



November 12, 2018

Rev. James Dougherty  
St. Petronille Parish  
420 Glenwood Avenue  
Glen Ellyn, IL 60137

Re: Parking lot easement

Dear Fr. Dougherty:

I have had an opportunity to review the easement that was recorded in 1982 that granted St. Petronille school parents and parishioners permission to utilize the easement premises for short term parking and for ingress and egress to St. Petronille's parking lot as well as Main Street. Paragraph IX of the easement provides as follows:

IX. AUTOMATIC TERMINATION OF GRANT: This grant of easement shall continue only so long as the corporate authorities of the Village of Glen Ellyn deem it in the best interest of the Village of Glen Ellyn to maintain Parcel 1 as a municipal or public parking lot. Should the corporate authorities of the Village of Glen Ellyn determine, by the adoption of an ordinance, that the continued use and maintenance of Parcel 1 as a municipal parking lot is not in the best interest of the Village of Glen Ellyn, then the Village of Glen Ellyn may terminate this grant of easement by recording a certified copy of its ordinance containing the finding required by this paragraph and shall cause a certified copy of said ordinance to be delivered to the Grantee, whereupon appropriate releases of the grant of easement shall be executed in recordable form and exchanged between the parties hereto, their successors or assigns. Should Grantee, its successors or assigns fail or refuse to execute an appropriate release, Granter may enforce this instrument by appropriate action and should Grantor prevail [sic] in this limited situation, Granter shall recover as part of its costs a reasonable attorney's fee.

Based on this language, the Village has the power and authority to terminate the easement according to the process set forth in Paragraph IX, which it appears they intend to do.

I realize that the termination of the easement is going to present significant traffic flow issues for the school and parish and I have had conversations with Village officials regarding the same. As you know, on November 6, 2018 several St. Petronille representatives and I met with four Village officials, namely Mark Franz, Village Manager; Staci Springer, Director of Planning and Development; Kelly Purvis, Village Planner; and Philip Norton, Chief of Police. We had a very productive conversation and all in attendance agreed that the safety of the school children, parishioners and other pedestrians in the area is of paramount importance. The Village pledged to work with the Diocese and St. Petronille Parish to address the traffic flow issues and alleviate the safety concerns. The Village



officials were very honest and sincere. I have every reason to believe that with their assistance, we will figure this out and come to a resolution that works for St. Petronille Parish and School, as well as the Village of Glen Ellyn.

I will be working with you and the Village throughout this process. Please feel free to contact me at any time to discuss the matter.

Very truly yours,

A handwritten signature in blue ink that reads "Maureen Harton".

Maureen Harton  
Diocesan Attorney  
815/221-6211  
[mharton@dioceseofjoliet.org](mailto:mharton@dioceseofjoliet.org)

cc: via email to  
Greg Mathews  
Mark Franz  
Staci Springer  
Diane Makowski  
Maureen Aspell  
Tim Barder  
Rich Schulz