STREET AND UTILITY FACILITIES AGREEMENT FOR VANDEBROOK, INC.

THIS AGREEMENT is made this 5 day of November, 1991, by and between Vandebrook, Inc., hereinafter referred to as "Vandebrook", and the City of Waterloo, a municipal corporation, organized and existing pursuant to the laws of the State of Illinois, in the County of Monroe and in the State of Illinois, hereinafter referred to as "City";

WHEREAS, Vandebrook is the developer of a subdivision in Monroe County, Illinois, known as Vandebrook Estates, a plat of which is recorded in the Office of the Recorder of Deeds of Monroe County, Illinois, in Plat Envelope 180D, hereinafter referred to as "Vandebrook Estates", and

WHEREAS, Vandebrook has installed a sewer main, lift station, manholes and related sewer facilities, hereinafter referred to as "Sewer Facilities", from the City sewer treatment facility to the boundary of Vandebrook Estates; and

WHEREAS, Vandebrook has installed a water main and related water facilities, hereinafter referred to as "Water Facilities", from the City water treatment facility to the boundary of Vandebrook Estates; and

WHEREAS, Vandebrook has installed streets, curbs and gutters within Vandebrook Estates, and a roadway from State Bond Issue Route 3 to the entrance of Vandebrook Estates, hereinafter referred to as "Street Facilities"; and

WHEREAS, Vandebrook has agreed with the City to transfer the ownership of the Sewer Facilities, Water Facilities and Street Facilities upon acceptance thereof by the City; and

WHEREAS, the City has agreed to accept said Sewer Facilities, Water Facilites and Street Facilities.

NOW, THEREFORE, for and in consideration of the premises and the agreements contained herein, it is mutually agreed as follows:

- 1. Vandebrook does hereby assign, transfer, convey and quit claim to the City the Sewer Facilities, Water Facilities and Street Facilities and does hereby agree that any extensions or additions to said Sewer Facilities, Water Facilities and Street Facilities shall become the property of the City upon the installation thereof, without further act upon the part of Vandebrook, when such extensions or additions are accepted by the City.
- 2. No extensions or additions to the Sewer Facilities, Water Facilities and Street Facilities shall be made by Vandebrook or any other person or entity without written permission of the City.
- 3. The City does hereby accept the Sewer Facilities, Water Facilities and Street Facilities and assumes responsiblity for the maintenance and operation of same.

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

VANDEBROOK, INC.

STATE OF ILLINOIS MONROE COUNTY FILED FOR HELIORD

By: Kum R Kohlmin
President

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CITY OF WATERLOO, ILLINOIS

ATTEST;

SS.

STATE OF ILLINOIS

COUNTY OF MONROE

I, the undersigned, a Notary Public in and for said county in the state aforesaid, do hereby certify that Vandebrook Inc., by its President and Secretary, personally known to me to be the same persons whose names are subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that they signed, sealed and delivered the said instrument as their free and voluntary act, for the uses and purposes therein set forth.

Given under my hand and notary seal this 5 1991.

"Official Seal Patricia R. Hayes Notary Public, Monroe County State of Illinois My Commission Expires January 5, 1993

STATE OF ILLINOIS

COUNTY OF MONROE

I, the undersigned, a Notary Public in and for said county in the state aforesaid, do hereby certify that the City of Waterloo by its Mayor and City Clerk, personally known to me to be the same persons whose names are subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that they signed, sealed and delivered the said instrument as their free and voluntary act, for the uses and purposes therein set forth.

Given under my hand and notary seal this 6 day of November 1991.

"OFFICIAL SEAL" STEPHEN F. JUNG MONROE COUNTY, IL *** 00 1815313 EXPINES JAN. 25, 1993

MSR/je/W-Ord#2-2