

RESOLUTION R-71-11

**A RESOLUTION APPROVING A
PLAT OF STORMWATER MANAGEMENT EASEMENT GRANT
(Wheaton Chinese Alliance Church)**

WHEREAS, the Wheaton Chinese Alliance Church as owner of the property located at 1748 S. Blanchard Street has presented a plat of stormwater management easement grant 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 Stormwater Management Easement Grant for Wheaton Chinese Alliance Church, prepared by Richard J. Steinbrecher, an Illinois professional land surveyor, dated November 8, 2011, is hereby approved.

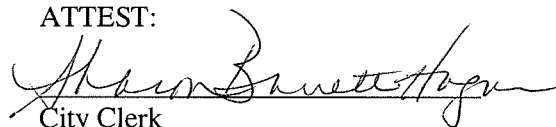
IT IS FURTHER RESOLVED that the Mayor is authorized to sign the approval form and the City Clerk is authorized and directed to attest to the signature of the Mayor and attach a certified copy of this resolution of acceptance to the Plat of Easement Grant.

ADOPTED this 5th day of December, 2011.



Mayor

ATTEST:



City Clerk

Roll Call Vote:

Ayes:	Councilman Sues
	Councilwoman Ives
	Councilman Mouhelis
	Councilman Rutledge
	Mayor Gresk
	Councilwoman Pacino Sanguinetti
	Councilman Scalzo
Nays:	None
Absent:	None

Motion Carried Unanimously

EXHIBIT A

Legal Description:

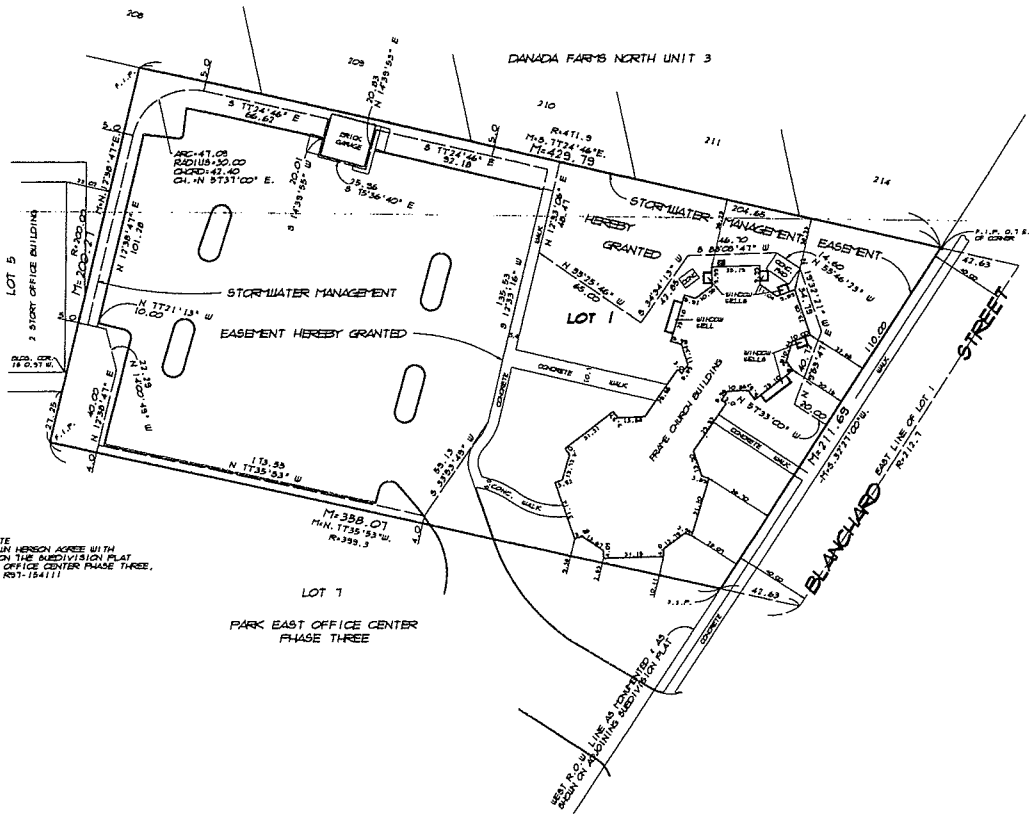
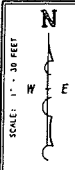
Wheaton Chinese Alliance Church
1748 S. Blanchard Street
Wheaton, IL 60187

LOT 1 (EXCEPT THE EASTERLY 40.0 FEET AS MEASURED AT RIGHT ANGLES) IN BALDWIN SEARS ASSESSMENT PLAT OF PART OF LOT 7 OF THE PLAT OF THE OSWALD SITTLER FARM, IN THE NORTHEAST QUARTER OF SECTION 28, TOWNSHIP 39 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN ACCORDING TO THE PLAT THEREOF RECORDED SEPTEMBER 17, 1943 AS DOCUMENT 453601 IN DUPAGE COUNTY, ILLINOIS.

P.I.N.: 05-28-200-028

PLAT OF STORMWATER MANAGEMENT EASEMENT GRANT

OVER LOT 1 EXCEPT THE EASTERLY 48.8 FT. AS MEASURED AT RIGHT ANGLES IN BALDWIN SEARS 1ET AL1 ASSESSMENT PLAT OF PART OF LOT 7 OF THE PLAT OF THE OSWALD SITTLER FARM, IN THE NORTHEAST QUARTER OF SECTION 28, TOWNSHIP 39 NORTH, RANGE 18 EAST OF THE THIRD PRINCIPAL MERIDIAN ACCORDING TO THE PLAT THEREOF RECORDED SEPTEMBER 17, 1943 AS DOCUMENT 453681 IN DU PAGE COUNTY, ILLINOIS.
P. I. N. 85-28-288-028



SURVEYORS NOTE
BEARINGS SHOWN HEREON AGREE WITH THOSE SHOWN ON THE SUBDIVISION PLAT OF PARK EAST OFFICE CENTER PHASE THREE, PER DOCUMENT 937-154111

COUNTY RECORDER'S CERTIFICATE

STATE OF ILLINOIS |
| SS.
COUNTY OF DU PAGE |

THIS INSTRUMENT, NO. _____ HAS FILED FOR RECORD IN THE RECORDER'S OFFICE OF DU PAGE COUNTY, ILLINOIS, THIS _____ DAY OF _____, 2011, AT _____ O'CLOCK ____N.

COUNTY RECORDER.

MAYOR AND CITY COUNCIL CERTIFICATE

STATE OF ILLINOIS |
| SS.
COUNTY OF DU PAGE |

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 _____, 2011.

ATTEST: _____
CITY CLERK

MAYOR

SURVEYORS CERTIFICATE

STATE OF ILLINOIS |
| SS.
COUNTY OF DU PAGE |

THIS IS TO CERTIFY THAT ME, STEINBRECHER LAND SURVEYORS, INC., PROFESSIONAL LAND SURVEYING DESIGN FIRM NO. 184-883126, HAVE PREPARED THE ANNEXED PLAT FOR THE PURPOSES OF GRANTING AN EASEMENT FOR STORMWATER MANAGEMENT.

WEST CHICAGO, ILLINOIS, NOVEMBER 8, 2011.



STEINBRECHER LAND SURVEYORS, INC., BY
Richard J. Steinbrecher
RICHARD J. STEINBRECHER
PROFESSIONAL LAND SURVEYOR NO. 3583
MY LICENSE EXPIRES NOVEMBER 30, 2012.

OWNER'S CERTIFICATE

STATE OF ILLINOIS |
| SS.
COUNTY OF DU PAGE |

THIS IS TO CERTIFY THAT WHEATON CHINESE ALLIANCE CHURCH, IS THE HOLDERS OF RECORD TITLE TO THE PROPERTY SHOWN AND DESCRIBED ON THE ANNEXED PLAT AND HAVE CAUSED THE SAME TO BE PLATTED AS INDICATED THEREON FOR THE USES AND PURPOSES THEREIN SET FORTH.

DATED THIS 13th DAY OF November, 2011.

Sanyu Luk
SANYU LUK, TREASURER

See Gum
SEE GUM, ASSISTANT TREASURER

NOTARY'S CERTIFICATE

STATE OF ILLINOIS |
| SS.
COUNTY OF DU PAGE |

I, *Meredith J. Robinson*, A NOTARY PUBLIC IN AND FOR SAID COUNTY, IN THE STATE AFORESAID, DO HEREBY CERTIFY THAT SANYU LUK AND SEE GUM, PERSONALLY KNOWN TO ME TO BE THE SAME PERSONS WHOSE NAMES ARE SUBSCRIBED TO THE FOREGOING INSTRUMENT, APPEARED BEFORE ME THIS DAY IN PERSON AND ACKNOWLEDGED THAT THEY SIGNED AND DELIVERED THE FOREGOING INSTRUMENT AS THEIR OWN FREE AND VOLUNTARY ACT AND AS THE FREE AND VOLUNTARY ACT OF WHEATON CHINESE ALLIANCE CHURCH FOR THE USES AND PURPOSES THEREIN SET FORTH.

GIVEN UNDER MY HAND AND NOTARIAL SEAL, THIS 13th DAY OF November, 2011.

MY COMMISSION EXPIRES: 11/30/2014

Meredith J. Robinson
NOTARY PUBLIC



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 ASSIGNS ON A NON-EXCLUSIVE BASIS. NO BUILDINGS SHALL BE PLACED ON SAID EASEMENT BUT THE SAME MAY BE USED FOR OTHER PURPOSES THAT DO NOT ADVERSELY AFFECT THE STORAGE/FREE FLOW OF STORMWATER. EACH OWNER OR SUBSEQUENT PURCHASER SHALL BE EQUALLY RESPONSIBLE FOR MAINTAINING SUCH STORMWATER MANAGEMENT FACILITY AND SHALL NOT DESTROY OR MODIFY GRASSES OR SOLES WITHOUT FIRST HAVING RECEIVED WRITTEN APPROVAL FROM THE CITY OF WHEATON.

IN THE EVENT ANY OWNER OR SUBSEQUENT PURCHASER FAILS TO MAINTAIN ANY SUCH EASEMENT/STORMWATER MANAGEMENT FACILITY, THE CITY OF WHEATON, ILLINOIS, SHALL UPON THIRTY (30) DAYS WRITTEN NOTICE OF THE OWNER OUTLINING THE NATURE AND DEFECT OF THE OWNER'S DEFAULT AND THAT THE OWNER SHALL NOT HAVE CURED SAID DEFAULT, SHALL RESERVE THE RIGHT TO PERFORM OR HAVE PERFORMED ON IT'S BEHALF, ANY MAINTENANCE WORK UPON THE DEFINITION AREA REASONABLY NECESSARY TO INSURE ADEQUATE STORMWATER STORAGE, FREE-FLOW OF WATER, EROSION CONTROL, AND TYPIC MAINTENANCE TO ELIMINATE STAGNANT WATER WITHIN THE STORMWATER MANAGEMENT EASEMENT AND PROVIDED FURTHER THAT IN THE EVENT THAT THE CITY OF WHEATON ELECTS TO PERFORM OR CAUSES TO PERFORM ANY SUCH WORK IT SHALL PROVIDE THE OWNERS WITH PROPER INSURANCE CERTIFICATES OF ALL SUBCONTRACTORS WORKING ON THE EASEMENT PROMISED TO INSURE THE OWNER FOR THE WORK TO BE PERFORMED.

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 TOGETHER WITH AN ADDITIONAL, SUM OF TEN (10) PERCENT OF SAID COST SHALL BE ASSESSED TO THE OWNER OR IT'S SUCCESSORS AND ASSIGNS 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.

Steinbrecher Land Surveyors, Inc.
Professional Land Surveying
Chicago, Ill. Corporation No. 184-803126
141 S. Main St., West Chicago, IL 60185-2844
15301 293-8900 Fax 293-8902

PREPARED FOR:
WHEATON CHINESE ALLIANCE CHURCH
1748 S. BLANCHARD ROAD
WHEATON, IL. 60189

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

