

RESOLUTION R-37-10  
A RESOLUTION AUTHORIZING THE DISPOSAL  
OF CERTAIN SURPLUS PROPERTY

WHEREAS, Section 2-506 of the Wheaton City Code sets forth a procedure for disposal of property found to be surplus; and

WHEREAS, a request to dispose of property described in Exhibit "A" attached hereto and made a part hereof by reference, has been submitted; and

WHEREAS, the City Manager has approved said request and forwarded it to the City Council for authorization.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Wheaton, Illinois, that the City Manager is authorized to proceed with disposal of said surplus property in compliance with the provisions of Section 2-506, and is authorized to either advertise for bids, contact directly likely purchasers, and to take other such responsible means to cause the most profitable recovery to the City of Wheaton, or, if unable to sell said property, give said property to any not-for-profit corporation, organization, or entity having its principal place of business or doing a substantial amount of business in the city, at no charge to the recipient or to junk the property at the least possible cost to the city. The City Manager shall report back to the City Council in compliance with paragraph (i) of said Section when all or a majority of said property has been disposed of.

ADOPTED this 19th day of July, 2010.

ATTEST:

  
City Clerk

  
Mayor

Ayes:

Roll Call Vote:

Councilman Suess  
Councilwoman Corry  
Councilman Levine  
Mayor Gresk  
Councilman Scalzo

Nays:

None

Absent:

Councilman Mouhelis  
Councilman Prendiville

Motion Carried Unanimously



Ex A

*[Handwritten signatures and initials]*

OFFICE OF THE STATE'S ATTORNEY  
DU PAGE COUNTY, ILLINOIS

JOSEPH E. BIRKETT  
STATE'S ATTORNEY

**CASE CLOSING NOTICE - ARTICLE 36 SEIZURE**

TO: Angela Smith FAX: 260-2154  
AGENCY WH DATE: 6-1-10 PAGES 2

FROM: ASA Tom Vega, Special Prosecution Unit

COURT CASE: 10 MR 460

**CASE HAS BEEN CLOSED BY:**

- CONTESTED hearing with:  Legal counsel  Pro se
- UNCONTESTED hearing - SAO presented evidence and no parties appeared
- AGREED order between parties with:  Legal counsel  Pro se
- DEFAULT hearing - parties failed to file a claim or respond to notice

**VEHICLE DISPOSITION:**

- LIEN HOLDER RELEASE pursuant to 720 ILCS 5/36-1a
- RELEASE/RETURN  Innocent Owner  Spouse/Family  Owner/Def
- \* AWARD TO AGENCY  Default  Court Ruling  Agreement

**\* NOTE - VEHICLES AWARDED TO YOUR AGENCY:**  
 Per Civil Rules of Procedure, persons may file a motion to vacate a forfeiture order within thirty (30) days of the entry of the order. If you obtain a new title and seek to dispose of the vehicle, we suggest you wait more than 30 days before actual disposal.

STATE OF ILLINOIS UNITED STATES OF AMERICA COUNTY OF DU PAGE  
IN THE CIRCUIT COURT OF THE EIGHTEENTH JUDICIAL CIRCUIT

PEOPLE OF THE STATE OF ILLINOIS

CASE NUMBER

10MR460

-VS-

2009 CHEVROLET

CASE CLOSED  
JUDGE'S INIT. *///*

DEFENDANT(S)

FILED  
2010 JUN -1 PM 2:45  
Clerk of the 18th Judicial Circuit DuPage County, Illinois  
Chris Kachiroubas  
File Stamp

AWARD ORDER

This cause coming on to be heard upon the motion of the \_\_\_\_\_ and the Court being fully advised in the premises, having jurisdiction in the subject matter, upon a:

- CONTESTED - ATTY P. MAGANA
- Forfeiture Hearing (720 ILCS 5/36-2)
- Agreed Order of the Parties
- Entry of Judgment on Default
- Other \_\_\_\_\_

IT IS HEREBY ORDERED: The listed vehicle, a 2009 CHEVROLET

2 6 1 W D 5 7 C 5 9 1 1 6 8 4 0 2  
(1) (2) (3) (4) (5) (6) (7) (8) (9) (10) (11) (12) (13) (14) (15) (16) (17)

1. Vehicle is awarded to WHEATON POLICE (100311-1576) in accordance with 720 ILCS 5/36-2. (SO 10-11122)
2. The Illinois Secretary of State is directed to:
  - a. Indicate that all right, title and interest in the listed vehicle is terminated immediately against the parties listed on the official title records of the Secretary of State.
  - b. Accept the application for a Certificate of Title by WHEATON POLICE.

Other Terms or Conditions for Release: \_\_\_\_\_

ATTY P. MAGANA REC'D COPY OF ORDER

Case Closed  Strike future Court date: \_\_\_\_\_

BY TEV  
JOSEPH E. BIRKETT, States Attorney  
Attorney No. 50000  
503 N. County Farm Road  
Wheaton IL 60187  
(630) 407- 8000

ENTER: \_\_\_\_\_

DATE: 06-01-2010

Electronically Certified  
I, Chris Kachiroubas, Clerk of the 18th Judicial Circuit Court, DuPage County, Illinois, do hereby certify the above to be correct.  
Date 01-Jul-2010  
Chris Kachiroubas  
CHRIS KACHIROUBAS, Clerk  
By Dewey Hartman  
Deputy Clerk  
This order is the command of the Circuit Court and violation thereof is subject to the penalty of the law. 2709422