

Recording of solar energy easements.

1. Any easement obtained for the purpose of facilitating the creation of a solar energy development shall be created in writing and shall be subject to the same conveyancing and instrument recording requirements as other easements.
2. Any instrument creating a solar energy easement shall include, but shall not be limited to:
 - a. A description of the properties, servient and dominant, including;
 - i. Name and address of the Person/Firm preparing the instrument (55ILCS 5/3 5022)
 - ii. "Return To" – Indicate complete name and address of where this document should be returned by Recorder's Office
 - iii. Legal Description(s), Parcel Identification Number(s) and Common Address of Property
 - b. The vertical and horizontal angles, expressed in degrees, at which the solar energy easement extends over the real property subject to the solar energy easement.
 - c. A description of where the easement falls across the servient property in relation to existing boundaries and various setbacks established by the local zoning authority.
 - d. Terms or conditions under which the solar energy easement is granted or will be terminated.
 - e. The restrictions placed upon vegetation, structures, and other objects which would impair or obstruct the passage of sunlight through the easement. Further, the provisions for trimming vegetation that would impermissibly obstruct the passage of sunlight through the easement including any compensation for trimming expenses.
 - f. Any provisions for compensation of the owner of the property benefiting from the solar energy easement in the event of interference with the enjoyment of the solar energy easement or compensation of the owner of the property subject to the solar energy easement for maintaining the solar energy easement.
3. Any instrument creating a solar easement shall be recorded in the Fulton County Recorder's Office.