

## RESOLUTION R-95-17

A RESOLUTION APPROVING THE PLAT OF  
ROTH'S CONSOLIDATION  
(423 West Oak Avenue)

**WHEREAS**, the Owner has submitted a plat of consolidation of the property located at 423 West Oak Avenue 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 consolidation be approved.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and City Council of the City of Wheaton, Illinois that the plat of Roth's Consolidation, as prepared by Norbert V. Lambert, an Illinois Professional Land Surveyor, dated September 6, 2017 is hereby approved, and the Mayor is hereby authorized to sign, and the City Clerk is authorized and directed to attest, this resolution of approval and the plat of Roth's Consolidation incorporated herein as Exhibit B.

**ADOPTED** this 2<sup>nd</sup> day of October 2017

Mayo

ATTEST:

Sharon Bennett Hagen  
City Clerk

## Roll Call Vote

Ayes: Councilman Suess  
Councilman Barbier  
Councilman Prendiville  
Mayor Gresk  
Councilman Scalzo

Nays: None  
Absent: Councilwoman Fitch  
                  Councilman Rutledge

### Motion Carried Unanimously

**EXHIBIT "A"**

Roth's Consolidation

423 West Oak Avenue  
Wheaton, IL 60187

Legal Description

LOT 1 IN MAGNOLIA'S CONSOLIDATION III OF LOT 8 AND THE WEST 10 FEET OF LOT 7 IN WEBER'S ADDITION TO WHEATON, A SUBDIVISION OF PART OF THE SOUTHEAST QUARTER OF SECTION 8, TOWNSHIP 39 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT OF SAID MAGNOLIA'S CONSOLIDATION III RECORDED FEBURARY 10, 2011 AS DOCUMENT R2011-021084, IN DUPAGE COUNTY, ILLINOIS; AND

LOT 9 IN WEBER'S ADDITION TO WHEATON, A SUBDIVISION OF PART OF THE SOUTHEAST QUARTER OF SECTION 8, TOWNSHIP 39 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED SEPTEMBER 8, 1927 AS DOCUMENT NUMBER 242665 IN DUPAGE COUNTY, ILLINOIS; AND

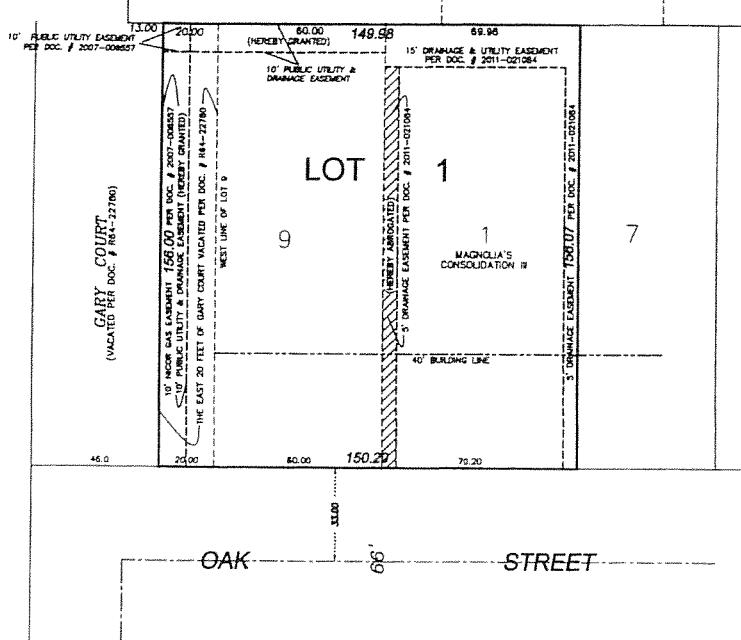
THE EAST 20 FEET OF THAT PART OF 66 FOOT WIDE GARY COURT, AS DEDICATED BY THE PLAT OF WEBER'S SECOND ADDITION TO WHEATON, WHICH LIES NORTH OF THE NORTH LINE OF OAK AVENUE AND SOUTH OF THAT PORTION OF GARY COURT VACATED BY DOCUMENT R64-22780, ALL IN THE SOUTHEAST QUARTER OF SECTION 8, TOWNSHIP 39 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN DUPAGE COUNTY, ILLINOIS.

PIN: 05-08-414-030 & 031

# ROTH'S CONSOLIDATION

BEING A SUBDIVISION OF PART OF THE NORTHWEST 1/4 OF SECTION 8,  
TOWNSHIP 39 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN,  
IN DUPAGE COUNTY, ILLINOIS.

P.I.N.: 05-08-414-030  
P.I.N.: 05-08-414-031



Scale 1" = 30'

#### OWNER'S CERTIFICATE

STATE OF ILLINOIS )  
COUNTY OF DUPAGE ) SS

THIS IS TO CERTIFY THAT THE UNDERSIGNED IS(ARE) THE OWNER(S) OF THE LAND DESCRIBED IN THE ATTACHED PLAT AND HAS(HAVE) CAUSED THE SAME TO BE SURVEYED AND PLATTED AS SHOWN BY THE PLAT FOR THE USES AND PURPOSES AS INDICATED THEREIN, AND DOES(DO) HEREBY ACKNOWLEDGE AND ADOPT THE SAME UNDER THE STYLE AND TITLE THEREAFTER INDICATED.

ALSO, THIS IS TO CERTIFY THAT THE PROPERTY BEING CONSOLIDATED AFORESAID AND, TO THE BEST OF THE OWNERS KNOWLEDGE AND BELIEF, SAID CONSOLIDATION LIES ENTIRELY WITHIN LIMITS OF COMMUNITY UNIT SCHOOL DISTRICT NUMBER 200.

DATED AT Wheaton ILLINOIS THIS 23 DAY OF September 2017.

Caroline Perry Paula Roth  
(OWNER) (OWNER)

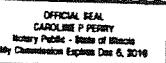
#### NOTARY PUBLIC

STATE OF ILLINOIS )  
COUNTY OF DUPAGE ) SS

Caroline Perry A NOTARY PUBLIC IN AND FOR THE SAID COUNTY AND STATE AFORESAID, DO HEREBY CERTIFY THAT Caroline Perry Karen Roth WHO IS(ARE) PERSONALLY KNOWN TO ME TO BE THE SAME PERSON(S) WHOSE NAME(S) IS(ARE) SUBSCRIBED TO THE FOREGOING INSTRUMENT AS SUCH OWNER(S), APPEARED BEFORE ME THIS DAY IN PERSON AND ACKNOWLEDGED THAT HE(SHE)(THEY) SIGN(S) AND DELIVERED THE SAID INSTRUMENT AS HISHER(THEIR) OWN FREE AND VOLUNTARY ACT FOR THE USES AND PURPOSES THEREIN SET FORTH.

GIVEN UNDER MY HAND AND NOTARIAL SEAL THIS 23 DAY OF September 2017, IN THE YEAR 2017.

Caroline Perry Dec 6, 2019  
NOTARY PUBLIC  
COMMISSION EXPIRES



PARCEL 1:  
LOT 1 IN MACHOLIA'S CONSOLIDATION III OF LOT 8 AND THE WEST 10 FEET OF LOT 7 IN WEBER'S ADDITION TO WHEATON, A SUBDIVISION OF PART OF THE SOUTHEAST 1/4 OF SECTION 8, TOWNSHIP 39 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT OF SAID MACHOLIA'S CONSOLIDATION II RECORDED SEPTEMBER 10, 2011 AS DOCUMENT R20011-021084, IN DUPAGE COUNTY, ILLINOIS.

PARCEL 2:  
LOT 2 IN WEBER'S ADDITION TO WHEATON, A SUBDIVISION OF PART OF THE SOUTHEAST 1/4 OF SECTION 8, TOWNSHIP 39 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED SEPTEMBER 8, 1927 AS DOCUMENT NO. 242685, IN DUPAGE COUNTY, ILLINOIS.

PARCEL 3:  
THE EAST 20 FEET OF THAT PART OF 48 FOOT WIDE GARY COURT, AS DEDICATED BY THE PLAT OF WEBER'S SECOND ADDITION TO WHEATON, WHICH LIES NORTH OF THE NORTH LINE OF OAK AVENUE AND SOUTH OF THAT PORTION OF GARY COURT VACATED BY DOCUMENT #64-22780, ALL IN THE SOUTHEAST 1/4 OF SECTION 8, TOWNSHIP 39 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN THE CITY OF WHEATON, DUPAGE COUNTY, ILLINOIS.

#### SURVEYOR'S CERTIFICATE

STATE OF ILLINOIS )  
COUNTY OF DUPAGE ) SS

I, NORBERT V. LAMBERT JR., AN ILLINOIS PROFESSIONAL LAND SURVEYOR DO HEREBY CERTIFY THAT I HAVE SURVEYED AND PLATTED, FOR PURPOSE OF RECORDING, THE PROPERTY SHOWN IN THE ABOVE CAPTION AS SHOWN BY THE ANNEXED PLAT, WHICH IS A TRUE AND ACCURATE REPRESENTATION OF SAID SURVEY AND CONSOLIDATION DIMENSIONS ARE SHOWN IN FEET AND DECIMAL PARTS THEREOF.

I FURTHER CERTIFY THAT THE PARCEL INCLUDED IN THIS PLAT IS NOT LOCATED IN A 100-YEAR SPECIAL FLOOD HAZARD AREA ON THE DUPAGE REGULATORY FLOOD MAP, PANEL NO. 1701819702501A, EFFECTIVE DATE DECEMBER 16, 2004.

I ALSO CERTIFY THAT THE PROPERTY SHOWN ON THE PLAT HEREBE DRAWN IS WITHIN THE CORPORATE LIMITS OF THE CITY OF WHEATON, WHICH HAS ADOPTED A CITY CODE AND WHICH IS THEREFORE A SPECIAL POLICE AUTHORIZED BY DIVISION 12 OF ARTICLE 11 OF THE ILLINOIS MUNICIPAL CODES AS HERETOFORE AND HEREINAFTER AMENDED.

GIVEN UNDER MY HAND AND SEAL AT WHEATON, ILLINOIS THIS 27 DAY OF Sept. A.D. 2017

Norbert V. Lambert Jr.  
NORBERT V. LAMBERT JR., ILLINOIS PROFESSIONAL LAND SURVEYOR, #1863  
ILLINOIS DESIGN FIRM NO. 184-008511



ORDERED BY WANDERWEIN, DAVIS ORDER NO. 17-G-76 FILE NO. 140861.COM

LAND SURVEYING AND CIVIL ENGINEERING	
<b>LAMBERT &amp; ASSOCIATES</b>	<b>LAND TECHNOLOGY</b>
955 W. LIBERTY DR. WHEATON, IL 60187 P: 630-653-6331 F: 630-653-6396	3922 W. MAIN ST. MCHENRY, IL 60050 P: 815-363-9200 F: 815-363-9223

SUBMITTED BY AND RETURN TO:  
CITY OF WHEATON  
303 W WESLEY STREET  
WHEATON, IL., 60187

#### UTILITY & DRAINAGE EASEMENT PROVISIONS:

ALL EASEMENTS INDICATED AS "PUBLIC UTILITY/DRAINAGE" EASEMENT ON THIS PLAT ARE RESERVED FOR AND GRANTED TO THE USE OF WHEATON, THEIR SUCCESSORS AND ASSIGNS (COLLECTIVELY "GRANTED") FOR THE PERPETUAL RIGHT, PRIVILEGE AND AUTHORITY TO CONSTRUCT, MAINTAIN, REPAIR, INSPECT, OPERATE, AND OPERATE THE PUBLIC UTILITY, TOGETHER WITH ANY AND ALL NECESSARY APPURTENANCES, CABLES, BASKETS, CONNECTIONS, APPLIANCES, AND OTHER STRUCTURES AND APPURTENANCES AS MAY BE DEEMED NECESSARY BY SAID CITY OF WHEATON, UPON, ALONG, UNDER AND THROUGH SAID INDICATED EASEMENT, TOGETHER WITH ROADS, STREETS, AND ADJACENT PROPERTY, FOR NECESSARY MEN AND EQUIPMENT TO DO ANY OF THE ABOVE WORK. THE RIGHT IS ALSO GRANTED, OUTRIGHT, TO OWNERS OF OTHER PLANTS AND SHREWS ON OTHER PLANTS ON THE EASEMENT THAT INTERFERE WITH THE OPERATION OF THE PUBLIC UTILITY, TO THE GRANTEES OR GRANTEES PERFORMING OR CAUSING TO BE PERFORMED ANY OF SAID WORK, SHREWS SHALL BE RESPONSIBLE AT ITS OR THEIR EXPENSE TO BACKFILL ALL AREAS WITH APPROVED MATERIALS BUT SHALL NOT BE LIABLE TO RESTORE ANY PLANT, CABLE AND OTHER SIDEWALK OR LANDSCAPING DISTURBED DURING MAINTENANCE, REPAIR, OR INSPECTION. THE GRANTOR SHALL BE RESPONSIBLE FOR THE FULL AND COMPLETE MAINTENANCE OF THE EASEMENT PREMISES. NO PERMANENT BUILDINGS SHALL BE PLACED ON SAID EASEMENTS, BUT SAME MAY BE USED FOR GARDENS, SHREWS, LANDSCAPING AND OTHER PURPOSES THAT DO NOT THEN OR LATER INTERFERE WITH THE AFORESAID USES OR RIGHTS. ELEVATIONS OR GRADES SHALL NOT BE CHANGED WITHIN THE EASEMENT PREMISES WITHOUT THE WRITTEN APPROVAL OF THE CITY OF WHEATON.

#### CITY ENGINEERING CERTIFICATE

STATE OF ILLINOIS )  
COUNTY OF DUPAGE ) SS

DO HEREBY CERTIFY THAT ALL REGULATIONS GOVERNING PLATS ADOPTED BY THE CITY COUNCIL OF THE CITY OF WHEATON, ILLINOIS, HAVE BEEN COMPILED WITH.

DATED AT WHEATON, ILLINOIS, THIS 23 DAY OF September 2017 A.D. 2017.

#### DIRECTOR OF ENGINEERING

#### CITY COLLECTOR CERTIFICATE

STATE OF ILLINOIS )  
COUNTY OF DUPAGE ) SS

L. COLLECTOR FOR THE Paul Hinds, DO HEREBY CERTIFY THAT THERE ARE NO DELINQUENT OR UNPAID CURRENT OR FORFEITED SPECIAL ASSESSMENTS OR ANY DEFERRED INSTALLMENTS THEREOF THAT HAVE BEEN APPORTIONED AGAINST THE TRACT OF LAND AND INCLUDED IN THE ANNEXED PLAT.

DATED AT Wheaton, ILLINOIS, THIS 23 DAY OF September 2017 A.D. 2017.

#### COLLECTOR

STATE OF ILLINOIS )  
COUNTY OF DUPAGE ) SS

APPROVED THIS 23 DAY OF September 2017 A.D. 2017  
BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF Wheaton, ILLINOIS

BY Paul Hinds MAYOR

ATTEST Caroline Perry CITY CLERK

#### COUNTY CLERK'S CERTIFICATE

STATE OF ILLINOIS )  
COUNTY OF DUPAGE ) SS

Paul Hinds, COUNTY CLERK OF DUPAGE COUNTY, ILLINOIS, DO HEREBY CERTIFY THAT THERE ARE NO DELINQUENT GENERAL TAXES, NO UNPAID FORFEITED TAXES, AND NO REDEMINABLE TAX SALES AGAINST ANY OF THE LAND INCLUDED IN THE ANNEXED PLAT.

Given under my hand and seal of the County Clerk at Wheaton, Illinois.

THIS 23 DAY OF September 2017 Paul Hinds

COUNTY CLERK

#### DUPAGE COUNTY RECORDER'S CERTIFICATE

STATE OF ILLINOIS )  
COUNTY OF DUPAGE ) SS

THIS INSTRUMENT Caroline Perry, WAS FILED FOR RECORD IN THE RECORDER'S OFFICE OF DUPAGE COUNTY,

ON THE 23 DAY OF September 2017, AT 10:00 O'CLOCK A.M.

RECORDER

