

RESOLUTION R-37-10  
A RESOLUTION AUTHORIZING THE DISPOSAL  
OF CERTAIN SURPLUS PROPERTY

WHEREAS, Section 2-506 of the Wheaton City Code sets forth a procedure for disposal of property found to be surplus; and

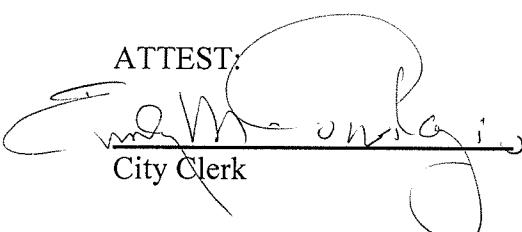
WHEREAS, a request to dispose of property described in Exhibit "A" attached hereto and made a part hereof by reference, has been submitted; and

WHEREAS, the City Manager has approved said request and forwarded it to the City Council for authorization.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Wheaton, Illinois, that the City Manager is authorized to proceed with disposal of said surplus property in compliance with the provisions of Section 2-506, and is authorized to either advertise for bids, contact directly likely purchasers, and to take other such responsible means to cause the most profitable recovery to the City of Wheaton, or, if unable to sell said property, give said property to any not-for-profit corporation, organization, or entity having its principal place of business or doing a substantial amount of business in the city, at no charge to the recipient or to junk the property at the least possible cost to the city. The City Manager shall report back to the City Council in compliance with paragraph (i) of said Section when all or a majority of said property has been disposed of.

ADOPTED this 19th day of July, 2010.

ATTEST:

  
Emily M. Mouhelis  
City Clerk

  
Michael Gresk  
Mayor

Ayes:

Roll Call Vote:  
Councilman Suess  
Councilwoman Corry  
Councilman Levine  
Mayor Gresk  
Councilman Scalzo

Nays:

None

Absent:

Councilman Mouhelis  
Councilman Prendiville

Motion Carried Unanimously



Ex A

501  
J. Birkett  
S. Vega

OFFICE OF THE STATE'S ATTORNEY  
DuPAGE COUNTY, ILLINOIS

JOSEPH E. BIRKETT  
STATE'S ATTORNEY

CASE CLOSING NOTICE - ARTICLE 36 SEIZURE

TO: Angela Smith FAX: 260-2154  
AGENCY WH DATE: 6-1-10 PAGES 2  
FROM: ASA Tom Vega, Special Prosecution Unit

COURT CASE: 10 MR 460

CASE HAS BEEN CLOSED BY:

CONTESTED hearing with:  Legal counsel  Pro se  
 UNCONTESTED hearing - SAO presented evidence and no parties appeared  
 AGREED order between parties with:  Legal counsel  Pro se  
 DEFAULT hearing - parties failed to file a claim or respond to notice

VEHICLE DISPOSITION:

LIEN HOLDER RELEASE pursuant to 720 ILCS 5/36-1a  
 RELEASE/RETURN  Innocent Owner  Spouse/Family  Owner/Def  
 \* AWARD TO AGENCY  Default  Court Ruling  Agreement

**\* NOTE - VEHICLES AWARDED TO YOUR AGENCY:**

Per Civil Rules of Procedure, persons may file a motion to vacate a forfeiture order within thirty (30) days of the entry of the order. If you obtain a new title and seek to dispose of the vehicle, we suggest you wait more than 30 days before actual disposal.

STATE OF ILLINOIS

UNITED STATES OF AMERICA

COUNTY OF DU PAGE

IN THE CIRCUIT COURT OF THE EIGHTEENTH JUDICIAL CIRCUIT

PEOPLE OF THE STATE OF ILLINOIS

-vs-

2009 CHEVROLET

DEFENDANT(S)

CASE NUMBER

10MR460

CASE CLOSED  
JUDGE'S INIT. *W*

## AWARD ORDER

FILED  
2010 JUN -1 PM 2:45  
File Stamp RecdChris Kachirouhas  
CLERK OF THE  
18TH JUDICIAL CIRCUIT  
DU PAGE COUNTY, ILLINOIS

This cause coming on to be heard upon the motion of the \_\_\_\_\_ and the Court being fully advised in the premises, having jurisdiction in the subject matter, upon a:

CONTESTED - ATTY P. MAGANA  Agreed Order of the Parties  
 Forfeiture Hearing (720 ILCS 5/36-2)  Other \_\_\_\_\_

Entry of Judgment on Default  Other \_\_\_\_\_

IT IS HEREBY ORDERED: The listed vehicle, a

2009 CHEVROLET.

(Year)

(Make)

2 G 1 WD 5 7 C 5 9 1 1 6 8 4 0 2.  
 (1) (2) (3) (4) (5) (6) (7) (8) (9) (10) (11) (12) (13) (14) (15) (16) (17)

1. Vehicle is awarded to WHEATON POLICE (100311-1576),  
in accordance with 720 ILCS 5/36-2.  
(SO 10-11122).
2. The Illinois Secretary of State is directed to:

- a. Indicate that all right, title and interest in the listed vehicle is terminated immediately against the parties listed on the official title records of the Secretary of State.
- b. Accept the application for a Certificate of Title by WHEATON POLICE.

Other Terms or Conditions for Release: \_\_\_\_\_

Electronically Certified

Case Closed

Strike future Court date: \_\_\_\_\_

BY

JOSEPH E. BIRKETT, States Attorney  
Attorney No. 50000  
503 N. County Farm Road  
Wheaton IL 60187  
(630) 407-8000

TEV

ENTER:

DATE:

I, Chris Kachirouhas, Clerk of the 18th Judicial Circuit Court, DuPage County, Illinois, do hereby certify the above to be correct.

Date 01-Jul-2010

CHRIS KACHIROUBAS, Clerk

CHIS KACHIROUBAS

By DEWEY HARTMAN Deputy Clerk

This order is the command of the Circuit Court and violation thereof is subject to the penalty of the law. 2709422