

RESOLUTION R-96-13

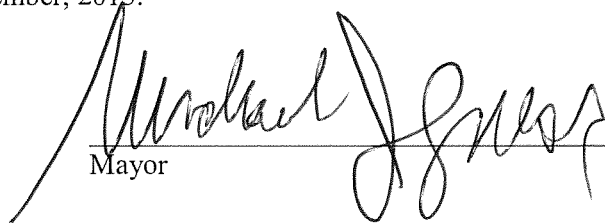
**A RESOLUTION APPROVING
RITTER'S CONSOLIDATION PLAT
(223 East Seminary Avenue)**

WHEREAS, the Owners have submitted a plat of consolidation of the property located at 223 East Seminary Avenue to the City for approval (the property is described on Exhibit "A" attached to this resolution); and the Wheaton City staff has recommended that the plat of consolidation be approved.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Wheaton, Illinois that the plat of Ritter's Consolidation Plat, as prepared by Richard J. Steinbrecher, an Illinois Professional Land Surveyor, dated January 13, 2011 and revised June 14, 2013, is hereby approved.

IT IS FURTHER RESOLVED that the Mayor is authorized to sign the approval form and the City Clerk is directed to attest to the signature of the Mayor and attach a certified copy of this resolution of approval to the plat of Ritter's Consolidation Plat.

ADOPTED this 16th day of December, 2013.



Mayor

ATTEST:



City Clerk

Roll Call Vote

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

Motion Carried Unanimously

EXHIBIT "A"

Ritter's Consolidation Plat
223 East Seminary Avenue
Wheaton, IL 60187

Legal Description

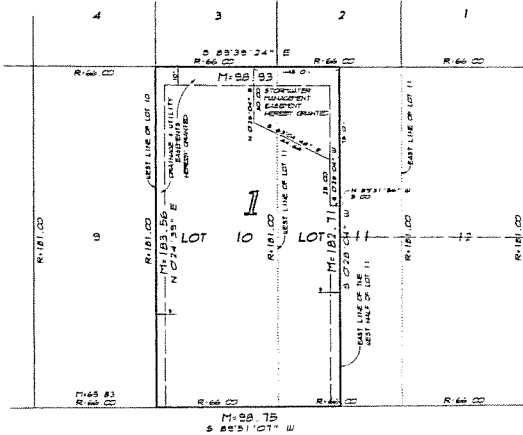
LOT 10 AND THE WEST HALF OF LOT 11 IN BLOCK 18 IN LYMAN E. DE WOLF AND GUY TRACY'S ADDITION TO THE TOWN OF WHEATON, BEING A SUBDIVISION IN THE EAST HALF OF THE NORTHWEST QUARTER OF SECTION 16, TOWNSHIP 39 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JULY 8, 1857 AS DOCUMENT 11622, IN DUPAGE COUNTY, ILLINOIS.

PIN 05-16-129-012

RITTER'S CONSOLIDATION PLAT

IN THE NORTHWEST QUARTER OF SECTION 16, TOWNSHIP 33 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN THE CITY OF WHEATON, DU PAGE COUNTY, ILLINOIS.

P. I. N. 05 - 16 - 129 - 012



SEMINARY AVENUE

SCOTT STREET

NOTE: IRON PIPES AT ALL LOT CORNERS UNLESS NOTED OTHERWISE.

BEARING BASIS IS ASSUMED AND IS FOR THE PURPOSE OF SHOWING RELATIVE DIRECTION ONLY.

STATE OF ILLINOIS)
COUNTY OF DU PAGE) SS

OWNER'S CERTIFICATE

THIS IS TO CERTIFY THAT KRISTOPHER RITTER AND AMY RITTER ARE THE OWNERS OF THE LAND AS SHOWN AND DESCRIBED HEREON, AND HAS CAUSED THE SAME TO BE SURVEYED AND CONSOLIDATED AS HEREON SHOWN FOR THE USES AND PURPOSES THEREIN SET FORTH, AND DO HEREBY ACKNOWLEDGE AND ADOPT THE SAME UNDER THE STYLE AND TITLE HEREON SHOWN.

WE FURTHER CERTIFY THAT THE PROPERTY SHOWN AND DESCRIBED HEREON IS WITHIN COMMUNITY UNIT SCHOOL DISTRICT 200.

DATED THIS 22nd DAY OF October 2013

Kristopher Ritter
KRISTOPHER RITTER

Amy Ritter
AMY RITTER

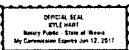
STATE OF ILLINOIS)
COUNTY OF DU PAGE) SS

NOTARY'S CERTIFICATE

I, A NOTARY PUBLIC IN AND FOR SAID COUNTY IN THE STATE AFORESAID, DO HEREBY CERTIFY THAT KRISTOPHER RITTER AND AMY RITTER ARE PERSONALLY KNOWN TO ME TO BE THE SAME PERSONS WHOSE NAMES ARE SUBSCRIBED TO THE FOREGOING INSTRUMENT APPROVED BEFORE ME THIS DAY IN PERSON AND ACKNOWLEDGED THAT THEY SIGNED AND DELIVERED SAID AS THEIR OWN FREE AND VOLUNTARY ACT FOR THE USES AND PURPOSES THEREIN SET FORTH.

GIVEN UNDER MY HAND AND NOTARIAL SEAL, THIS 22nd DAY OF October 2013

MY COMMISSION EXPIRES



Richard J. Steimbacher
NOTARY PUBLIC

STATE OF ILLINOIS)
COUNTY OF DU PAGE) SS

SURVEYOR'S CERTIFICATE

THIS IS TO CERTIFY THAT WE, STEINBRECHER LAND SURVEYORS, INC., LAND SURVEYING DESIGN FIRM NO. 184-003126, HAVE SURVEYED AND CONSOLIDATED THE FOLLOWING DESCRIBED PROPERTY:

LOT 10 AND THE WEST HALF OF LOT 11 IN BLOCK 10 IN LYMAN E. DEMOLF AND GUY TRACY'S ADDITION TO THE TOWN OF WHEATON, BEING A SUBDIVISION IN THE EAST HALF OF THE NORTHWEST QUARTER OF SECTION 16, TOWNSHIP 33 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JULY 9, 1897 AS DOCUMENT 11622 IN DU PAGE COUNTY, ILLINOIS.

AS SHOWN ON THE ANNEXED PLAT WHICH TO THE BEST OF OUR KNOWLEDGE AND BELIEF IS A CORRECT REPRESENTATION OF SAID SURVEY AND CONSOLIDATION. ALL DISTANCES ARE IN FEET AND DECIMAL PARTS THEREOF. SCALE OF MAP IS 30 FEET TO ONE INCH.

WE FURTHER CERTIFY THAT THE LAND INCLUDED IN THE ANNEXED PLAT IS WITHIN THE LIMITS OF THE CITY OF WHEATON, WHICH HAS ADOPTED A CITY PLAN AND IS EXERCISING THE SPECIAL POWERS AUTHORIZED BY DIVISION 12 OF ARTICLE 11 OF THE ILLINOIS MUNICIPAL CODE.

WE FURTHER CERTIFY THAT NO PART OF THE PROPERTY COVERED BY THIS PLAT IS LOCATED WITHIN A SPECIAL FLOOD HAZARD AREA AS IDENTIFIED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, OR AS SHOWN ON FORM FOR THE COUNTY OF DU PAGE DATED DECEMBER 18, 2004.

WEST CHICAGO, ILLINOIS, JANUARY 13, 2011
REVISED JUNE 14, 2013



STEINBRECHER LAND SURVEYORS, INC. BY
Richard J. Steimbacher
RICHARD J. STEINBRECHER
PROFESSIONAL LAND SURVEYOR 0003
MY LICENSE EXPIRES NOVEMBER 30, 2014

Steimbacher Land Surveyors, Inc.
Professional Land Surveying
Design Firm Corporation No. 184-003126
141 S. Main Street, West Chicago, IL 60085-2844
(630) 293-8900 Fax: 293-8902

SUBMITTED BY AND RETURN TO
CITY OF WHEATON
303 W. WESLEY STREET
WHEATON, IL

STATE OF ILLINOIS)
COUNTY OF DU PAGE) SS
THIS INSTRUMENT, NO. _____ WAS FILED FOR RECORD IN THE RECORDER'S OFFICE OF DU PAGE COUNTY, ILLINOIS, THIS _____ DAY OF _____, 2013.

COUNTY RECORDER'S CERTIFICATE

COUNTY RECORDER

STATE OF ILLINOIS)
COUNTY OF DU PAGE) SS
I, DARYL A. KING, COUNTY CLERK OF DU PAGE COUNTY, ILLINOIS, DO HEREBY CERTIFY THAT I FIND NO DELINQUENT GENERAL TAXES, NO UNPAID CURRENT GENERAL TAXES, NO UNPAID FORFEITED TAXES, NO DELINQUENT OR UNPAID CURRENT SPECIAL ASSESSMENTS, NO RECEIVABLE TAX SALES AGAINST ANY OF THE LAND SHOWN ON THIS PLAT.

COUNTY CLERK'S CERTIFICATE

COUNTY CLERK

STATE OF ILLINOIS)
COUNTY OF DU PAGE) SS
I, _____ COLLECTOR FOR THE CITY OF WHEATON, ILLINOIS, DO HEREBY CERTIFY THAT THERE ARE NO DELINQUENT OR UNPAID CURRENT OR FORFEITED SPECIAL ASSESSMENTS OR ANY DEFERRED INSTALLMENTS THEREOF THAT HAVE BEEN APPORTIONED AGAINST THE TRACT OF LAND DESCRIBED ON THIS PLAT.

CITY COLLECTOR'S CERTIFICATE

COLLECTOR

STATE OF ILLINOIS)
COUNTY OF DU PAGE) SS
APPROVED BY THE CITY COUNCIL OF THE CITY OF WHEATON, DU PAGE COUNTY, ILLINOIS, DATED AT WHEATON, ILLINOIS, THIS _____ DAY OF _____, 2013.

CITY COUNCIL CERTIFICATE

MAYOR, CITY OF WHEATON

ATTEST: CITY CLERK

STATE OF ILLINOIS)
COUNTY OF DU PAGE) SS
I, _____ DIRECTOR OF ENGINEERING FOR THE CITY OF WHEATON, ILLINOIS, DO HEREBY CERTIFY THAT THE LAND IMPROVEMENTS DESCRIBED IN THE ANNEXED PLAT AND THE PLANS AND SPECIFICATIONS THEREOF MEET THE MINIMUM REQUIREMENTS OF SAID CITY AND HAVE BEEN APPROVED BY ALL PUBLIC AUTHORITIES HAVING JURISDICTION THEREIN.

DIRECTOR OF ENGINEERING CERTIFICATE

DIRECTOR OF ENGINEERING

DATED AT WHEATON, ILLINOIS, THIS _____ DAY OF _____, 2013.

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 OR THE SAME BE USED FOR OTHER PURPOSES THAN THE STORAGE, FREE FLOW OF STORMWATER, EACH OWNER OR SUCCESSOR THEREOF SHALL BE SOLELY RESPONSIBLE FOR MAINTAINING SAID STORMWATER MANAGEMENT FACILITY AND SHALL NOT DESTROY OR MODIFY GRADES OR SLOPES WITHOUT FIRST HAVING RECEIVED WRITTEN APPROVAL FROM THE CITY OF WHEATON.

IN THE EVENT ANY OWNER OR SUCCESSOR THEREOF FAILS TO MAINTAIN ANY SUCH EASEMENT/STORMWATER MANAGEMENT FACILITY THE CITY OF WHEATON, ILLINOIS, SHALL UPON THIRTY (30) DAYS WRITTEN NOTICE OF THE OWNER DEFINING THE NATURE AND SCOPE OF THE OWNER'S DEFAULT AND THAT THE OWNER SHALL NOT HAVE SAID SAID DEFAULT, SHALL RESERVE THE RIGHT TO PERFORM OR HAVE PERFORMED ON ITS BEHALF ANY MAINTENANCE WORK UPON THE DETENTION AREA REASONABLY NECESSARY TO INSURE ADEQUATE STORMWATER STORAGE, FREE FLOW OF WATER, DRAINAGE CONTROL, AND TEMP 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 CAUSE TO PERFORM ANY SUCH WORK IT SHALL PROVIDE THE OWNER WITH PROPER INSURANCE CERTIFICATES OF ALL SUBCONTRACTORS EMPLOYED BY THE GOVERNMENT PRIOR TO ENGAGING 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 ITS BEHALF ANY MAINTENANCE WORK TO OR UPON ANY SUCH FACILITY OR EASEMENT AREA THE COST TOGETHER WITH AN ADDITIONAL 5% OF TEN (10) PERCENT OF SAID COST SHALL BE ASSESSED TO THE OWNER OF 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.

EASEMENT PROVISIONS

All easements for serving the subdivision and other property indicated as easements, utility easements or combined drainage and utility easements on this plat are hereby reserved for, and granted to the City of Wheaton, and to utility companies including but not limited to, Ameritech, Nipaw (Northern Illinois Gas Company), Commonwealth Edison Company, and the Wheaton Sanitary District, and their successors and assigns jointly and severally, to install, operate, maintain, repair, relocate and remove, from time to time, facilities used in connection with overhead and underground transmission and distribution of gas and water, electricity and sewage and signals, together with storm water, sanitary sewer, and any other facilities used in the transmission, distribution or transportation of any commodity in a liquid or gaseous state, air, water, sewer, natural, stored and upon the surface of the property shown within lines on the plat marked "Easement", and the property designated as the plat for streets and alleys, together with the right to install, repair, relocate, reconstruct, alter or under the surface of each lot to serve improvements thereon, or on adjacent lots, the right to cut, trim or remove trees, bushes and plants as may be reasonably required incident to the rights herein given, and the right to enter upon the subdivided property for all such purposes. Obstructions shall not be placed over easements, facilities or in, upon, or over the property within the lines marked "Easement" without the prior written consent of grantee. After installation of any such facilities, the grade of the subdivided property shall not be altered in a manner so as to interfere with the proper operation and maintenance thereof. The above easement provisions also apply to these public communication systems under franchise to the City of Wheaton.

