

RESOLUTION R-37-13

**A RESOLUTION ACCEPTING TRANSFER OF CERTAIN PRIVATE UTILITIES
WITHIN MAIN STREET MARKETPLACE TO THE CITY OF WHEATON AND
APPROVING A GRANT OF EASEMENT FOR MAINTENANCE PURPOSES OF THE
PRIVATE UTILITIES**

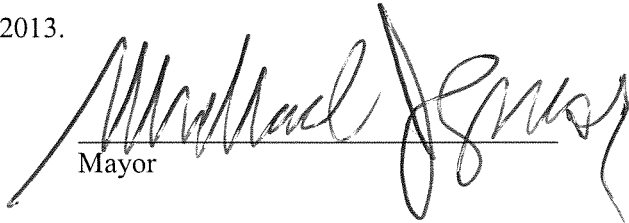
WHEREAS, the owner of Main Street Marketplace located at the northwest corner of Geneva Road and Main Street, 336 N Michigan Avenue Partnership, has submitted a formal request to transfer the ownership and maintenance of the private water main within the property to the City (the property is legally described in Exhibit A, attached to this resolution); and

WHEREAS, the owner has met the requirements of Section 74-70 of the Wheaton City Code in order to transfer to the City ownership and maintenance of the private water main within the property.

NOW, THEREFORE BE IT RESOLVED, by the Mayor and City Council of the City of Wheaton, Illinois, that the City Council accepts transfer of the private water main within Main Street Marketplace and that the City Council approves the Grant of Easement for maintenance of the water main, prepared by Raymond R. Hansen, an Illinois professional land surveyor, dated May 10, 2013.

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 Grant of Easement.

ADOPTED this 20th day of May, 2013.



Mayor

ATTEST:


City Clerk

Roll Call Vote

Ayes:	Councilman Suess Councilman Prendiville Councilman Rutledge Councilman Saline Mayor Gresk Councilwoman Pacino Sanguinetti Councilman Scalzo
Nays:	None
Absent:	None

Motion Carried Unanimously

EXHIBIT A

Legal Description

Main Street Marketplace
2202-2212 N Main Street and
105-115 W Geneva Road
Wheaton, IL 60187

LOT 2 IN GENEVA-MAIN STREET RESUBDIVISION, A SUBDIVISION IN THE WEST ½ OF THE SOUTHWEST QUARTER OF SECTION 3, TOWNSHIP 39 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN ACCORDING TO THE PLAT THEREOF RECORDED JUNE 30, 2006 AS DOCUMENT NO. R2006-125619 IN DUPAGE COUNTY, ILLINOIS.

PIN: 05-04-304-072

BILL OF SALE

336 N Michigan Avenue Partnership, an Illinois general partnership (hereinafter the "Seller"), in consideration of Ten and 00/100 (\$10.00) Dollars, receipt whereof is hereby acknowledged, hereby sells, assigns, dedicates, transfers and conveys to the City of Wheaton, a municipal corporation, of DuPage County, Illinois (hereinafter the "City") all right, title and interest in the following described personal property located on the real estate legally described in Exhibit A, attached hereto and incorporated herein, to wit:

The existing six inch (6") watermain system including fire hydrants, buffalo boxes and service valves lying within the plat of Easement Grant attached as Exhibit B, hereto and incorporated herein. Domestic and private services lines serving the buildings served by said existing watermain shall remain the private personal property of the owner served.

The Seller hereby covenants that it is the owner of the afore-described goods, chattels and personalty; that such items are free from all liens, charges and encumbrances; that the Seller has the right, power and authority to sell the same as aforesaid; and that the Seller warrants and will defend the same against the lawful claims and Demands of all persons; and that the execution of this Bill of Sale is an authorized act of said corporation, individual, partnership or limited liability company.

[Signature Page Follows]

Dated at Northfield, Illinois, this 2nd day of May, 2013

SELLER:

336 N. MICHIGAN AVENUE PARTNERSHIP,
an Illinois general partnership

By: Louis Hong
Louis Hong as Trustee of the
Louis Hong Trust dated May 18, 1990

By: Eileen Hong
Eileen Hong as Trustee of the
Eileen Hong Trust dated May 18, 1990

SUBSCRIBED AND SWORN TO
BEFORE ME ON THIS 2nd DAY
OF MAY, 2013


Notary Public

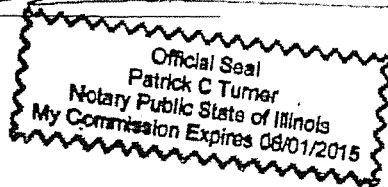


EXHIBIT A

Legal Descriptions of the Parcels

LOT 2 IN GENEVA-MAIN RESUBDIVISION, BEING A SUBDIVISION IN THE WEST 1/2 OF THE SOUTHWEST QUARTER OF SECTION 4, TOWNSHIP 39 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, according to the plat thereof recorded June 30, 2006 as Document # R2006-125619 IN DUPAGE COUNTY, ILLINOIS

PIN: 05-04-304-072-0000

2202-2212 N. Main Street/
105-115 W. Geneva Road
Wheaton, Illinois 60187

