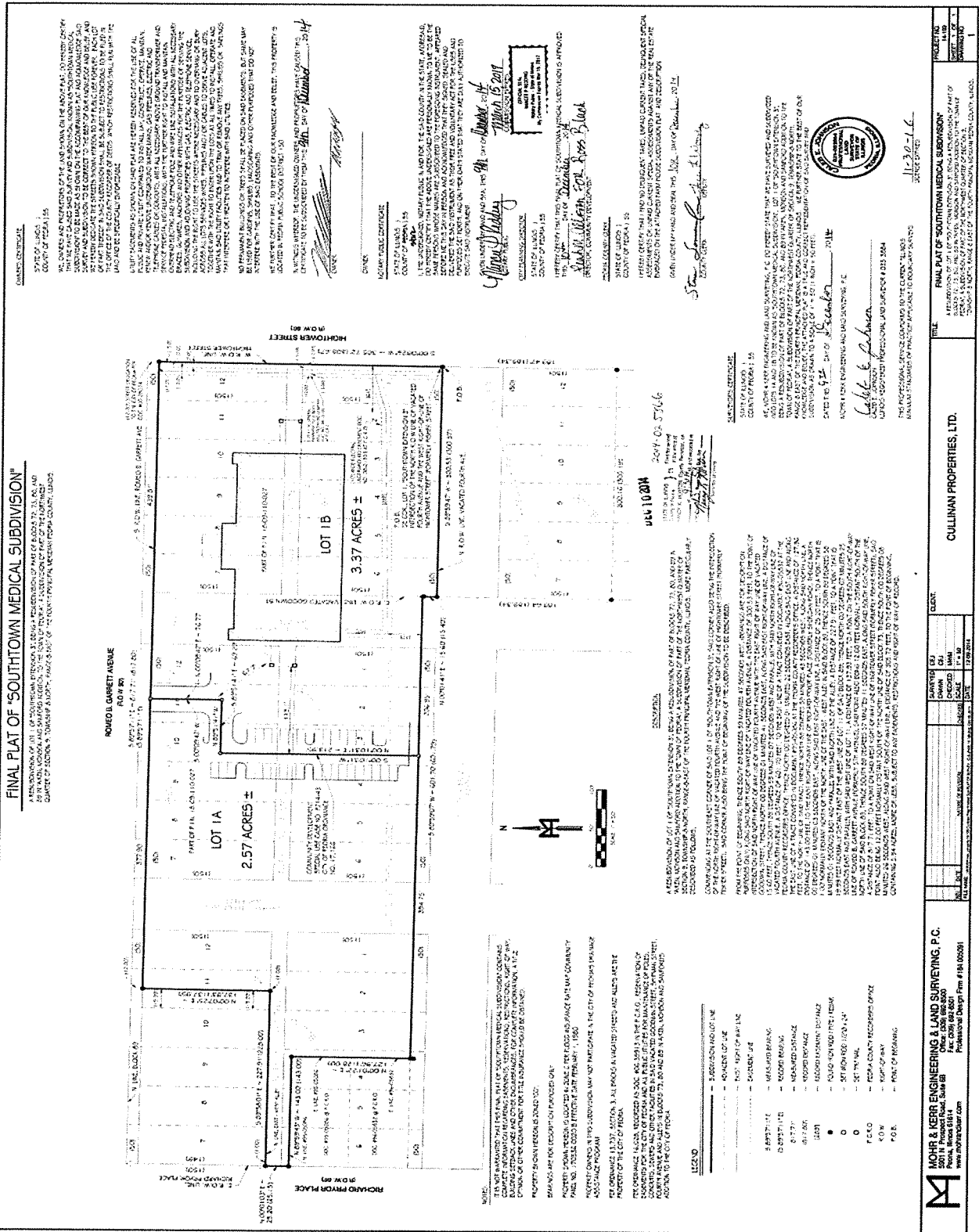
LOT 1A AND LOT 1B AS SHOWN ON THE FINAL PLAT OF "SOUTHTOWN MEDICAL SUBDIVISION", A RESUBDIVISION OF LOT 1 OF "SOUTHTOWN EXTENSION 3", BEING A RESUBDIVISION OF PART OF BLOCKS 72, 73, 80 AND 89 IN "AIKEN, MONSON AND SANFORD ADDITION TO THE TOWN OF PEORIA", BEING A SUBDIVISION OF PART OF THE NORTHWEST QUARTER OF SECTION 9, TOWNSHIP-8-NORTH, RANGE-8-EAST OF THE FOURTH PRINCIPAL MERIDIAN, CITY OF PEORIA, PEORIA COUNTY, ILLINOIS, AS RECORDED IN THE PEORIA COUNTY RECORDER'S OFFICE ON DECEMBER 10, 2014 AS DOCUMENT NO. 2014-025866, IN PLAT BOOK 13, PAGE 53.

WITH SAID LOT 1A AND LOT 1B BEING PARTS OF TAX I.D.: 18-09-110-027.

EXHIBIT B, Page 2 of 2

FINAL PLAT OF 'SOUTHTOWN MEDICAL SUBDIVISION'

A REVISION OF LOT 1 OF 'SOUTHTOWN MEDICAL SUBDIVISION', AS A REVISION OF PART OF A SUBDIVISION OF LAND OF ABOUT 7.35 ACRES, IN THE CITY OF PEORIA, ILLINOIS, COUNTY OF PEORIA, ILLINOIS, TO THE CITY OF PEORIA, ILLINOIS, FOR THE REVISION OF PART OF THE SUBDIVISION OF LAND OF ABOUT 7.35 ACRES, IN THE CITY OF PEORIA, ILLINOIS, COUNTY OF PEORIA, ILLINOIS, AS SHOWN IN THE RECORD MAP OF 'SOUTHTOWN MEDICAL SUBDIVISION', MAP NO. 111-00000-01, RECORDED IN THE PUBLIC RECORDS OF THE COUNTY OF PEORIA, ILLINOIS, ON THE 11th DAY OF FEBRUARY, 2014.



GENERAL NOTES:
1. THE SURVEYOR HAS REVIEWED THE RECORD MAPS OF THE 'SOUTHTOWN MEDICAL SUBDIVISION', MAP NO. 111-00000-01, RECORDED IN THE PUBLIC RECORDS OF THE COUNTY OF PEORIA, ILLINOIS, ON THE 11th DAY OF FEBRUARY, 2014, AND HAS FOUND THEM TO BE CORRECT AND ACCURATE.
2. THE SURVEYOR HAS REVIEWED THE RECORD MAPS OF THE 'SOUTHTOWN MEDICAL SUBDIVISION', MAP NO. 111-00000-01, RECORDED IN THE PUBLIC RECORDS OF THE COUNTY OF PEORIA, ILLINOIS, ON THE 11th DAY OF FEBRUARY, 2014, AND HAS FOUND THEM TO BE CORRECT AND ACCURATE.
3. THE SURVEYOR HAS REVIEWED THE RECORD MAPS OF THE 'SOUTHTOWN MEDICAL SUBDIVISION', MAP NO. 111-00000-01, RECORDED IN THE PUBLIC RECORDS OF THE COUNTY OF PEORIA, ILLINOIS, ON THE 11th DAY OF FEBRUARY, 2014, AND HAS FOUND THEM TO BE CORRECT AND ACCURATE.

REVISIONS:
1. THE SURVEYOR HAS REVIEWED THE RECORD MAPS OF THE 'SOUTHTOWN MEDICAL SUBDIVISION', MAP NO. 111-00000-01, RECORDED IN THE PUBLIC RECORDS OF THE COUNTY OF PEORIA, ILLINOIS, ON THE 11th DAY OF FEBRUARY, 2014, AND HAS FOUND THEM TO BE CORRECT AND ACCURATE.
2. THE SURVEYOR HAS REVIEWED THE RECORD MAPS OF THE 'SOUTHTOWN MEDICAL SUBDIVISION', MAP NO. 111-00000-01, RECORDED IN THE PUBLIC RECORDS OF THE COUNTY OF PEORIA, ILLINOIS, ON THE 11th DAY OF FEBRUARY, 2014, AND HAS FOUND THEM TO BE CORRECT AND ACCURATE.

PLAT INFORMATION:
COUNTY OF PEORIA, ILLINOIS
STATE OF ILLINOIS
DATE OF PLAT: 11-30-16
DATE OF SURVEY: 11-30-16
DATE OF RECORDING: 11-30-16

NOTICE:
THIS PLAT IS A REVISION OF LOT 1 OF 'SOUTHTOWN MEDICAL SUBDIVISION', AS A REVISION OF PART OF A SUBDIVISION OF LAND OF ABOUT 7.35 ACRES, IN THE CITY OF PEORIA, ILLINOIS, COUNTY OF PEORIA, ILLINOIS, TO THE CITY OF PEORIA, ILLINOIS, FOR THE REVISION OF PART OF THE SUBDIVISION OF LAND OF ABOUT 7.35 ACRES, IN THE CITY OF PEORIA, ILLINOIS, COUNTY OF PEORIA, ILLINOIS, AS SHOWN IN THE RECORD MAP OF 'SOUTHTOWN MEDICAL SUBDIVISION', MAP NO. 111-00000-01, RECORDED IN THE PUBLIC RECORDS OF THE COUNTY OF PEORIA, ILLINOIS, ON THE 11th DAY OF FEBRUARY, 2014.

MOHR & KERR ENGINEERING & LAND SURVEYING, P.C.
5911 E. Prospect Road, Suite 601
Peoria, Illinois 61611
Phone: 309.242.2424
Fax: 309.242.2424
www.mohr-kerr.com

CULLINAN PROPERTIES, LTD.

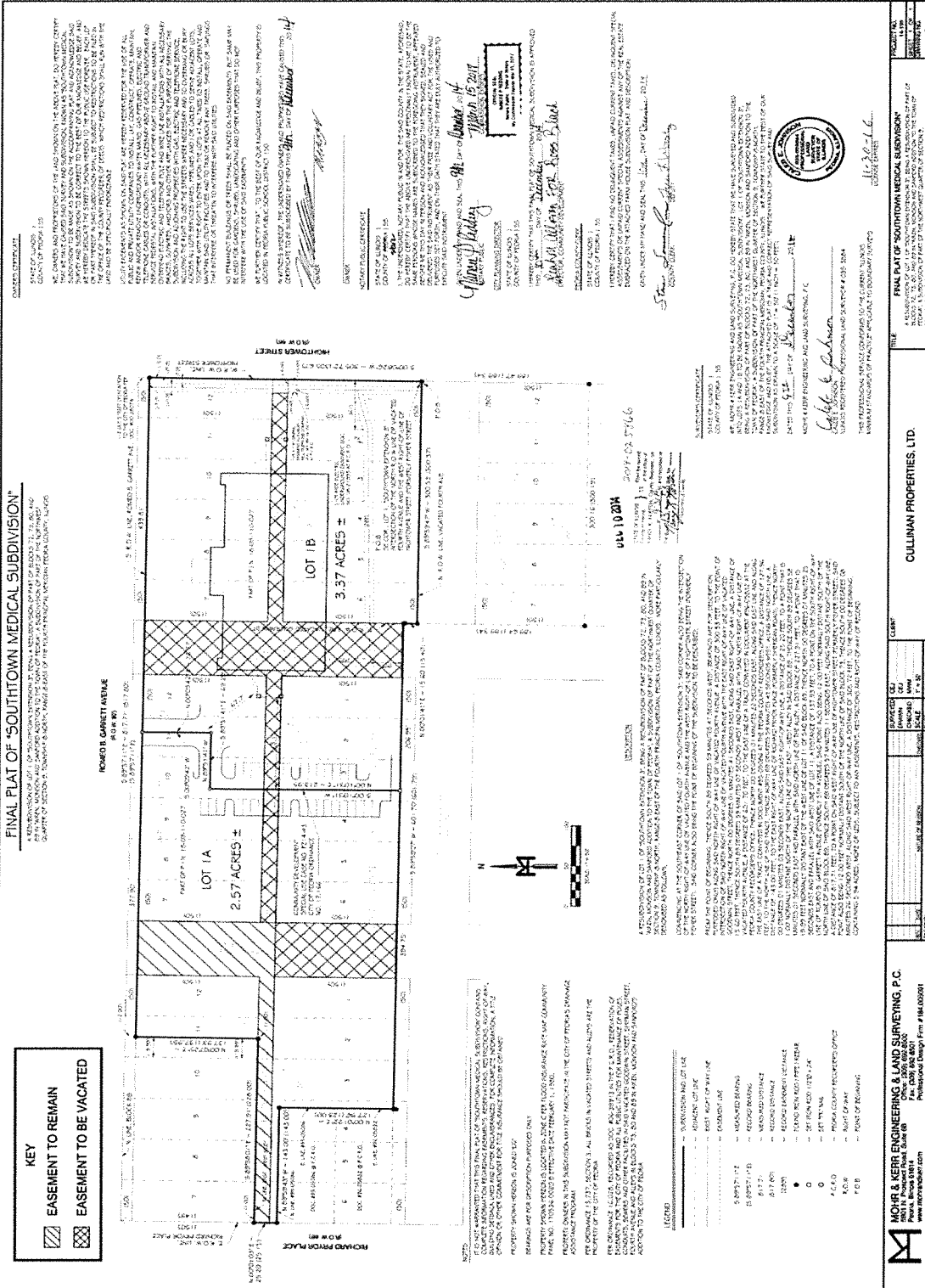
DATE	BY	REVISION
11-30-16	JK	FINAL PLAT

LEGEND:
- - - - - BOUNDARY LINE
- - - - - RIGHT OF WAY LINE
- - - - - EASEMENT LINE
- - - - - FENCE LINE
- - - - - PROPERTY LINE
- - - - - EASEMENT LINE
- - - - - FENCE LINE
- - - - - PROPERTY LINE
- - - - - EASEMENT LINE
- - - - - FENCE LINE
- - - - - PROPERTY LINE

EXHIBIT C

Graphic Depiction of Easement Area to Remain and Easement Area to Be Vacated

EXHIBIT C



FINAL PLAT OF "SOUTHTOWN MEDICAL SUBDIVISION"
 THE PLAT IS SUBJECT TO THE EASEMENTS AND RESTRICTIONS SET FORTH IN THE DEEDS, RECORDS AND OTHER INSTRUMENTS OF RECORD AFFECTING SAID PROPERTY AND THE RIGHTS OF THE PARTIES THEREIN.
 THE PLAT IS SUBJECT TO THE EASEMENTS AND RESTRICTIONS SET FORTH IN THE DEEDS, RECORDS AND OTHER INSTRUMENTS OF RECORD AFFECTING SAID PROPERTY AND THE RIGHTS OF THE PARTIES THEREIN.

KEY
 [Hatched Box] EASEMENT TO REMAIN
 [Cross-hatched Box] EASEMENT TO BE VACATED

THESE INSTRUMENTS HAVE BEEN PREPARED AND VERIFIED IN ACCORDANCE WITH THE REQUIREMENTS OF THE SURVEYING ACT, R.S. 48:151-156, AND THE RULES AND REGULATIONS OF THE BOARD OF SURVEYING AND MAPPING, DIVISION OF REVENUE, STATE OF LOUISIANA.
 THE SURVEYING ENGINEER HAS CONDUCTED A VISUAL INSPECTION OF THE PROPERTY AND THE INSTRUMENTS OF RECORD AFFECTING SAID PROPERTY AND IS SATISFIED THAT THE INSTRUMENTS OF RECORD ARE CORRECTLY REFLECTED ON THIS PLAT.
 THE SURVEYING ENGINEER HAS ALSO CONDUCTED A VISUAL INSPECTION OF THE PROPERTY AND IS SATISFIED THAT THE INSTRUMENTS OF RECORD ARE CORRECTLY REFLECTED ON THIS PLAT.

PROPERTY OWNERS: CULLINAN PROPERTIES, LTD.
DEED NO. 2014-00104
RECORDED IN: PUBLIC RECORDS OF THE PARISH OF ORLEANS, LOUISIANA, AT PAGE 10842
DATE OF DEED: 05/22/2014

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M MOHR & KERR ENGINEERING & LAND SURVEYING, P.C.
 4801 N. Perdido Street, Suite 68
 Metairie, Louisiana 70002
 www.mohr-kerr.com
 Professional Survey Firm # 144,000901

CULLINAN PROPERTIES, LTD.

FINAL PLAT OF "SOUTHTOWN MEDICAL SUBDIVISION"

DEED NO. 2014-00104