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| LOGO2LIN | | | **Agreement with Utility Company to Acquire Substitute Right of Way** |
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| THIS AGREEMENT, made and entered into this       day of      ,     , by and between the STATE OF ILLINOIS, hereinafter called "STATE", acting by and through its Department of Transportation, and the      , an       corporation, hereinafter called "". (Use "COMPANY" when agreement involves a railroad.) | | | |
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| **Witnesseth:** | | | |
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| WHEREAS, STATE is engaged in the       of       in       County, Illinois; and | | | |
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| WHEREAS, UTILITY owns right of way adjacent to said Highway and operates a certain power line thereon; and | | | |
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| WHEREAS, the       of said Highway requires as a necessary incident thereto the relocation of the wires, poles, and other appurtenances of said 'S power line; and | | | |
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| WHEREAS, the       of said Highway requires as a necessary incident thereto the utilization of right of way for highway purposes upon which said 'S power line is presently located; and | | | |
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| WHEREAS, STATE has expressed its willingness to purchase, or acquire through the exercise of the right of eminent domain, such easements, rights, lands or other property hereinafter referred to as "substitute right of way", as may be necessary for the location of said proposed relocated poles, wires and other appurtenances of said 'S power line under Section 4-505 of the Illinois Highway Code. | | | |
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| WHEREAS, the parties hereto desire to define their respective undertakings in connection therewith. | | | |
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| NOW THEREFORE, in consideration of the premises and the mutual covenants and agreements hereinafter contained, it is hereby agreed as follows: | | | |
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|  | 1. | STATE shall acquire at its cost and expense an easement in the "substitute right of way" described as follows: | |
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*(If the legal description is to be attached to document choose “See Attached Legal Description” in the choice box below. Or, if the legal description is to be inserted choose the blank choice (blank space) and insert the legal description in the text field that follows. If the insertion of a legal description adds additional pages to the document, unprotect the document and adjust the page breaks as needed.)*

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|  | 2. | STATE shall thereafter convey the "substitute right of way" to UTILITY for the location of said proposed relocated poles, wires and other appurtenances of UTILITY'S power line. |
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|  | 3. | UTILITY will convey without cost or expense to STATE by quitclaim deed to STATE all its right, title and interest in and to its present right of way described as follows: |
|  |  |  |

      (Insert legal description here. If the insertion of the legal description adds additional pages to the

document, unprotect the document and adjust the page breaks as needed.)

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|  | 4. | UTILITY as its earliest opportunity, following execution of this agreement by the parties hereto, shall present this agreement to the Illinois Commerce Commission for such approval as is required under Section 4-505 of the Illinois Highway Code. |

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|  | IN WITNESS WHEREOF, the parties hereto have caused this agreement to be executed on the day and year first above written. | | |
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| STATE OF ILLINOIS, acting by and through its Department of Transportation | | | |
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| By | | |  |
|  | | | Secretary |
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| ATTEST: | | | |
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| Director, Office of Program Development  Department of Transportation | |  | |
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