

After recording return to

City of Naperville
Legal Department
400 S. Eagle Street
Naperville, IL 60540

For Use by Recorder of Deeds

**ASSIGNMENT TO THE CITY OF NAPERVILLE
OF AN EASEMENT GRANTED TO THE NAPERVILLE PARK DISTRICT
BY COMMONWEALTH EDISON COMPANY
[WHEATLAND-DUPAGE R/W T189]**

THIS AGREEMENT, made this ____ day of _____, 2021, is entered into by and between the NAPERVILLE PARK DISTRICT, an Illinois unit of local government created and existing under the Park Code and laws of the State of Illinois, (hereinafter referred to as the “**District**”), and the CITY OF NAPERVILLE, an Illinois home rule municipal corporation (hereinafter referred to as the “**City**”).

WHEREAS, the District acquired certain easement rights from Commonwealth Edison Company for the purpose of constructing and maintaining an eight inch water line, all as per that Water Easement Agreement between the District as “Grantee” and Commonwealth Edison Company as “Grantor”, dated October 10, 2019 (“**Water Easement Agreement**”); and

WHEREAS, the District now desires to grant, convey, transfer, and assign to the City all of the District’s rights, title, and interest acquired under the Water Easement Agreement, attached hereto and incorporated herein as Exhibit 1, granting the easements for the installation, construction, and maintenance of the eight-inch water line.

Exhibit A

NOW, THEREFORE, for \$1.00 and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the District grants, conveys, transfers, and assigns to the City the following:

1. All rights, title, and interest in and to the easements as granted to the Grantee in the Water Easement Agreement.

2. The City hereby accepts the assignment of the above-described easements and agrees to assume, perform and be bound by all of the covenants, terms, and conditions of the Grantee as set forth in the Water Easement Agreement to the same extent and as fully as if the City was originally the Grantee therein.

3. This Agreement shall be binding upon and inure to the benefits of the parties hereto, their successors and assigns.

NAPERVILLE PARK DISTRICT

CITY OF NAPERVILLE

By: _____
President

By: _____
Mayor Steve Chirico

ATTEST:

Secretary

City Clerk, Pam Gallahue, Ph.D.