

RESOLUTION NO. R-12-07

**A RESOLUTION AUTHORIZING THE EXECUTION OF
A RECAPTURE AGREEMENT FOR
MACKENZIE PLACE AND MACKENZIE PLACE PHASE 2 SUBDIVISIONS**

WHEREAS, Chapter 50 of the Wheaton City Code, "Recapture Agreements and Financing Certain Municipal Improvements" authorizes the City to enter into recapture agreements for the reimbursement of certain costs associated with the construction of public improvements;

WHEREAS, on January 8, 2007, the Wheaton City Council held a public hearing in accordance with the provisions of Chapter 50 of the Wheaton City Code to consider a proposed recapture agreement presented by Airhart Construction Corp. for certain costs incurred with the construction of public improvements for the Mackenzie Place and Mackenzie Place Phase 2 subdivisions.

NOW, THEREFORE BE IT RESOLVED by the Mayor and City Council of the City of Wheaton, Illinois that the Mayor is authorized to sign a recapture agreement between the City of Wheaton and Airhart Construction Corp. dated February 5, 2007, and the City Clerk is authorized and directed to attest to the signature of the Mayor.

BE IT FURTHER RESOLVED that the recapture agreement shall be recorded in the office of the DuPage County Recorder at the expense of Airhart Construction Corp.

ADOPTED the 5th day of February, 2007.

Mayon

Attest:

Eric M. Convalaga
City Clerk

Ayes:

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

Nays: None

Absent: None

Motion Carried Unanimously