



Resolution No. 2023.10/56
Authorization of Town of Normal
Temporary and Permanent Easements

Resolution

Whereas, the Illinois State University *Master Plan 2010-2030*, Item 60, calls for *Increasing transportation options ... to create a more pedestrian friendly campus; To make campus more pedestrian friendly ... faculty, staff, and students will be encouraged to travel to and around campus without using their personal vehicles* and,

Whereas, Illinois State University owns property in Normal Illinois, bounded on the south by Gregory Street, bounded on the west by North Parkside Road, and on the east by North Adelaide Street on the east, and

Whereas, the Town of Normal has development plans to extend the Constitution Trail via the Town of Normal Gregory Street Trail Extension Project by Hutchinson Engineering, Inc., along Gregory Street from North Parkside Road to North Adelaide Street on property owned by Illinois State University, and

Whereas, for the Town of Normal to proceed with these development plans, the Town of Normal requires a temporary and a permanent easement along Gregory Street on property owned by Illinois State University.

Therefore, be it resolved that the Board of Trustees authorizes temporary and permanent easements along Gregory Street as defined by Temporary Easement Plat dated 8/31/23 prepared by Hutchinson Engineering, Inc., and Permanent Easement Plat dated 8/31/23 prepared by Hutchinson Engineering, Inc. to facilitate has development plans to extend the Normal Constitution Trail from North Parkside Road to North Adelaide Street for the purpose of grading and the development of a walking and bike path.

Board Action on: _____
Motion by: _____
Second by: _____
Vote: Yeas: _____ Nays: _____

Postpone: _____
Amend: _____
Disapprove: _____
Approve: _____

ATTEST: Board Action, October 13, 2023

Secretary / Chairperson

**Board of Trustees
Illinois State University
Town of Normal Temporary and Permanent Easements**

Background

The Illinois State University *Master Plan 2010-2030* Item 60 calls for - *Increasing transportation options ... to create a more pedestrian friendly campus To make campus more pedestrian friendly ... faculty, staff, and students will be encouraged to travel to and around campus without using their personal vehicles and,*

The Town of Normal has developed plans to extend the Constitution Trail via the Town of Normal Gregory Street Trail Extension Project by Hutchinson Engineering, Inc., located along Gregory Street from North Parkside Road to North Adelaide Street on property owned by Illinois State University. For the Town of Normal to proceed with these development plans, the Town of Normal requires a temporary and a permanent easement along Gregory Street on property owned by Illinois State University.

The Illinois State University property that requires an easement is located in Normal Illinois and is bounded on the south by Gregory Street, bounded on the west by North Parkside Road, and on the east by North Adelaide Street on the east, and

Town of Normal Easement Request to Illinois State University

The Town of Normal is requesting that the Illinois State University Board of Trustees authorize temporary and permanent easements along Gregory Street as defined by Temporary Easement Plat dated 8/31/23 prepared by Hutchinson Engineering, Inc., and Permanent Easement Plat dated 8/31/23 prepared by Hutchinson Engineering, Inc. to facilitate has development plans to extend the Normal Constitution Trail from North Parkside Road to North Adelaide Street for the purpose of grading and the development of a walking and bike path.

Temporary Easement

The proposed temporary easement calls for the Board of Trustees of Illinois State University (“**Grantor**”) to convey and grant to the Town of Normal, Illinois (“**Grantee**”) a temporary easement for the installation and construction of a recreational path along, across, over, under, and through the areas defined by the Temporary Easement Plat for the use and enjoyment of the general public, together with the right to enter upon the property with such personnel and equipment as may be necessary for all such uses and purposes (“**Recreational Path Construction Easement**”).

The Grantee will have the right to ingress and egress in, to, over, and across the Recreational Path Construction Easement for any lawful purpose needed for the full enjoyment of the rights granted by the Grantor to the Grantee in this easement.

The Grantor retains the right to the undisturbed use and occupancy of the Property insofar as that use and occupancy is consistent with and does not impair any grant under this easement. The Grantor shall not install or permit the installation of any fence, wall, structure, above or below ground, or landscaping that would hinder the operation of the easement or in any way impair the Grantee’s right of access under this easement.

If construction of the path is not completed within a five-year period from date of the easement, then the easement would terminate, and all rights would revert to the University. The easement would also include indemnification obligations for the Town of Normal for claims arising from the construction and other authorized uses in the easement areas.

Permanent Easement

The proposed permanent easement calls for the Board of Trustees of Illinois State University (“**Grantor**”).to convey and grant to the Town of Normal, Illinois (“**Grantee**”) a permanent easement for the operation, inspection, repair, maintenance, reconstruction, replacement, alteration, enlargement, relocation, renewal, and removal of a recreational path along, across and over the areas described in this easement as the “**Recreational Path Easement**” for the use

and enjoyment of the general public, together with the right to enter upon the property with such personnel and equipment as may be necessary for all such uses and purposes.

The property upon which the Recreational Path Easement is located (“**Property**”) is described in Permanent Easement Plat dated 8/31/23 prepared by Hutchinson Engineering, Inc.

The Grantee will have the right to ingress and egress in, to, over, and across the Recreational Path Easement for any lawful purpose needed for the full enjoyment of the rights granted by the Grantor to the Grantee in this easement.

The Grantor retains the right to the undisturbed use and occupancy of the Property insofar as that use and occupancy is consistent with and does not impair any grant under this easement. The Grantor shall not install or permit the installation of any fence, wall, structure, above or below ground, or landscaping that would hinder the operation of the easement or in any way impair the Grantee’s right of access under this easement.

If construction of the path is not completed within a five-year period from date of the easement, then the easement would terminate, and all rights would revert to the University. The easement would also include indemnification obligations for the Town of Normal for claims arising from the use, maintenance, or repair in the easement areas.

Project Schedule

Upon project approval from the ISU Board of Trustees, the Town of Normal will bid and then will award construction contracts for the work. The current project plan is to complete the required work as soon as the Town of Normal schedule allows.

Resource Requirements

There are no costs to Illinois State University associated with approving these temporary and permanent easements.