

RESOLUTION R-10-17

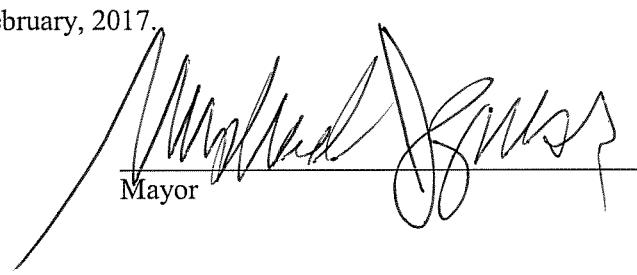
A RESOLUTION APPROVING THE FINAL PLAT OF AMBER COURT SUBDIVISION (1764 West Wiesbrook Road)

WHEREAS, the Owner has submitted a plat of subdivision of the property located at 1764 West Wiesbrook Road to the City for approval (the property is described on Exhibit "A" attached to this resolution); and the Wheaton City staff has recommended that the plat of subdivision be approved.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Wheaton, Illinois that the Final Plat of Amber Court Subdivision, as prepared by Donald Rericka, an Illinois Professional Land Surveyor, dated January 18, 2017 is hereby approved.

IT IS FURTHER RESOLVED that the Mayor is authorized to sign the approval form and the City Clerk is authorized and directed to attest to the signature of the Mayor and attach a certified copy of this resolution of approval.

ADOPTED this 21st day of February, 2017.



Mayor

ATTEST:



City Clerk

	<u>Roll Call Vote</u>
Ayes:	Councilman Scalzo Councilwoman Fitch Councilman Prendiville Mayor Gresk
Nays:	None
Absent:	Councilman Rutledge Councilman Saline Councilman Suess

Motion Carried Unanimously

EXHIBIT "A"

Amber Court Subdivision
1764 West Wiesbrook Road, Wheaton, Illinois

Legal Description

THAT PART OF THE SOUTHEAST QUARTER OF SECTION 19, AND THE NORTHEAST QUARTER OF SECTION 30, TOWNSHIP 39 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHEAST CORNER OF LOT 3 OF WATER TOWER PLACE, PER DOCUMENT NUMBER R80-17053, RECORDED MARCH 21, 1980; THENCE NORTH 00 DEGREES 48 MINUTES 33 SECONDS WEST ALONG THE EAST LINE OF SAID WATER TOWER PLACE, A DISTANCE OF 381.95 FEET TO THE CENTERLINE OF WIESBROOK ROAD; THENCE NORTH 59 DEGREES 09 MINUTES 01 SECONDS EAST ALONG SAID CENTERLINE OF WIESBROOK ROAD, A DISTANCE OF 288.79 FEET TO THE NORTHWEST CORNER OF WALNUT GROVE SUBDIVISION, PER DOCUMENT NUMBER R78-36749, RECORDED MAY 2, 1978; THENCE SOUTH 00 DEGREES 48 MINUTES 33 SECONDS EAST ALONG THE WEST LINE OF SAID WALNUT GROVE SUBDIVISION, A DISTANCE OF 399.91 FEET TO THE SOUTHWEST CORNER OF SAID WALNUT GROVE SUBDIVISION; THENCE SOUTH 62 DEGREES 19 MINUTES 49 SECONDS WEST ALONG THE NORtherly RIGHT-OF-WAY LINE OF DUPAGE COUNTY PARKWAY (FORMERLY CHICAGO, AURORA AND ELGIN RAILROAD), A DISTANCE OF 280.24 FEET TO THE POINT OF BEGINNING, CONTAINING 2.244 ACRES, MORE OR LESS, IN DUPAGE COUNTY, ILLINOIS,

INCLUDING:

AN EASEMENT IN FAVOR OF COMMONWEALTH EDISON COMPANY, HENCEFORTH REFERRED TO AS OUTLOT C, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF LOT 3 OF WATER TOWER PLACE, PER DOCUMENT NUMBER R80-17053, RECORDED MARCH 21, 1980; THENCE NORTH 00 DEGREES 48 MINUTES 33 SECONDS WEST ALONG THE EAST LINE OF SAID WATER TOWER PLACE, A DISTANCE OF 381.95 FEET TO THE CENTERLINE OF WIESBROOK ROAD; THENCE NORTH 59 DEGREES 09 MINUTES 01 SECONDS EAST ALONG SAID CENTERLINE OF WIESBROOK ROAD, A DISTANCE OF 288.79 FEET TO THE NORTHWEST CORNER OF WALNUT GROVE SUBDIVISION, PER DOCUMENT NUMBER R78-36749, RECORDED MAY 2, 1978; THENCE SOUTH 00 DEGREES 48 MINUTES 33 SECONDS EAST ALONG THE WEST LINE OF SAID WALNUT GROVE SUBDIVISION, A DISTANCE OF 38.12 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING SOUTH 00 DEGREES 48 MINUTES 33 SECONDS EAST ALONG SAID WEST LINE, A DISTANCE OF 124.66 FEET; THENCE SOUTH 89 DEGREES 11 MINUTES 27 SECONDS WEST, A DISTANCE OF 63.06 FEET; THENCE NORTH 00 DEGREES 48 MINUTES 33 SECONDS WEST, A DISTANCE OF 111.15 FEET; THENCE NORTH 59 DEGREES 09 MINUTES 01 SECONDS EAST, A DISTANCE OF 72.84 FEET TO THE POINT OF BEGINNING, CONTAINING 0.154 ACRES, MORE OR LESS, IN DUPAGE COUNTY, ILLINOIS.

PIN: 05-19-405-009; -010

PLAT SUBMITTED FOR RECORDING BY:
CITY OF WHEATON
303 W. WESLEY ST.
WHEATON, ILLINOIS 60178

FINAL PLAT OF SUBDIVISION AMBER COURT SUBDIVISION

BEING A SUBDIVISION OF PART OF THE THE SOUTHEAST QUARTER OF SECTION 19 AND THE
PART OF THE NORTHEAST QUARTER OF SECTION 20, ALL IN TOWNSHIP 39 NORTH, RANGE 10
EAST OF THE THIRD PRINCIPAL MERIDIAN, DUPAGE COUNTY, IL

PERMANENT STORMWATER MANAGEMENT EASEMENT PROVISIONS

ALL EASEMENTS INDICATED AS STORMWATER MANAGEMENT EASEMENTS ARE
PERMANENT EASEMENTS RESERVED FOR AND GRANTED TO THE CITY OF
WHEATON AND ITS SUCCESSORS AND ASSIGNS ON A NON-EXCLUSIVE BASIS
NO DESIGNATION BEING PROVIDED. THESE EASEMENTS MAY NOT BE
USED FOR OTHER PURPOSES THAT DO NOT ADVERSELY AFFECT THE
STORAGE/FREE FLOW OF STORMWATER OR OTHERWISE VIOLATE APPLICABLE
STORMWATER LAWS, ORDINANCES, CODES, ORDERS AND REGULATIONS. EACH OWNER
SHALL BE TOTALLY RESPONSIBLE FOR MAINTAINING THE STORMWATER
MANAGEMENT FACILITY IN ACCORDANCE WITH THE RECOMMENDED
MAINTENANCE SCHEDULES OUTLINED IN THE STORMWATER MANAGEMENT
REPORT. NO DESIGNATION IS PROVIDED ON MODIFY GRADES OR SLOPES, OR VARY
DESIGN OR FUNCTION IN ANY WAY, WHICH WOULD VIOLATE APPLICABLE
STORMWATER LAWS, ORDINANCES, CODES AND REGULATIONS, OR THE
ORIGINAL APPROVED DESIGN WITHOUT FIRST HAVING RECEIVED WRITTEN
APPROVAL FROM THE CITY OF WHEATON OR THE COUNTY AS THE LAW MAY
REQUIRE.

IN THE EVENT ANY OWNER FAILS TO MAINTAIN ANY SUCH
EASEMENT/STORMWATER MANAGEMENT FACILITY THE CITY OF WHEATON,
ILLINOIS, OR THE COUNTY OF DUPAGE, ILLINOIS, OR THE STATE OF ILLINOIS,
NATURE AND DEFECT OF THE DEFAULT AND THAT THE OWNER SHALL NOT
HAVE CURED SAID DEFAULT, SHALL HAVE THE RIGHT, BUT NOT THE
OBLIGATION, TO PERFORM OR HAVE PERFORMED ON ITS BEHALF, ANY
MAINTENANCE, REPAIR, OR RECONSTRUCTION OF THE EASEMENT/STORMWATER
MANAGEMENT FACILITY AND ITS APPURTENANCES REASONABLY NECESSARY
TO INSURE ADEQUATE STORMWATER STORAGE/FREE FLOW OF WATER, EROSION
CONTROL, AND STABILIZATION, AND TO MAINTAIN STAGNANT WATER WITHIN
THE DETENTION AREA, CONFORMING WITH APPLICABLE STORMWATER
CODES, ORDINANCES AND REGULATIONS OR RESTORE THE EASEMENT AREA
TO ITS ORIGINAL DESIGN PARAMETERS AND FUNCTIONS. AS AN ALTERNATIVE
TO PERFORMING THE WORK AS DESCRIBED HEREIN THE CITY RETAINS ANY
AND ALL REMEDIES PROVIDED IN LAW OR IN EQUITY TO ENFORCE THE
OWNER'S OBLIGATIONS.

IN THE EVENT THE CITY OF WHEATON, ILLINOIS PERFERS OR HAS
PERFORMED ANY MAINTENANCE WORK, REPAIRS OR RECONSTRUCTION WORK
AS DESCRIBED HEREIN TO OR UPON ANY SUCH FACILITY OR EASEMENT AREA
THE COST TOGETHER WITH AN ADDITIONAL SUM OF TEN (10) PERCENT OF SAID
COST SHALL BE ASSESSED AGAINST THE OWNER OF EACH LOT WITHIN THE
SUBDIVISION. IT'S SUCCESSORS AND ASSIGNS. THE CITY MAY INSTITUTE
A LIEN AGAINST THE EASEMENT PROPERTY. THE CITY SHALL HAVE THE RIGHT
TO FORECLOSE THE LIEN ON EACH LOT WITHIN THE PROPERTY UPON FAILURE
OF THE OWNER TO PAY THE LIEN AMOUNT WITHIN FORTY-FIVE (45) DAYS OF THE
(14) DAYS OF THE CITY'S WRITTEN NOTICE OF LIEN TO THE ASSOCIATION.
THIS LIEN MAY BE ENFORCED BY ANY ACTION BROUGHT BY OR ON BEHALF
OF THE CITY OF WHEATON. ANY ATTORNEY FEES INCURRED BY THE CITY IN
THE ENFORCEMENT OF THE OWNER'S OBLIGATIONS AS SET FORTH SHALL BE
REIMBURSED TO THE CITY BY THE OWNER(S).

THE ABOVE EASEMENT PROVISIONS SHALL ALSO APPLY TO THE PERPETUAL
MAINTENANCE, REPAIRS, AND RECONSTRUCTION OF THE STORMWATER
PRACTICES DESIGN IMPROVEMENTS AND ALL DETENTION FACILITIES AND
IMPROVEMENTS AS OUTLINED IN THE STORMWATER MANAGEMENT
REPORT DATED _____ AS APPROVED AND AMENDED AND
PLANS DATED _____ AS APPROVED AND AMENDED AND
ANNUALLY THE OWNER SHALL KEEP AN INSPECTION AND MAINTENANCE LOG
ON THE PREMISES OF THE STORMWATER MANAGEMENT FACILITY AND BUP
DEVICES WHICH THEY SHALL MAKE AVAILABLE TO THE CITY OF WHEATON
UPON REQUEST.

THE ABOVE PROVISIONS SHALL RUN WITH THE LAND AND BE BINDING ON ALL
SUCCESSIONS, ASSIGNS, AND GRANTEES.

SURVEYOR'S CERTIFICATE

STATE OF ILLINOIS] 39
COUNTY OF KANE]
[

I, DONALD REIFKA, ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 35-3465, DO
HEREBY CERTIFY THAT AT THE REQUEST OF THE OWNER, THEREIN, HAVE
SURVEYED AND SUBDIVIDED THE FOLLOWING DESCRIBED PROPERTY.

THAT PART OF THE SOUTHEAST QUARTER OF SECTION 19, AND THE NORTHEAST
QUARTER OF SECTION 20, IN TOWNSHIP 39 NORTH, RANGE 10 EAST OF THE THIRD
PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: BEGGINING AT THE SOUTHEAST
CORNER OF LOT 3 OF WATER TOWER PLACE, PER DOCUMENT NUMBER R80-17053,
RECORDED MARCH 21, 1986, THENCE NORTH 00 DEGREES 48 MINUTES 33 SECONDS
WEST A DISTANCE OF 288.79 FEET TO THE CENTERLINE OF WATER TOWER PLACE, A DISTANCE OF 181.95
FEET TO THE CENTERLINE OF MESSICK ROAD, THENCE NORTH 00 DEGREES 48 MINUTES
03 SECONDS EAST ALONG SAID CENTERLINE OF MESSICK ROAD 181.95 FEET, THENCE
SOUTH 00 DEGREES 48 MINUTES 33 SECONDS EAST ALONG THE CENTERLINE OF SAID
WALNUT GROVE SUBDIVISION, A DISTANCE OF 399.91 FEET TO THE SOUTHWEST
CORNER OF SAID WALNUT GROVE SUBDIVISION, THENCE SOUTH 82 DEGREES 19
MINUTES 00 SECONDS WEST A DISTANCE OF 111.15 FEET, THENCE NORTH 00
DEGREES 48 MINUTES 33 SECONDS EAST ALONG THE CENTERLINE OF MESSICK
ROAD, A DISTANCE OF 288.79 FEET TO THE NORTHEAST CORNER OF WALNUT GROVE
SUBDIVISION, THENCE NORTH 00 DEGREES 48 MINUTES 33 SECONDS EAST ALONG THE CENTERLINE OF SAID
WALNUT GROVE SUBDIVISION, A DISTANCE OF 38.12 FEET TO THE POINT OF
BEGGINING, THENCE CONTINUING SOUTH 00 DEGREE 48 MINUTES 33 SECONDS EAST
ALONG THE CENTERLINE OF MESSICK ROAD, A DISTANCE OF 111.15 FEET, THENCE NORTH 00
DEGREES 48 MINUTES 33 SECONDS WEST, A DISTANCE OF 83.06 FEET, THENCE NORTH 00
DEGREES 48 MINUTES 33 SECONDS WEST, A DISTANCE OF 111.15 FEET, THENCE
NORTH 00 DEGREES 48 MINUTES 33 SECONDS EAST, A DISTANCE OF 72.84 FEET TO
THE POINT OF BEGGINING, CONTAINING 2.244 ACRES, MORE OR LESS, IN DUPAGE
COUNTY, ILLINOIS.

I FURTHER CERTIFY THAT THE PLAT HEREON DRAWN IS A CORRECT
REPRESENTATION OF SAID SURVEY AND SUBDIVISION WHICH WAS PREPARED IN
COMPLIANCE WITH THE LAWS OF THE STATE OF ILLINOIS.

I FURTHER CERTIFY THAT THE PROPERTY DESCRIBED AND SHOWN ON THE PLAT
HEREON DRAWN IS WITHIN THE CORPORATE LIMITS OF THE CITY OF WHEATON,
DUPAGE COUNTY, ILLINOIS, AND THAT THIS SITE APPEARS TO BE SITUATED IN
"ZONE X" (AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE
FLOODPLAIN AS SHOWN ON THE 2000 INSURANCE RATE MAP NO. 17043CS0504H
AND 17043CS0505H, BOTH WITH AN EFFECTIVE DATE OF DECEMBER 16, 2004 TO THE
BEST OF MY KNOWLEDGE AND BELIEF.

GIVEN UNDER MY HAND AND SEAL THIS 18th DAY OF
MAY, 2017.

ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 35-3465
ALL SURVEYS EXPIRE NOVEMBER 30, 2018
THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT MINIMUM STANDARDS FOR
A BOUNDARY SURVEY.



2 OF 2

WBK
engineering

WBK ENGINEERING, LLC
118 WEST MAIN STREET, SUITE 101
ST. CHARLES, ILLINOIS 60174
(630) 443-7735

CLIENT: DAVID WEEKLEY HOMES
1920 THOREAU NORTH DRIVE
SCHAUMBURG, IL 60173

1	DSGN	RWM	TITLE AMBER COURT SUBDIVISION FINAL PLAT OF SUBDIVISION
2	DVN	RWD	
3	CHD.	DER	
4	SCALE:		
1			1:1000
2			1:1000
3			1:1000
4			1:1000

* As To
EASEMENT PROVISIONS
Approved for recording by the City of Wheaton
and given to the City of Wheaton for recording
and given to the City of Wheaton for recording

Commercial Estate Company
1125 South 2nd Street, Suite 200
Chicago, Illinois

7/17/17
MARK CUTZ
Real Estate Specialist, COMED