

RESOLUTION R-38-13

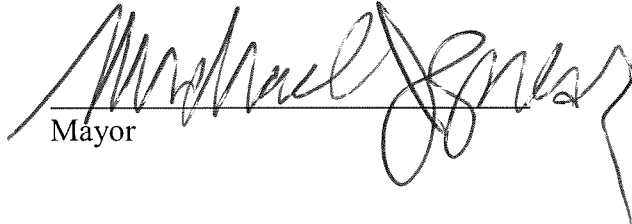
**A RESOLUTION APPROVING A PLAT OF EASEMENT
FOR PUBLIC UTILITIES AND STORMWATER MANAGEMENT
(2230 N. Main Street)**

WHEREAS, the owner of the property located at 2230 N. Main Street, Lock Up Wheaton, LLC, has presented a plat of easement for public utilities and stormwater management 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 Easement for public utilities and stormwater management for The Lock Up, prepared by Raymond R. Hansen, an Illinois professional land surveyor, dated May 10, 2013, 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.

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:

The Lock Up
2230 N Main Street
Wheaton, IL 60187

PART OF THE EAST 200.88 FEET OF THE WEST 401.75 FEET OF THE EAST 803.88 FEET OF THE NORTH 323 FEET OF THE SOUTH 540.8 FEET OF THE WEST $\frac{1}{2}$ OF THE SOUTHWEST $\frac{1}{4}$ OF SECTION 4, TOWNSHIP 39 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN DUPAGE COUNTY, ILLINOIS.

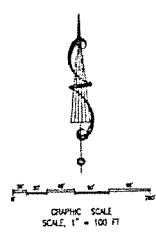
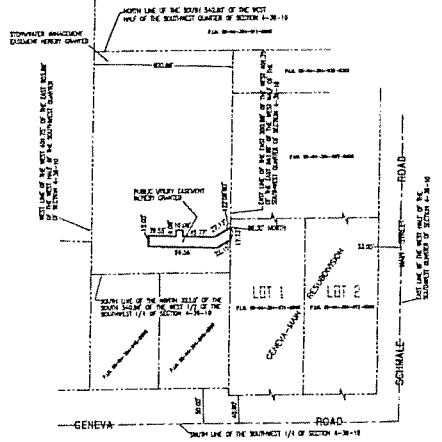
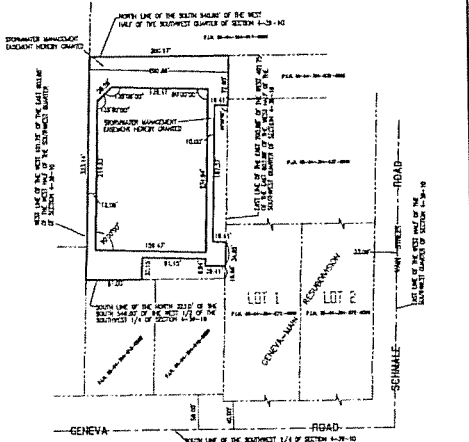
PIN: 05-04-304-017

PLAT of EASEMENT

Legal Description:
Public Utility Easement: That part of the East 200.88 feet of the West 401.75 feet of the East 603.88 feet of the North 323 feet of the South 540.8 feet of the West Half of the Southwest Quarter of Section 4, Township 39 North, Range 10, East of the Third Principal Meridian, taken as a tract described as follows:
 Beginning at a point on the East line of said tract a distance of 66.30 feet Northerly of the Southeast corner thereof; thence Southwesterly along a line forming an angle of 58 degrees, 00 minutes, 00 seconds, as measured South to Southwest with the last described line, 27.13 feet; thence Westerly 45.77 feet along a line forming an angle of 148 degrees, 00 minutes, 00 seconds, as measured Northeast to West with the last described line; thence Northerly, at right angles to the last described line, 9.00 feet; thence Westerly, at right angles to the last described line, 39.55 feet; thence Southerly, at right angles to the last described line, 15.00 feet; thence Easterly, at right angles to the last described line, 99.56 feet; thence Northwesterly, along a line forming an angle of 148 degrees, 00 minutes, 00 seconds, as measured from West to Northeast with the last described line, 22.15 feet to the East line of the aforesaid tract of land; thence Northerly along said East line, 17.80 feet to the point of beginning, in DuPage County, Illinois.

Stormwater Management Easement: The East 200.88 feet of the West Half of the Southwest Quarter of Section 4, Township 39 North, Range 10, East of the Third Principal Meridian, taken as a tract, excepting from said tract that part described as follows:
 Beginning at the Southeast corner of said tract; thence Westerly, along the South line of said tract, 119.97 feet; thence Northerly, at right angles to the last described line, 32.15 feet; thence Easterly, along a line forming an angle of 88 degrees, 19 minutes, 00 seconds, as measured South to Southeast with the last described line, 91.45 feet; thence Southerly, at right angles to the last described line, 9.94 feet; thence Easterly, at right angles to the last described line, 29.41 feet to the East line of said tract; thence Southerly, 18.58 feet to the point of beginning, also excepting from said tract the East 19.41 feet of the North 197.57 feet of the South 251.14 feet thereof, also excepting that part of said tract described as follows:
 Commencing at the Southwest corner of said tract; thence Northerly along the West line of said tract, 44.58 feet; thence Easterly, at right angles to the last described line, 12.00 feet, to the point of beginning; thence Northerly along a line 12 feet East of and parallel with the West line of said tract, 214.93 feet; thence Northwesterly along a line forming a deflection angle of 45 degrees, 00 minutes, 00 seconds with the last described line, 28.28 feet; thence Easterly, along a line forming a deflection angle of 45 degrees, 00 minutes, 00 seconds, with the last described line, 139.47 feet; thence Southerly, at right angles to the last described line, 234.94 feet; thence Westerly, at right angles to the last described line, 159.47 feet to the point of beginning, all in DuPage County, Illinois.

Commonly known as: 2230 N. Main Street; Wheaton, Illinois.



UTILITY EASEMENT
 All easements indicated as "Public Utility" Easement on this plat are reserved for and granted to the City of Wheaton and its chosen public utility companies operating as successors to the City of Wheaton, Illinois, for the purpose of installing, maintaining, repairing, and operating public utility lines and facilities. The public utility companies and their successors shall have the right to install, maintain, repair, and operate public utility lines and facilities on the land shown on this plat. The City of Wheaton, Illinois, shall not be liable for any damage to or destruction of any structure or other improvement on the land shown on this plat, nor shall it be liable for any loss of or damage to any structure or other improvement on the land shown on this plat, which may result from the installation, maintenance, repair, or operation of public utility lines and facilities. The City of Wheaton, Illinois, shall not be liable for any loss of or damage to any structure or other improvement on the land shown on this plat, which may result from the installation, maintenance, repair, or operation of public utility lines and facilities. The City of Wheaton, Illinois, shall not be liable for any loss of or damage to any structure or other improvement on the land shown on this plat, which may result from the installation, maintenance, repair, or operation of public utility lines and facilities.

DIRECTOR OF ENGINEERING
 STATE OF ILLINOIS
 COUNTY OF DUPAGE
 I, _____, Director of Engineering for the City of Wheaton, Illinois, do hereby certify that the plat as represented herein meets with the requirements and the plans and specifications of the Wheaton City Code and has been approved by all public authorities.
 Dated at Wheaton, Illinois, this _____ day of _____, 20__.

STORMWATER MANAGEMENT EASEMENT
 All easements indicated as "Stormwater Management Easement" are reserved for and granted to the City of Wheaton and its chosen stormwater management agency or agencies, for the purpose of installing, maintaining, repairing, and operating stormwater management facilities and structures. The stormwater management agency or agencies shall have the right to install, maintain, repair, and operate stormwater management facilities and structures on the land shown on this plat. The City of Wheaton, Illinois, shall not be liable for any damage to or destruction of any structure or other improvement on the land shown on this plat, nor shall it be liable for any loss of or damage to any structure or other improvement on the land shown on this plat, which may result from the installation, maintenance, repair, or operation of stormwater management facilities and structures. The City of Wheaton, Illinois, shall not be liable for any loss of or damage to any structure or other improvement on the land shown on this plat, which may result from the installation, maintenance, repair, or operation of stormwater management facilities and structures.

CITY COUNCIL
 STATE OF ILLINOIS
 COUNTY OF DUPAGE
 Approved by the Mayor and City Council, of the City of Wheaton, DuPage County, Illinois, this _____ day of _____, 20__.

OWNER'S CERTIFICATE
 STATE OF ILLINOIS
 COUNTY OF _____
 I, LOCK UP WHEATON LLC, a Delaware limited liability company, do hereby certify that I am the True Owner of record of the property described herein, and that I hereby grant the easements, as shown herein.
 Dated this _____ day of _____, A.D. 20__.

COUNTY CLERK
 STATE OF ILLINOIS
 COUNTY OF DUPAGE
 _____, County Clerk of DuPage County, Illinois, do hereby certify that I find no delinquent general taxes, no unpaid current general taxes, no unpaid forced taxes, no delinquent or unpaid special assessments, no redemptions for sales against any of the land shown on this plat.
 Given under my hand and seal this _____ day of _____, 20__.

NOTARY PUBLIC
 STATE OF ILLINOIS
 COUNTY OF _____
 I, _____, Notary Public, in and for said County, do hereby certify that _____, Secretary of Lock Up Wheaton LLC, personally known to me to be the same person whose name is subscribed to the foregoing instrument and prior to Lock Up Wheaton LLC, appeared before me in person and acknowledged that he signed and executed the foregoing instrument as his free and voluntary act and in the free and voluntary act of Lock Up Wheaton LLC for the uses and purposes therein set forth, and he did so free and true and with full understanding of the nature and consequences of the same, and he did so in full and free and voluntary act of Lock Up Wheaton LLC as authorized for the uses and purposes therein set forth.
 Given under my hand and seal this _____ day of _____, A.D. 20__.

COUNTY CLERK, DU PAGE COUNTY, ILLINOIS

NOTARY PUBLIC
 STATE OF ILLINOIS
 COUNTY OF _____
 I, _____, Notary Public, in and for said County, do hereby certify that _____, Secretary of Lock Up Wheaton LLC, personally known to me to be the same person whose name is subscribed to the foregoing instrument and prior to Lock Up Wheaton LLC, appeared before me in person and acknowledged that he signed and executed the foregoing instrument as his free and voluntary act and in the free and voluntary act of Lock Up Wheaton LLC for the uses and purposes therein set forth, and he did so free and true and with full understanding of the nature and consequences of the same, and he did so in full and free and voluntary act of Lock Up Wheaton LLC as authorized for the uses and purposes therein set forth.
 Given under my hand and seal this _____ day of _____, A.D. 20__.

SURVEYOR'S CERTIFICATE
 STATE OF ILLINOIS
 COUNTY OF DU PAGE
 I, B. H. Suhr & Co., Inc., do hereby certify that we have prepared this Plat of Easement from existing plats and plans for the purpose of creating Easements for Public Utilities as shown herein.
 By _____, Dated _____, 20__.

OFFICIAL SEAL
 DANIELLE WEBSTER
 NOTARY PUBLIC - STATE OF ILLINOIS
 MY COMMISSION EXPIRES 04/12/15

SUBMITTED BY AND RETURN PLAT NO.:
 CITY OF WHEATON
 303 W. WESLEY ST.
 WHEATON, ILLINOIS 60187

SUBMITTED BY:

B. H. SUHR & COMPANY, INC.
 ESTABLISHED 1911
 848 CUSTER AVENUE, EVANSTON, ILLINOIS 60120
 CHICAGO TEL. (773) 373-5315 / EVANSTON TEL. (847) 846-4315
 WWW.BHSUHR.COM / EMAIL: SURVEYOR@BHSUHR.COM
 ORDER NO. 12-257-EASE
 ORDER BY: WATERMARK ENGINEERING
 DAWSON: APRIL 11, 20__ 13
 B. H. SUHR & CO., INC. Professional Design Firm License No. 066-000071 02154

