

RESOLUTION R-34-14

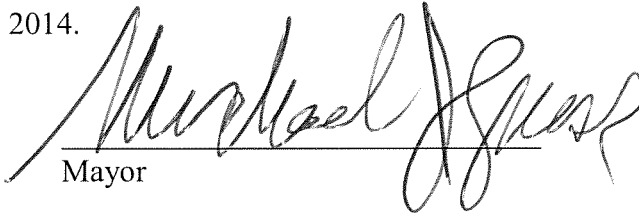
**A RESOLUTION APPROVING A
PLAT OF STORMWATER MANAGEMENT EASEMENT GRANT
(422 Pershing Avenue)**

WHEREAS, the owner of the property located at 422 Pershing Avenue has presented a plat of easement grant for 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 Stormwater Management Easement Grant for 422 Pershing Avenue, prepared by Norbert V. Lambert, Jr., an Illinois professional land surveyor, dated May 22, 2014, 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 2nd day of June, 2014.



Mayor

ATTEST:



City Clerk

Roll Call Vote

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

Motion Carried Unanimously

EXHIBIT A

Legal Description:

422 Pershing Avenue
Wheaton, IL 60189

THE WEST 82.5 FEET OF THE NORTH 300 FEET OF LOT 57 IN ROOSEVELT HEIGHTS,
A SUBDIVISION OF PART OF THE NORTH HALF OF THE NORTH HALF OF SECTION
21, TOWNSHIP 39 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN IN
DUPAGE COUNTY, ILLINOIS.

P.I.N.: 05-21-202-017

PLAT OF STORMWATER MANAGEMENT EASEMENT GRANT FOR 422 PERSHING AVENUE

THE WEST 82.50 FEET OF THE NORTH 300 FEET OF LOT 57 IN RODSVELT HEIGHTS, A SUBDIVISION OF PART OF THE NORTH HALF OF SECTION 21, TOWNSHIP 39 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN DUPAGE COUNTY, ILLINOIS.

P. I. N. 05-21-202-017



LEGAL DESCRIPTION OF PARCEL

THE WEST 82.50 FEET OF THE NORTH 300 FEET OF LOT 57 IN RODSVELT HEIGHTS, A SUBDIVISION OF PART OF THE NORTH HALF OF SECTION 21, TOWNSHIP 39 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN DUPAGE COUNTY, ILLINOIS.

LEGAL DESCRIPTION OF STORMWATER MANAGEMENT EASEMENT

STORMWATER MANAGEMENT EASEMENT FOR 422 PERSHING AVENUE, A PROFESSIONAL AND COMMERCIAL DEVELOPMENT, LOCATED IN THE AREA EXISTING AND TO BE BELOW THE DESIGN FLOOD ELEVATION OF 75.00 FEET ABOVE SEA LEVEL, ACCORDING TO THE NORTH AMERICAN DATUM OF 1985 (NAD83).

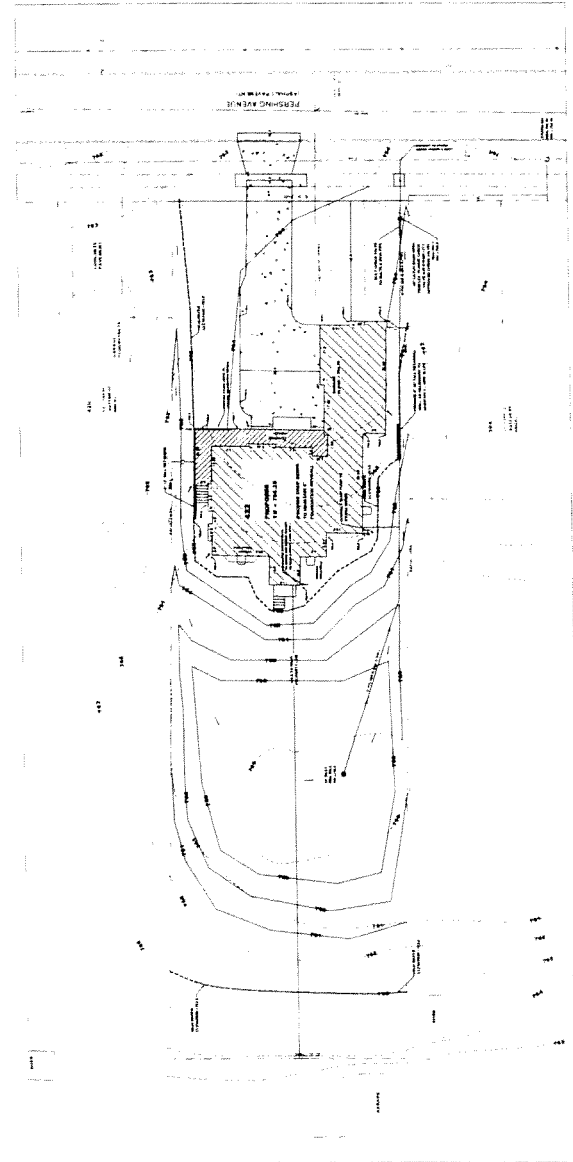
STORMWATER MANAGEMENT EASEMENT PRORISERS

THE EASEMENTS INDICATED AS STORMWATER MANAGEMENT EASEMENTS ARE RESERVED FOR AND GRANTED TO THE CITY OF WHEATON AND ITS SUCCESSIONS AND ASSIGNS ON A NON-EXCLUSIVE BASIS TO BE HELD IN TRUST FOR THE CITY OF WHEATON AND ITS SUCCESSIONS AND ASSIGNS. THE EASEMENTS SHALL BE RESPONSIBLE FOR MAINTAINING SUCH EASEMENTS AND SHALL NOT BE TRANSFERRED FROM THE CITY OF WHEATON OR ITS SUCCESSIONS AND ASSIGNS.

ON THE EVENT ANY OWNER OR SUBSEQUENT OWNER FAILS TO MAINTAIN ANY SUCH EASEMENTS, THE CITY OF WHEATON SHALL, WITHIN A THIRTY (30) DAY WRITTEN NOTICE TO THE OWNER OR THE OWNER'S ATTORNEY, ASSUME THE RIGHT TO PERFORM OR HAVE PERFORMED ON ITS BEHALF ANY MAINTENANCE WORK UPON THE EASEMENTS REASONABLY NECESSARY TO INSURE ADEQUATE STORMWATER STORAGE, FLOW, COLLECTION, AND PREVENT FLOODING IN THE EVENT THAT THE CITY OF WHEATON SELECTS TO PERFORM OR CAUSE TO BE PERFORMED ANY SUCH WORK. ON THE EASEMENT PRORISERS CO. RESERVE THE RIGHT TO PERFORM OR HAVE PERFORMED ANY SUCH WORK.

IN THE EVENT THE CITY OF WHEATON SHALL BE REQUIRED TO PERFORM OR HAVE PERFORMED ON ITS BEHALF ANY MAINTENANCE WORK UPON THE EASEMENTS, THE PRORISERS SHALL BE RESPONSIBLE FOR THE COST OF SAID COSTS SHALL BE ASSESSED TO THE OWNER 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.

THE EASEMENT AREA IS SUBJECT TO FLOODING. OTHER EASEMENTS BY THE OWNERS, OR ACCORDING TO PROVISIONS OUTSIDE OF THE TERMS OF THIS INSTRUMENT MAY ALSO BE SUBJECT TO FLOODING.



OWNER'S CERTIFICATE

STATE OF ILLINOIS))
 COUNTY OF DUPAGE))
 I, _____,)
 OWNER OF THE PARCEL DESCRIBED IN THE)
 ATTACHED PLAT AND HEREBY CERTIFY THAT THE)
 PARCEL IS THE SAME AS THAT DESCRIBED IN THE)
 ATTACHED PLAT AND THAT THE PARCEL IS)
 THE SAME UNDER THE STATE AND CITY RECORDS)
 DATED AT _____, ILLINOIS, THIS _____ DAY OF _____, 2014.

 (OWNER - PRINT NAME)

 (OWNER - SIGNATURE)

NOTARY PUBLIC

STATE OF ILLINOIS))
 COUNTY OF DUPAGE))
 I, _____,)
 HEREBY CERTIFY THAT THE PERSONS WHOSE NAMES)
 APPEAR HEREON AS OWNERS OF THE PARCEL)
 DESCRIBED IN THE ATTACHED PLAT ARE THE)
 SAME AS THOSE WHOSE NAMES APPEAR IN THE)
 ATTACHED PLAT.

 (NOTARY PUBLIC)

 (NOTARY SIGNATURE)

MAYOR AND CITY COUNCIL CERTIFICATE

STATE OF ILLINOIS))
 COUNTY OF DUPAGE))
 I, _____,)
 MAYOR AND CITY COUNCIL OF THE CITY OF WHEATON)
 HEREBY CERTIFY THAT THE PARCEL DESCRIBED IN)
 THIS PLAT OF EASEMENT GRANT ATTACHED HERE TO IS)
 THE SAME AS THAT DESCRIBED IN THE)
 ATTACHED PLAT.

 (MAYOR)

 (CITY CLERK)

DUPAGE COUNTY RECORDER'S CERTIFICATE

STATE OF ILLINOIS))
 COUNTY OF DUPAGE))
 THIS INSTRUMENT NO. _____)
 OF DUPAGE COUNTY, ILLINOIS,)
 WAS FILED FOR RECORD IN THE RECORDER'S OFFICE)
 ON _____ DAY OF _____,)
 2014, AT _____ O'CLOCK)
 P.M.

SURVEYOR'S CERTIFICATE

STATE OF ILLINOIS))
 COUNTY OF DUPAGE))
 I, _____,)
 SURVEYOR, HEREBY CERTIFY THAT THE)
 PARCEL DESCRIBED IN THE ATTACHED PLAT)
 IS THE SAME AS THAT DESCRIBED IN THE)
 ATTACHED PLAT AND THAT THE PARCEL IS)
 THE SAME UNDER THE STATE AND CITY RECORDS)
 DATED AT _____, ILLINOIS, THIS _____ DAY OF _____,)
 2014.

 (SURVEYOR)

 (SURVEYOR SIGNATURE)

PREPARED BY: 04-10-14
 PREPARED BY: 04-10-14
LAMBERT & ASSOCIATES
 955 WEST LIBERTY STREET, WHEATON, IL 60187
 PHONE: (630) 653-4331 FAX: (630) 653-6396



