

VILLAGE OF TOLONO, ILLINOIS

RESOLUTION AUTHORIZING THE EXECUTION
OF WATER/SEWER AGREEMENT & EASEMENT

RESOLUTION NO. 99-2

Adopted this 6th day of April, 1999 and published in pamphlet form.

VILLAGE OF TOLONO, ILLINOIS
RESOLUTION No. 99-2
AUTHORIZING THE EXECUTION OF
WATER/SEWER AGREEMENT & EASEMENT RIGHTS

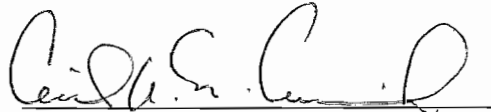
WHEREAS:

- A. The Board of Trustees for the Village of Tolono, Illinois is charged with providing for the health care and welfare of the citizens of the Village of Tolono; and
- B. The Board has determined that it is necessary to provide for sewer lines along Benham Street; and
- C. The Board has determined that it is appropriate for the Village to enter into a certain agreement relating to provision of water hook up and sewer hook up in exchange for certain easement rights.

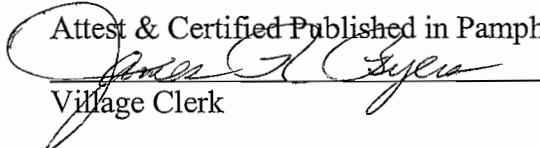
BE IT HEREBY RESOLVED as follows:

1. The Board of Trustees of the Village of Tolono, Illinois hereby directs and authorizes the President of the Board of Trustees to execute an agreement entitled "Agreement", in a form substantially similar to that attached hereto and by reference incorporated herein, to facilitate the securing of easement rights necessary for the installation of a sewer system on Benham Street located within the Village of Tolono, Illinois
2. The President of the Board of Trustees is authorized to make such reasonably necessary modifications to said document as are necessary to facilitate the securing of said easement after consideration of the advice of the Village attorney.
3. This Resolution shall be effective upon passage with publication consistent with applicable law.

IN WITNESS WHEREOF, the foregoing Resolution was adopted by vote by the Board of Trustees on this 6th day of April, 1999.


Village President

Attest & Certified Published in Pamphlet Form


Village Clerk

AGREEMENT

Now come the VILLAGE OF TOLONO by its Board of Trustees, hereinafter VILLAGE,
_____, hereinafter OWNER, and GARY L.
FISHER and LINDA J. FISHER, hereinafter FISHER who enter into this Agreement this
__ day of _____, 1999.

RECITALS:

- A. Owner is the owner of record of property identified as Tract A attached hereto and by reference incorporated herein; and
- B. Fisher is the owner of record of property identified as Tract B attached hereto and by reference incorporated herein; and
- C. The parties desire to provide for the granting of an easement from Owner to Village in the form of the easement attached, identified as Exhibit C and by reference incorporated herein; and
- D. Village has allowed Fisher to hook-up a single family residence located on Tract B to Village's sewer system and will waive the hook-up fee for same; and
- E. Village has allowed Fisher to hook up said residence to the Village public water system and, even though said residence is not part of the Village of Tolono, Village agrees to charge Fisher and the successor owners of said residence the same water rate charged the residents of the Village of Tolono all as provided herein.

NOW THEREFORE, in consideration of their mutual agreements and covenants, the parties agree as follows:

- 1. Owner agrees to execute the easement contained in Exhibit C and deliver it to Village concurrent with execution of this Agreement.

2. Village agrees to formally allow for and waive the fee for the hook-up of Fisher's single family residence located on Tract B to the Village of Tolono sewer system.
3. Village agrees to formally allow for the hook-up of Fisher's single family residence located on Tract B to the Village of Tolono water system. Village agrees that for such time as the residence on Tract B remains single family residential, the water rate charged to Fisher and the successor owners to Fisher shall be at the same rate as charged to properties located within the Village of Tolono.
4. The parties acknowledge that Owner and Fisher are related family members and that the undersigned stipulate that they will mutually benefit from the agreements contained herein such that their execution of this agreement shall serve as full and adequate consideration for same.

Entered into the date first appearing above.

OWNER:

FISHER

Gary L. Fisher

LINDA J. FISHER

TOLONO:

The Village of Tolono

BY: _____

Cecil McCormick, Village Board President

Attest: _____

James Byers, Secretary

