

RESOLUTION R-03-14

**A RESOLUTION APPROVING A
PLAT OF EASEMENT GRANT FOR STORMWATER MANAGEMENT
(809 West Liberty Drive)**

WHEREAS, the owner of the property located at 809 West Liberty Drive has presented a plat of easement grant for stormwater management to the City for approval (the property is legally described in Exhibit A, attached to this resolution); and the Wheaton City staff has recommended that the easement grant be approved.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Wheaton, Illinois, that the Plat of Easement Grant for 809 West Liberty Drive, prepared by Richard J. Steinbrecher, an Illinois professional land surveyor, dated October 15, 2013, is hereby approved.

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

ADOPTED this 21st day of January, 2014.



Michael J. Gresk
Mayor

ATTEST:



Sean Bennett Hagen
City Clerk

Ayes:

Roll Call Vote

Councilman Prendiville
Councilman Rutledge
Councilman Saline
Mayor Pro Tem Suess
Councilwoman Pacino Sanguinetti
Councilman Scalzo

Nays:

None

Absent:

Mayor Gresk

Motion Carried Unanimously

EXHIBIT A

Legal Description:

809 West Liberty Drive
Wheaton, IL 60187

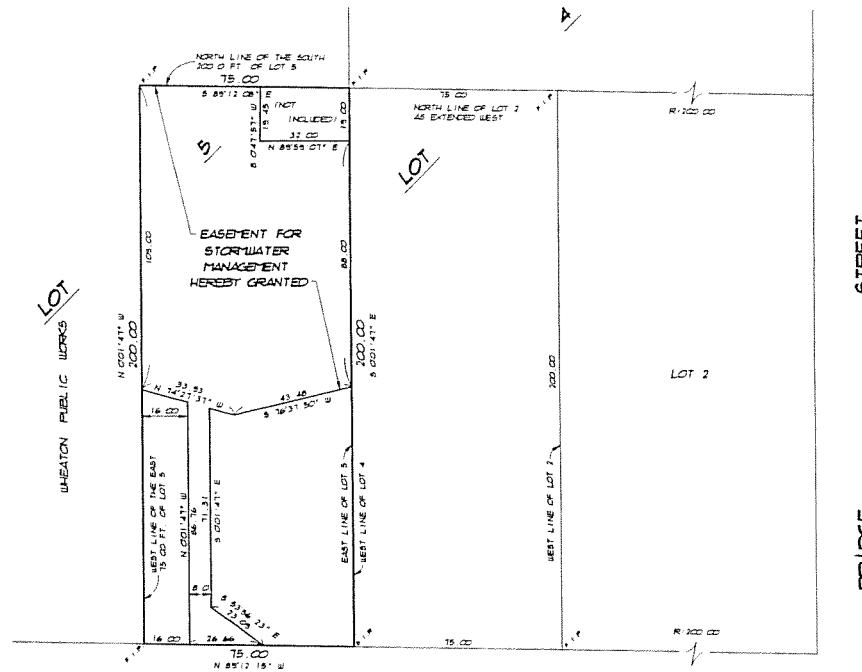
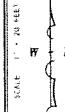
THE SOUTH 200 FEET, AS MEASURED ON THE EAST LINE AND ON THE WEST LINE
OF THE EAST 75 FEET AS MEASURED ON THE SOUTH LINE (AND PARALLEL
THERETO) OF LOT 5 IN WHEATON INDUSTRIAL PARK, AN OWNERS PLAT OF PART
OF THE EAST HALF OF SECTION 17, TOWNSHIP 39 NORTH, RANGE 10 EAST OF THE
THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED
OCTOBER 28, 1963, AS DOCUMENT R63-39278 IN DU PAGE COUNTY, ILLINOIS.

P.I.N. 05-17-401-010

PLAT OF EASEMENT GRANT FOR STORMWATER MANAGEMENT

OVER PART OF THE SOUTH 700 FEET AS MEASURED ON THE EAST LINE AND ON THE WEST LINE OF THE EAST 15 FEET AS MEASURED ON THE SOUTH (AND PARALLEL THEREOF) OF LOT 5 IN WHEATON INDUSTRIAL PARK, AN OWNERS PLAT OF PART OF THE EAST HALF OF SECTION 17, TOWNSHIP 39 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED OCTOBER 18, 2013 DOCUMENT #20130104 IN DU PAGE COUNTY, ILLINOIS.

PIN 051-14-010



LIBERTY

DRIVE

STATE OF ILLINOIS / 155
COUNTY OF DU PAGE / 1

THIS INSTRUMENT NO. _____ WAS FILED FOR RECORD IN THE RECORDER'S OFFICE OF DU PAGE
COUNTY ILLINOIS THIS ____ DAY OF _____ 2013 AT ____ O'CLOCK A.M.

COUNTY RECORDER

STATE OF ILLINOIS / 155
COUNTY OF DU PAGE / 1

MAJOR AND CITY COUNCIL CERTIFICATE
MAYOR AND CITY COUNCIL OF THE CITY OF WHEATON, COUNTY OF DU PAGE, STATE OF ILLINOIS, HEREBY
CERTIFY THAT THE SAID COUNCIL HAS DULY APPROVED THIS PLAT OF EASEMENT GRANT ATTACHED HERETO BY
RESOLUTION NO. _____ DULY AUTHENTICATED AS PASSED THIS ____ DAY OF _____ 2013

ATTEST
CITY CLERK

MAYOR

STATE OF ILLINOIS / 155
COUNTY OF DU PAGE / 1

THIS IS TO CERTIFY THAT WE, STEINBRECHER LAND SURVEYORS, INC., PROFESSIONAL LAND SURVEYING
FIRM NO. 184-083125, HAVE PREPARED THE ANEXED PLAT FOR THE PURPOSES OF GRANTING AN EASEMENT

WEST CHICAGO, ILLINOIS OCTOBER 18, 2013



STEINBRECHER LAND SURVEYORS, INC. BY
Richard J. Steinbrecher
PROFESSIONAL LAND SURVEYOR NO. 3593
MY LICENSE EXPIRES NOVEMBER 30, 2014

Steinbrecher Land Surveyors, Inc.
Professional Land Surveyors
Dodge Park Corporation No. 04-003126
141 S. Mainor Blvd., West Chicago, IL 60185-2844
(630) 293-8900
Fax 293-8901

PREPARED FOR
CHRIS SHENK
838 N. STOCKARD AVENUE
WHEATON, IL 60187

SUBMITTED BY & RETURN TO
CITY OF WHEATON
383 W. WESLEY STREET
WHEATON, IL 60187

STORMWATER MANAGEMENT EASEMENT PROVISIONS

THE EASEMENT INDICATED AS STORMWATER MANAGEMENT EASEMENT IS RESERVED FOR AND GRANTED TO THE CITY OF WHEATON AND ITS SUCCESSORS AND ASSIGNEES FOR THE PURPOSE OF MAINTAINING AND OPERATING THE STORMWATER MANAGEMENT FACILITY AND MAY BE USED FOR OTHER PURPOSES THAT DO NOT ADVERSELY AFFECT THE STORAGE/RELEASE FLOW OF STORMWATER. EACH OWNER OR SUBSEQUENT PURCHASER SHALL BE EQUALLY RESPONSIBLE FOR MAINTAINING SUCH STORMWATER MANAGEMENT FACILITY AND SHALL NOT DESTROY OR ALTER GATES OR SLIDES WITHOUT FIRST RECEIVING WRITTEN APPROVAL FROM THE CITY OF WHEATON.

IN THE EVENT THE OWNER OR SUBSEQUENT PURCHASER FAILS TO MAINTAIN AND OPERATE THE STORMWATER MANAGEMENT FACILITY OR THE STORMWATER MANAGEMENT FACILITY FAILS TO FUNCTION AS DESIGNED, THE CITY OF WHEATON, IN THE EVENT OF DEFECT OF THE OWNER'S DEFAULT AND THAT THE OWNER SHALL NOT HAVE CURED SAID DEFAULT, SHALL RESERVE THE RIGHT TO REPAIR OR HAVE PERFORMED ON IT'S BEHALF ANY MAINTENANCE WORK UPON THE DETENTION AREA REASONABLY NECESSARY TO INSURE THE PROPER OPERATION OF THE STORMWATER MANAGEMENT FACILITY. THE OWNER SHALL PAY THE CITY OF WHEATON FOR THE COST OF REPAIR OR HAVE PERFORMED ON IT'S BEHALF ANY MAINTENANCE WORK UPON THE DETENTION AREA REASONABLY NECESSARY TO INSURE THE PROPER OPERATION OF THE STORMWATER MANAGEMENT FACILITY AND PROVIDED FURTHER THAT IN THE EVENT THAT THE CITY OF WHEATON ELECTS TO PERFORM THE REPAIR OR HAVE PERFORMED ON IT'S BEHALF, IT SHALL PROVIDE THE OWNER WITH PROPER INSURANCE CERTIFICATES OF ALL SURVEYORS WORKING ON THE EASEMENT AND PAY THE COST OF THE INSURANCE.

IN THE EVENT THE CITY OF WHEATON, ILLINOIS SHALL BE REQUIRED TO PERFORM OR HAVE PERFORMED ON IT'S BEHALF ANY MAINTENANCE WORK TO OR UPON ANY SUCH FACILITY OR EASEMENT AREA, THE COST THEREFOR, WITH AN ADDITIONAL 10% DEFENSE, 100% PERCENT OF SAID COST SHALL BE ASSESSED TO THE OWNER OR IT'S SUCCESSORS AND ASSIGNEES AND SHALL CONSTITUTE A LIEN AGAINST THE PROPERTY WHICH MAY BE ENFORCED BY ANY ACTION BROUGHT BY OR ON BEHALF OF THE CITY OF WHEATON.

NOTARY'S CERTIFICATE
STATE OF ILLINOIS / 155
COUNTY OF DU PAGE / 1

NOTARY'S CERTIFICATE
STATE OF ILLINOIS / 155
COUNTY OF DU PAGE / 1

I, CHRISTOPHER J. SHENK, A NOTARY PUBLIC IN AND FOR SAID COUNTY, IN THE STATE AFORESAID, DO
HEREBY CERTIFY THAT CHRISTOPHER J. SHENK AND CARRIE A. SHENK, PERSONALLY KNOWN TO ME TO BE THE SAME
PERSONS, RESPECTIVELY, AND BEING OVERNINETEEN (19) YEARS OF AGE, DULY SWORN, IN PERSON AND VOLUNTARY ACT
AND ACKNOWLEDGED THAT THEY SIGNED AND DELIVERED THE FOREGOING INSTRUMENT AS THEIR FREE AND VOLUNTARY ACT
AND AS THE FREE AND VOLUNTARY ACT OF GO FAST HOLDINGS, LLC, FOR THE USES AND PURPOSES HEREIN SET FORTH.

GIVEN UNDER MY HAND AND NOTARIAL SEAL THIS 16 DAY OF OCTOBER 2013
CHRISTOPHER J. SHENK
CARRIE A. SHENK, PRESIDENT

CHRISTOPHER J. SHENK
NOTARY PUBLIC
CHICAGO, ILLINOIS
NOTARY PUBLIC SINCE 1983

NOTARY PUBLIC
CHICAGO, ILLINOIS
NOTARY PUBLIC SINCE 1983

