

RESOLUTION R-74-06
RESOLUTION APPROVING TIER APPROACH CORRECTIONS
OBJECTIVES AGREEMENT
EXXON MOBIL CORPORATION

WHEREAS, Exxon Mobil Corporation has requested the City of Wheaton's approval of a Tiered Approach to Corrective Objectives Agreement (hereinafter "TACO Agreement"); and

WHEREAS, 35 ILL. Admin. Code Section 742.1020, provides for TACO Agreements; and

WHEREAS, the Corporate Authorities of the City of Wheaton, deem it in the best interest of the public safety, health and welfare to approve TACO Agreements where an engineered barrier protects the public from contaminants and where there is no intent to remove the engineered barriers; and

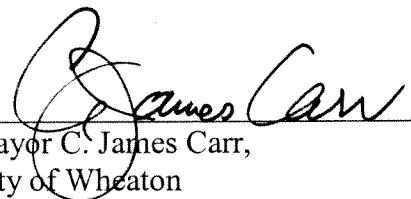
WHEREAS, the TACO Agreement provides for the removal and proper disposal of the contaminants if the engineered barrier is removed or opened; and

WHEREAS, the TACO Agreement establishes *prima facie* liability for the deposit of contaminants and places the monetary obligation for the removal and proper disposal of the contaminants on an owner/operator if the engineered barrier is removed.

NOW, THEREFORE, be it Resolved by the Mayor and City Council of the City of Wheaton, DuPage County, Illinois, that the Mayor is hereby authorized to sign, and the City Clerk is hereby directed to attest, to that certain TACO Agreement between the City of Wheaton and Exxon Mobil Corporation attached hereto and incorporated herein as Exhibit A, subject to those revisions made by the City Attorney to make the Agreement consistent, as applicable, with the TACO Agreement with Exxon Mobil Corporation.

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ADOPTED this 16th day of October, 2006.



C. James Carr
Mayor C. James Carr,
City of Wheaton

ATTEST:



Emily M. Consolazio

Emily M. Consolazio, City Clerk
City of Wheaton

Roll Call Vote:

Ayes:

Councilman Mouhelis
Councilman Suess
Councilman Bolds
Councilwoman Corry
Councilman Johnson
Mayor Carr

Nays:

None

Absent:

Councilman Levine

Motion Carried Unanimously

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CITY CLERK'S NOTE: July 17, 2007

Per City Attorney James H. Knippen, II, Mobil's TACO (Highway) Agreement was not returned (executed) in a timely manner.