

RESOLUTION R-62-15


**A RESOLUTION APPROVING A
PLAT OF STORMWATER MANAGEMENT EASEMENT GRANT
(Stars Family Services)**

WHEREAS, the owner of the property located at 375 & 377 North Cross Street 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, prepared by Richard J. Steinbrecher, an Illinois professional land surveyor, dated September 22, 2015, 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 19th day of October, 2015.



Mayor

ATTEST:



City Clerk

Roll Call Vote

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

Motion Carried Unanimously

EXHIBIT A

Legal Description:

375 & 377 North Cross Street
Wheaton, IL 60187

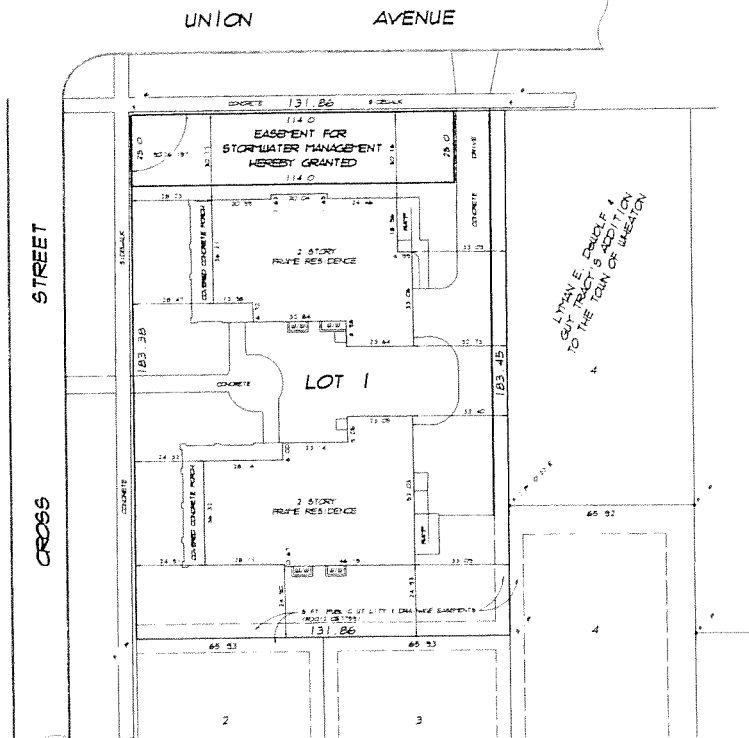
LOT 1 IN SAINT JOHN LUTHERAN CHURCH PLAT OF RESUBDIVISION, BEING A SUBDIVISION OF PART OF THE EAST HALF OF THE NORTHWEST QUARTER OF SECTION 16, TOWNSHIP 39 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MAY 4, 2012 AS DOCUMENT R2012-057759, IN DUPAGE COUNTY, ILLINOIS.

P.I.N.: 05-16-129-15

PLAT OF EASEMENT GRANT FOR STORMWATER MANAGEMENT

OVER A PART OF LOT 1 IN SAINT JOHN LUTHERAN CHURCH PLAT OF RE-SUBDIVISION BEING A RE-SUBDIVISION OF PART OF 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 MAY 4, 2017 AS DOCUMENT #0212 051109 IN DU PAGE COUNTY, ILLINOIS

P. I. N. 05-16-129 015



COUNTY RECORDER'S CERTIFICATE

STATE OF ILLINOIS)
) 5 S
COUNTY OF DU PAGE)

THIS INSTRUMENT NO. _____ WAS FILED FOR RECORD IN THE RECORDER'S OFFICE OF DU PAGE COUNTY, ILLINOIS THIS _____ DAY OF _____ 2015 AT _____ O'CLOCK _____ M.

COUNTY RECORDER

MAYOR AND CITY COUNCIL CERTIFICATE

STATE OF ILLINOIS)
) 5 S
COUNTY OF DU PAGE)

MAYOR AND CITY COUNCIL OF THE CITY OF WHEATON, COUNTY OF DU PAGE, STATE OF ILLINOIS, HEREBY CERTIFY THAT THE SAID COUNCIL HAS DULY APPROVED THIS PLAT OF EASEMENT GRANT ATTACHED HERETO BY RESOLUTION NO. _____ DULY AUTHENTICATED AS PASSED THIS _____ DAY OF _____ 2015.

ATTEST _____
CITY CLERK

MAYOR

SURVEYOR'S CERTIFICATE

STATE OF ILLINOIS)
) 5 S
COUNTY OF DU PAGE)

THIS IS TO CERTIFY THAT WE, STEINBRECHER LAND SURVEYORS, INC., PROFESSIONAL LAND SURVEYING DESIGN FIRM NO. 184-003128, HAVE PREPARED THE MANEVED PLAT FOR THE PURPOSES OF GRANTING AN EASEMENT.

WEST CHICAGO, ILLINOIS, SEPTEMBER 22, 2015



STEINBRECHER LAND SURVEYORS, INC. BY

Richard J. Steinhoefer
RICHARD J. STEINHOEFER
PROFESSIONAL LAND SURVEYOR NO. 3583
MY LICENSE EXPIRES NOVEMBER 30, 2015

Steinbrecher Land Surveyors, Inc.
Professional Land Surveying
Design Firm Corporation No. 184-003128
1415 Diamond Blvd., West Chicago, IL 60185-2844
(630) 295-8900 Fax 295-8902

PREPARED FOR
STARS FAMILY SERVICES
P.O. BOX 1368
WHEATON, IL 60187

SUBMITTED BY & RETURN TO
CITY OF WHEATON
383 W. WHEATLEY STREET
WHEATON, IL 60187

OWNER'S CERTIFICATE

STATE OF ILLINOIS)
) 5 S
COUNTY OF DU PAGE)

THIS IS TO CERTIFY THAT STARS FAMILY SERVICES, INC. IS THE OWNER OF THE LAND SHOWN AND DESCRIBED HEREON AND HAS CAUSED THE SAME AS HEREON SHOWN FOR THE USES AND PURPOSES THEREIN SET FORTH AND DO HEREBY ACKNOWLEDGE AND AGREE TO THE SAME UNDER THE STYLE AND TITLE HEREON SHOWN.

DATED THIS 29 DAY OF September, 2015

Raymond F. Chase
RAYMOND F. CHASE, PRESIDENT

NOTARY'S CERTIFICATE

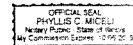
STATE OF ILLINOIS)
) 5 S
COUNTY OF DU PAGE)

I, Phyllis C. Miceli, a NOTARY PUBLIC IN AND FOR SAID COUNTY IN THE STATE AFORESAID, DO HEREBY CERTIFY THAT RAYMOND F. CHASE, IS PERSONALLY KNOWN TO ME TO BE THE SAME PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT APPROVED BEFORE ME THIS DAY IN PERSON AND ACKNOWLEDGED THAT HE SIGNED AND DELIVERED SAID INSTRUMENT AS HIS OWN FREE AND VOLUNTARY ACT AND AS THE FREE AND VOLUNTARY ACT OF SAID STARS FAMILY SERVICES, INC. FOR THE USES AND PURPOSES THEREIN SET FORTH.

GIVEN UNDER MY HAND AND NOTARIAL SEAL THIS 29 DAY OF September, 2015

Phyllis C. Miceli
NOTARY PUBLIC

MY COMMISSION EXPIRES 10/6/2019



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, BUT THE SAME MAY BE USED FOR OTHER PURPOSES THAT DO NOT ADVERSELY AFFECT THE STORAGE, FREE FLOW OF STORMWATER. EACH OWNER OR SUBSEQUENT PURCHASER SHALL BE EQUALLY RESPONSIBLE FOR MAINTAINING SUCH 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 SUBSEQUENT PURCHASER FAILS TO MAINTAIN ANY SUCH EASEMENT/STORMWATER MANAGEMENT FACILITY THE CITY OF WHEATON, ILLINOIS, SHALL UPON THIRTY (30) DAYS WRITTEN NOTICE OF THE OWNER OUTLINING THE NATURE AND DEGREE OF THE OWNER'S DEFAULT AND THAT THE OWNER SHALL NOT HAVE CURED SAID DEFAULT, SHALL RESERVE THE RIGHT TO PERFORM OR HAVE PERFORMED ON IT'S BEHALF ANY MAINTENANCE WORK UPON THE DETENTION AREA REASONABLY NECESSARY TO INSURE ADEQUATE STORMWATER STORAGE, FREE FLOW OF WATER, EROSION CONTROL, AND TURF 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 CAUSES TO PERFORM ANY SUCH WORK, IT SHALL PROVIDE THE OWNERS WITH PROPER INSURANCE CERTIFICATES OF ALL SUBCONTRACTORS WORKING ON THE EASEMENT PREMISES CO-INVOICING 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 IT'S BEHALF ANY MAINTENANCE WORK TO OR UPON ANY SUCH FACILITY OR EASEMENT AREA THE COST TOGETHER WITH AN ADDITIONAL SUM OF TEN (10) PERCENT OF SAID COST SHALL BE ASSESSED TO THE OWNER OR 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.

