

RESOLUTION R-38-07

**A RESOLUTION ACCEPTING THE PUBLIC IMPROVEMENTS
IN THE WINDHAM COMMONS P.U.D.**

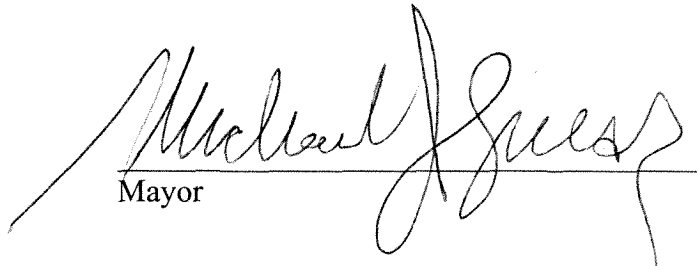
WHEREAS, the developer, FR Seven, LLC, has requested City acceptance of the public improvements constructed as part of the Windham Commons Planned Unit Development; and,

WHEREAS, the Director of Engineering has filed a certificate with the City Clerk that states that the required public improvements (as further described on Exhibit "A" attached to this resolution) approved to be constructed by the City Council as part of the Windham Commons PUD have been completed and have been approved by the Director of Engineering; and,

WHEREAS, the subject public improvements, except for the pavement improvements for Papworth Street, have been constructed for greater than one-year and the developer has requested a waiver of the one-year guarantee of the public improvements, except for the pavement improvements Papworth Street.


NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Wheaton, Illinois that the public improvements constructed as part of the Windham Commons Planned Unit Development are hereby accepted and that the one-year guarantee on said public improvements is hereby waived except for the pavement improvements for Papworth Street which said one-year guarantee shall continue until July 2007.

ADOPTED this 8th day of May, 2007.



Mayor

ATTEST:



City Clerk

Roll Call Vote:

Ayes: Councilman Mouhelis
Councilman Prendiville
Councilman Sues
Councilwoman Corry
Councilman Johnson
Councilman Levine
Mayor Gresk

Nays: None

Absent: None

Motion Carried Unanimously

EXHIBIT A

Windham Commons Planned Unit Development Public Improvements

The as-constructed water and sanitary sewer mains, not including adjustments to metal frames and castings; the as-constructed Papworth Street improvements located within the Papworth Street right-of-way including street lighting, sidewalks, parkway trees and landscaping, and the storm sewer main that serves Papworth Street adjacent to the Windham Commons Subdivision including the 12" storm sewer main from manhole 31 south through manholes 2, 3, 4, 9, 11, 40, 12, 13 and to flared-end section 14, and the storm sewer main from the stormwater detention basin outfall to the existing storm sewer main, all as depicted on the final engineering plans of said subdivision.

All other storm sewer mains, the stormwater detention basins, and Windham Circle pavement improvements within the development are private and shall be maintained by the Windham Commons homeowners association.