

RESOLUTION R-58-13

**A RESOLUTION APPROVING A PLAT OF EASEMENT GRANT
FOR SIDEWALK EASEMENT
(600 S. Main Street-Mariano's)**

WHEREAS, the owner of the property located at 600 S. Main Street has presented a plat of easement grant for sidewalk 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 Grant for Sidewalk Easement by Charles W. Bartosz, an Illinois professional land surveyor, dated June 27, 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 5th day of August, 2013.



Mayor

ATTEST:



City Clerk

Roll Call Vote

| | |
|---------|---------------------------------|
| Ayes: | Councilman Sues |
| | Councilman Prendiville |
| | Councilman Rutledge |
| | Councilman Saline |
| | Mayor Gresk |
| | Councilwoman Pacino Sanguinetti |
| | Councilman Scalzo |
| Nays: | None |
| Absent: | None |

Motion Carried Unanimously

EXHIBIT A

Legal Description:

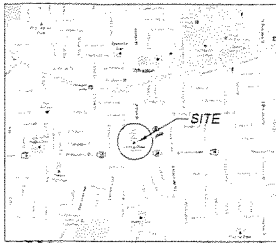
Bradford Real Estate Companies
Mariano's Fresh Market
600 S. Main Street
Wheaton, IL 60187

PART OF LOT 6 IN MARIANO'S RESUBDIVISION, BEING A SUBDIVISION OF PART OF THE SOUTHWEST QUARTER OF SECTION 16, TOWNSHIP 39 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED SEPTEMBER 10, 2012 AS DOCUMENT NUMBER R2012-124927, IN DU PAGE COUNTY, ILLINOIS.

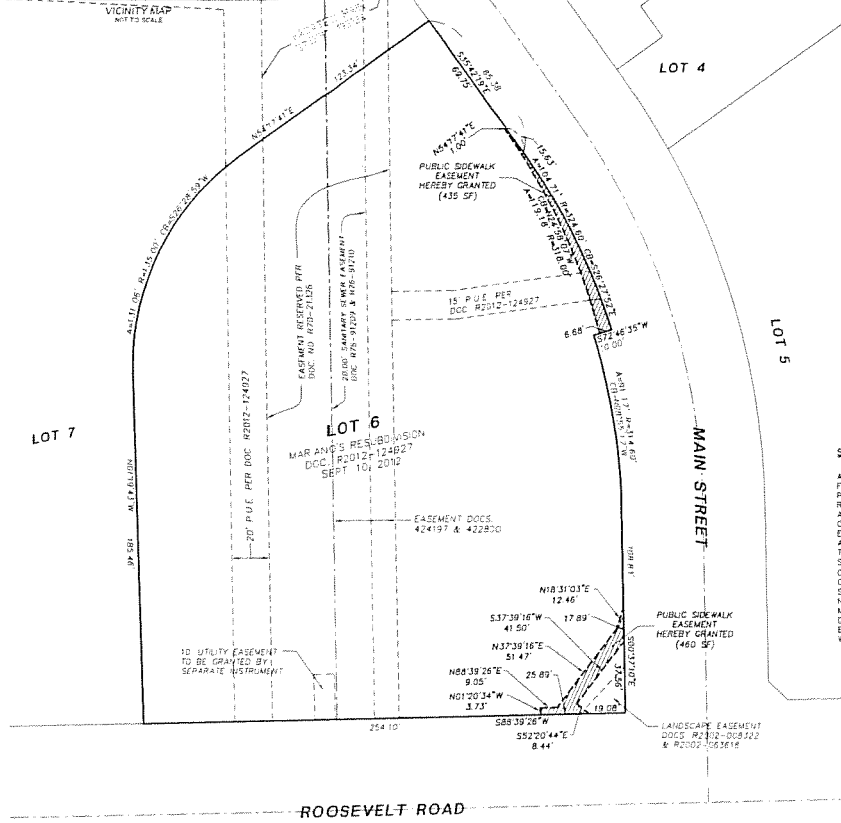
P.I.N.: 05-16-337-020

PLAT OF EASEMENT GRANT FOR SIDEWALK EASEMENT

P.I.N.: 05-16-337-020



PART OF LOT 6 IN MARIANO'S RESUBDIVISION, BEING A SUBDIVISION OF PART OF THE SOUTHWEST QUARTER OF SECTION 16, TOWNSHIP 39 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED SEPTEMBER 10, 2012 AS DOCUMENT NUMBER R2012-124927, IN DU PAGE COUNTY, ILLINOIS



- LEGEND**
- PROPERTY LINE
 - EXISTING RIGHT-OF-WAY LINE
 - EXISTING LOT LINE
 - CENTERLINE
 - - - EXISTING EASEMENT LINE
 - /// EASEMENT HEREBY GRANTED
- ABBREVIATIONS**
- N NORTH
 - S SOUTH
 - E EAST
 - W WEST
 - CB CHORD BEARING
 - A ARC LENGTH
 - R RADIUS
 - PUE PUBLIC UTILITY EASEMENT

SIDEWALK EASEMENT PROVISIONS

ALL EASEMENTS INDICATED AS SIDEWALK EASEMENT ON THIS PLAT ARE RESERVED FOR AND GRANTED TO THE CITY OF WHEATON FOR SIDEWALKS, FOR THE PERPETUAL RIGHT, PRIVILEGE AND AUTHORITY TO CONSTRUCT, RECONSTRUCT, REPAIR, INSPECT, MAINTAIN AND OPERATE THE SIDEWALK TOGETHER WITH ANY AND ALL NECESSARY APPURTENANCES AS MAY BE DEEMED NECESSARY BY SAID CITY OF WHEATON, UPOON, ALONG UNDER AND THROUGH SAID INDICATED EASEMENT TOGETHER WITH RIGHT OF ACCESS ACROSS THE SIDEWALK EASEMENT AREA FOR NECESSARY MEN AND EQUIPMENT TO DO ANY OF THE ABOVE WORK. THE RIGHT IS ALSO GRANTED TO CUT DOWN, TRIM OR REMOVE ANY TREES, SHRUBS OR OTHER PLANTS ON THE EASEMENT THAT INTERFERE WITH THE OPERATION OF THE "SIDEWALK". THE GRANTEE OR GRANTEE'S PERFORMANCE OR CAUSING TO BE PERFORMED ANY OF SAID WORK SHALL REASONABLY RESTORE SUCH AREAS TO THE GENERAL CONDITION THEY EXISTED PRIOR TO THE WORK. NO PERMANENT BUILDINGS SHALL BE PLACED ON SAID EASEMENTS, BUT SAME MAY BE USED FOR GARDENS, SHRUBS, LANDSCAPING AND OTHER PURPOSES THAT DO NOT THEN OR LATER INTERFERE WITH THE AFORESAID USES OR RIGHTS. ELEVATIONS OR GRADES SHALL NOT BE CHANGED WITHIN THE EASEMENT PREMISES WITHOUT THE WRITTEN APPROVAL OF THE CITY OF WHEATON.

MORTGAGE CERTIFICATE

STATE OF ILLINOIS)
COUNTY OF DU PAGE)

AS MORTGAGEE, UNDER THE PROVISIONS OF A CERTAIN MORTGAGE DATED A.D. 20____ AND RECORDED IN THE RECORDER'S DEEDS OFFICE OF _____ STATE _____ ON THE _____ DAY OF _____ A.D. 20____

BY _____ ATTEST _____

ITS _____ ITS _____

NOTARY PUBLIC

STATE OF ILLINOIS)
COUNTY OF _____)

I, _____ A NOTARY PUBLIC IN THE COUNTY AND STATE AFORESAID DO HEREBY CERTIFY THAT _____ (NAME) (TITLE) _____ OF _____ AND (NAME) _____ (TITLE) _____ WHO ARE PERSONALLY KNOWN TO ME TO BE THE SAME PERSONS WHOSE NAMES ARE SUBSCRIBED TO THE FOREGOING INSTRUMENT AS SUCH _____ (TITLE) _____ AND (TITLE) _____ RESPECTIVELY APPEARED BEFORE ME THIS DAY IN PERSON AND ACKNOWLEDGED THAT THEY SIGNED AND DELIVERED THE SAID INSTRUMENT AS THEIR OWN FREE AND VOLUNTARY ACT AND AS THE FREE AND VOLUNTARY ACT _____ OF SAID _____ AS MORTGAGEE FOR THE USES AND PURPOSES THEREIN SET FORTH GIVEN UNDER MY HAND AND SEAL THIS _____ DAY OF _____ A.D. 20____

NOTARY PUBLIC

OWNER'S CERTIFICATE

STATE OF ILLINOIS)
COUNTY OF DU PAGE)

THIS IS TO CERTIFY THAT _____ IS THE OWNER OF THE PROPERTY DESCRIBED HEREON AND HAS CAUSED THE SAME TO BE PLACED AS INDICATED ON THE ATTACHED PLAT FOR THE USES AND PURPOSES THEREIN SET FORTH, AND DOES HEREBY ACKNOWLEDGE AND ADAPT THE SAME ON THE STYLE AND TITLE THEREIN INDICATED.

DATED AT _____ THIS _____ DAY OF _____ A.D. 20____

BY _____ ATTEST _____

TITLE _____ TITLE _____

NOTARY CERTIFICATE

STATE OF ILLINOIS)
COUNTY OF _____)

I, _____ A NOTARY PUBLIC IN THE COUNTY AND STATE AFORESAID DO HEREBY CERTIFY THAT _____ (TITLE) _____ AND _____ (TITLE) _____ WHO ARE PERSONALLY KNOWN TO ME TO BE THE SAME PERSONS WHOSE NAMES ARE SUBSCRIBED TO THE FOREGOING INSTRUMENT AS SUCH _____ (TITLE) _____ AND (TITLE) _____ RESPECTIVELY APPEARED BEFORE ME THIS DAY IN PERSON AND ACKNOWLEDGED THAT THEY SIGNED AND DELIVERED THE SAID INSTRUMENT AS THEIR OWN FREE AND VOLUNTARY ACT AND AS THE FREE AND VOLUNTARY ACT _____ OF SAID _____ AS MORTGAGEE FOR THE USES AND PURPOSES THEREIN SET FORTH GIVEN UNDER MY HAND AND SEAL THIS _____ DAY OF _____ A.D. 20____

BY _____ ATTEST _____

TITLE _____ TITLE _____

NOTARY PUBLIC

RECORDER OF DEEDS CERTIFICATE

STATE OF ILLINOIS)
COUNTY OF DU PAGE)

TWO INSTRUMENTS _____ WAS FILED FOR RECORD IN THE RECORDER OF DEEDS OFFICE OF DU PAGE COUNTY, ILLINOIS ON THE _____ DAY OF _____ A.D. AT _____ O'CLOCK _____ M.

DU PAGE COUNTY RECORDER OF DEEDS

TENANT CONSENT CERTIFICATE

STATE OF ILLINOIS)
COUNTY OF DU PAGE)

THIS IS TO CERTIFY THAT THE FOLLOWING ENTITY AGREES TO THE USES, TERMS, AND PURPOSES HEREON SET FORTH:

DATED AT _____ THIS _____ DAY OF _____ A.D. 20____

TENANT NAME _____

BY _____ ATTEST _____

TITLE _____ TITLE _____

NOTARY CERTIFICATE

STATE OF ILLINOIS)
COUNTY OF _____)

I, _____ A NOTARY PUBLIC IN THE COUNTY AND STATE AFORESAID DO HEREBY CERTIFY THAT _____ (TITLE) _____ AND _____ (TITLE) _____ WHO ARE PERSONALLY KNOWN TO ME TO BE THE SAME PERSONS WHOSE NAMES ARE SUBSCRIBED TO THE FOREGOING CERTIFICATE OF OWNERSHIP APPEARED BEFORE ME THIS DAY IN PERSON AND ACKNOWLEDGED THE EXECUTION OF THIS INSTRUMENT IN THEIR CAPACITY FOR THE USES AND PURPOSES THEREIN SET FORTH AS THE FREE AND VOLUNTARY ACT AND DEED OF SAID CORPORATION GIVEN UNDER MY HAND AND NOTARIAL SEAL THIS _____ DAY OF _____ A.D. 20____

BY _____ ATTEST _____

TITLE _____ TITLE _____

NOTARY PUBLIC

SURVEYOR'S CERTIFICATE

STATE OF ILLINOIS)
COUNTY OF DU PAGE)

I, CHARLES W. BARTOSZ, AN ILLINOIS PROFESSIONAL LAND SURVEYOR DO HEREBY CERTIFY THAT THE PLAT HEREON DRAWN WAS PREPARED BY ME AND UNDER MY DIRECTION ALL DIMENSIONS SHOWN ARE IN FEET AND DECIMAL PARTS THEREOF.

GIVEN UNDER MY HAND AND SEAL THIS 22ND DAY OF _____ A.D. 2013.

CHARLES W. BARTOSZ
ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 15-1188
MY LICENSE EXPIRES ON NOVEMBER 30, 2014
CIVIL ENGINEER LICENSE NO. 184000592
THIS DESIGN FIRM NUMBER EXPIRES APRIL 30, 2015

| <p>Engineers Scientists Surveyors</p> <p>2028 Adams Avenue, Suite 102 Waukegan, IL 60087 815.771.8200 815.771.8184 Fax 1/23/13</p> | <p>PREPARED FOR:</p> <p>BRADFORD REAL ESTATE COMPANIES 30 S WACKER DRIVE, STE. 2850 CHICAGO, IL 60608 312.755.8000</p> | <p>REVISIONS</p> <table border="1"> <tr> <th>NO.</th> <th>DATE</th> <th>DESCRIPTION</th> </tr> <tr> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> </tr> </table> | NO. | DATE | DESCRIPTION | | | | | | | <p>PLAT OF EASEMENT GRANT MARIANO'S RESUBDIVISION, WHEATON, IL</p> <p>DRAFTING COMPLETED: 06-13-13 DRAWN BY: MLP PROJECT MANAGER: CMB FIELD WORK COMPLETED: N/A CHECKED BY: CMB SCALE: 1" = 30'</p> | <p>Project No: 10120.01 Group No: VP10.4</p> <p>SHEET NO. 1 of 1</p> |
|--|---|---|-------------|------|-------------|--|--|--|--|--|--|--|--|
| | NO. | DATE | DESCRIPTION | | | | | | | | | | |
| | | | | | | | | | | | | | |
| | | | | | | | | | | | | | |
| <p>DU PAGE COUNTY RECORDER OF DEEDS</p> <p>ATTEST: CITY CLERK _____ MAYOR: CITY OF WHEATON _____</p> <p>PLAT SUBMITTED FOR RECORDING BY: CITY OF WHEATON 303 W. WESLEY ST. WHEATON, ILLINOIS 60187</p> | | | | | | | | | | | | | |

