

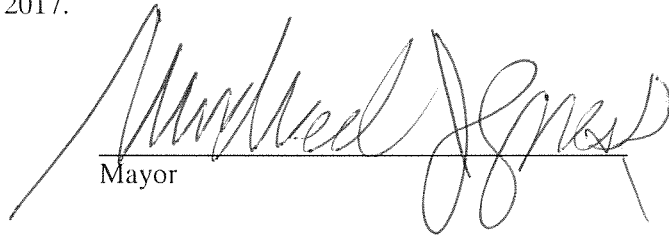
RESOLUTION R-27-17

**A RESOLUTION APPROVING THE
FINAL PLAT OF AMBER COURT SUBDIVISION
(Wiesbrook Road at Leabrook Lane)**

WHEREAS, the Owner has submitted a plat of subdivision of the property located on the south side of Wiesbrook Road at Leabrook Lane 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 subdivision be approved.

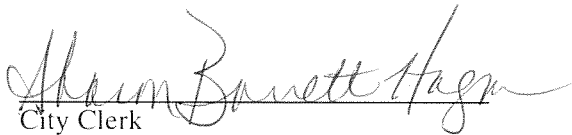
NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Wheaton, Illinois that the Final Plat of Amber Court Subdivision, as prepared by Donald E. Rericka, an Illinois Professional Land Surveyor, dated January 18, 2017 is hereby approved, and the Mayor is hereby authorized to sign, and the City Clerk is authorized and directed to attest, this resolution of approval and the Final Plat of Amber Court incorporated herein as Exhibit B.

ADOPTED this 1st day of May, 2017.



Mayor

ATTEST:



City Clerk

Roll Call Vote

Ayes:	Councilman Suess Councilman Barbier Councilwoman Fitch Councilman Prendiville Mayor Gresk Councilman Rutledge Councilman Scalzo
Nays:	None
Absent:	None

Motion Carried Unanimously

EXHIBIT "A"

Amber Court Subdivision
Wiesbrook Road (Vacant land), Wheaton, Illinois

Legal Description

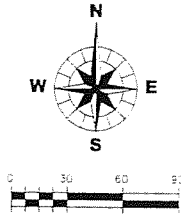
THAT PART OF THE SOUTHEAST QUARTER OF SECTION 19 AND THE NORTHEAST QUARTER OF SECTION 30, TOWNSHIP 39 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHEAST CORNER OF LOT 3 OF WATER TOWER PLACE, PER DOCUMENT NUMBER R80-17053, RECORDED MARCH 21, 1980; THENCE NORTH 00 DEGREES 48 MINUTES 33 SECONDS WEST ALONG THE EAST LINE OF SAID WATER TOWER PLACE, A DISTANCE OF 381.95 FEET TO THE CENTERLINE OF WIESBROOK ROAD; THENCE NORTH 59 DEGREES 09 MINUTES 01 SECONDS EAST ALONG SAID CENTERLINE OF WIESBROOK ROAD, A DISTANCE OF 288.79 FEET TO THE NORTHWEST CORNER OF WALNUT GROVE SUBDIVISION, PER DOCUMENT R78-36749, RECORDED MAY 2, 1978; THENCE SOUTH 00 DEGREES 48 MINUTES 33 SECONDS EAST ALONG THE WEST LINE OF SAID WALNUT GROVE SUBDIVISION, A DISTANCE OF 399.91 FEET TO THE SOUTHWEST CORNER OF SAID WALNUT GROVE SUBDIVISION; THENCE SOUTH 62 DEGREES 19 MINUTES 49 SECONDS WEST ALONG THE NORTHERLY RIGHT-OF-WAY LINE OF DUPAGE COUNTY PARKWAY (FORMERLY CHICAGO, AURORA AND ELGIN RAILROAD), A DISTANCE OF 280.24 FEET TO THE POINT OF BEGINNING, CONTAINING 2.244 ACRES, MORE OR LESS, IN DUPAGE COUNTY ILLINOIS.

PIN: 05-19-405-009; -010

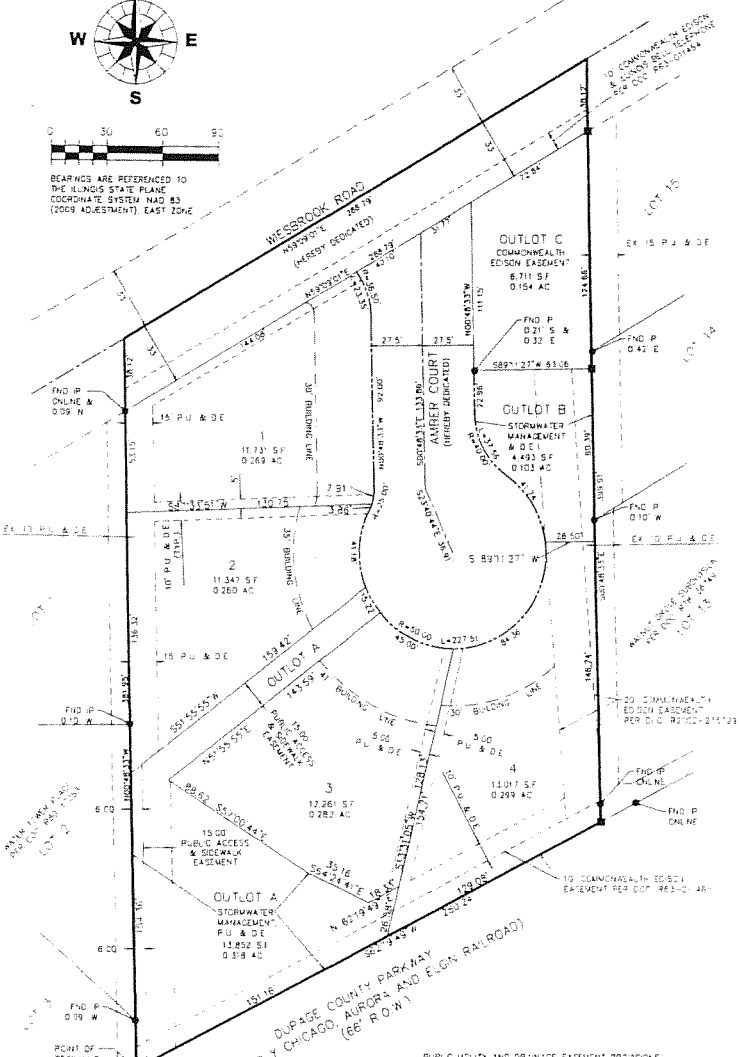
PLAT SUBMITTED FOR RECORDING BY
CITY OF WHEATON
303 W WESLEY ST
WHEATON, ILLINOIS 60178

FINAL PLAT OF SUBDIVISION AMBER COURT SUBDIVISION

BEING A SUBDIVISION OF PART OF THE THE SOUTHEAST QUARTER OF SECTION 19 AND THE PART OF THE NORTHEAST QUARTER OF SECTION 20, ALL IN TOWNSHIP 39 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, DUPAGE COUNTY, IL



BEARINGS ARE REFERENCED TO THE ILLINOIS STATE PLANE COORDINATE SYSTEM NAD 83 (2005 ADJUSTMENT), EAST ZONE.



LEGEND

- SURVEYED PROPERTY
- EX RIGHT OF WAY LINE
- PR RIGHT OF WAY LINE
- BUILDING SETBACK LINE
- EX PERMANENT EASEMENT
- PR PERMANENT EASEMENT
- CENTERLINE
- 400 00 WEARIED OR CALCED SURVEY DATA
- (400 00) RECORD OR PRIOR SURVEY DATA
- FOUND IRON PIPES
- SET CHISELED CORNERS
- SET CONCRETE MONUMENT

DIRECTOR OF ENGINEERING CERTIFICATE

STATE OF ILLINOIS) SS
COUNTY OF DU PAGE)

I, _____, DIRECTOR OF ENGINEERING FOR THE CITY OF WHEATON, ILLINOIS, DO HEREBY CERTIFY THAT THE PLAT AS APPENDED HERETO 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 _____ 2017.

DIRECTOR OF ENGINEERING _____

COUNTY CLERK CERTIFICATE

STATE OF ILLINOIS) SS
COUNTY OF DU PAGE)

I, Paul Hinds, COUNTY CLERK OF DU PAGE COUNTY, ILLINOIS, DO HEREBY CERTIFY THAT I FIND NO DELINQUENT GENERAL TAXES, NO UNPAID CURRENT GENERAL TAXES, NO UNPAID FORGOTTEN TAXES, NO DELINQUENT OR UNPAID SPECIAL ASSESSMENTS, NO REDEEMABLE TAX SALES AGAINST ANY OF THE LAND SHOWN ON THIS PLAT.

GIVEN UNDER MY HAND AND SEAL THIS 7th DAY OF FEBRUARY 2017.

Paul Hinds
COUNTY CLERK, DU PAGE COUNTY, ILLINOIS

CERTIFICATE OF NOTARY - OWNERS CERTIFICATE

STATE OF ILLINOIS) SS
COUNTY OF _____)

I, _____, HEREBY CERTIFY THAT THE PERSON(S), (CORPORATION(S)) WHOSE NAMES ARE SUBSCRIBED TO THE FOREGOING CERTIFICATE ARE KNOWN TO ME AS SUCH OWNER(S).

GIVEN UNDER MY HAND AND NOTARY SEAL THIS _____ DAY OF _____ 2017.

NOTARY PUBLIC _____

CITY COUNCIL CERTIFICATE

STATE OF ILLINOIS) SS
COUNTY OF DU PAGE)

APPROVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF WHEATON, DU PAGE COUNTY, ILLINOIS, THIS _____ DAY OF _____ 2017.

ATTEST: CITY CLERK _____ MAYOR, CITY OF WHEATON

CITY COLLECTOR CERTIFICATE

I, _____, CITY COLLECTOR FOR THE CITY OF WHEATON, ILLINOIS, DO HEREBY CERTIFY THAT THERE ARE NO DELINQUENT OR UNPAID CURRENT OR FORGOTTEN SPECIAL ASSESSMENTS OR ANY DELINQUENT INSTALLMENTS THEREOF THAT HAVE BEEN APPROPRIATED AGAINST THE TRACT OF LAND DESCRIBED ON THIS PLAT.

DATED AT WHEATON, ILLINOIS THIS _____ DAY OF _____ 2017.

CITY COLLECTOR _____

PUBLIC UTILITY AND DRAINAGE EASEMENT PROVISIONS

ALL EASEMENTS INDICATED AS PUBLIC UTILITY AND/OR DRAINAGE AND UTILITY EASEMENTS ON THIS PLAT ARE RESERVED FOR AND GRANTED TO THE CITY OF WHEATON AND TO THOSE PUBLIC UTILITY COMPANIES OPERATING UNDER FRANCHISE FROM THE CITY OF WHEATON INCLUDING BUT NOT LIMITED TO, AT&T, NICOR GAS COMPANY, COMMONWEALTH EDISON COMPANY, COMCAST CABLE AND THEIR SUCCESSORS AND AGENTS COLLECTIVELY GRANTED) FOR THE PERPETUAL RIGHT, PRIVILEGE AND AUTHORITY TO CONSTRUCT, RECONSTRUCT, REPAIR, INSPECT, MAINTAIN AND OPERATE THE PUBLIC UTILITY TOGETHER WITH ANY AND ALL NECESSARY MANHOLES, CATCH BASINS, CONNECTIONS, APPLIANCES AND OTHER STRUCTURES AND APPURTENANCES AS MAY BE DEMAND NECESSARY BY SAID CITY OF WHEATON UPON, ALONG, UNDER AND THROUGH SAID INDICATED EASEMENT, TOGETHER WITH RIGHT OF ACCESS ACROSS THE PROPERTY FOR NECESSARY NEW 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 PUBLIC UTILITY. THE GRANTEE OR GRANTEE'S PERFORMING 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 EASEMENT, BUT SAME MAY BE USED FOR GARAGES, SHEDS, MANHOLES AND OTHER STRUCTURES. THIS RIGHT SHALL NOT BE LIMITED BY THE APPLICABLE USES OR RIGHTS OF EASEMENTS OR GRANTS SHALL NOT BE CHANGED BY THE EASEMENT PREMISES WITHOUT THE WRITTEN APPROVAL OF THE CITY OF WHEATON.

OWNERS CERTIFICATE

STATE OF Illinois) SS
COUNTY OF Cook) SS

I, James A. Esperson, IS THE OWNER OF THE PROPERTY DESCRIBED HEREON AND HAS CAUSED THE SAME TO BE PLOTTED AND RECORDED AS NOTICED HEREON, FOR THE USES AND PURPOSES THEREIN SET FORTH, AND DOES HEREBY ACKNOWLEDGE AND ADOPT THE SAME UNDER THE TITLE AND TITLE HEREON INDICATED.

DATES THIS 4th DAY OF January, 2017.

THE OWNER FURTHER CERTIFIES THE PROPERTY IS WITHIN COMMUNITY SECTION, DISTRICT 200.

OWNER ADDRESS _____

Mark Thomas Schumaker Sr.
Mark Thomas Schumaker Sr. 1820 Wesley Homes Ct.
Mark Thomas Schumaker Sr. 1820 Wesley Homes Ct.

NOTES

1. IRL 02-19-A25-010
2. FIELD WORK WAS COMPLETED 8/13/14
3. 1/4" X 24" IRON PIPE TO BE SET AT ALL CORNERS UNLESS OTHERWISE NOTED
4. ALL STORMWATER MANAGEMENT, PUBLIC UTILITY & DRAINAGE EASEMENTS SHOWN ON THE PLAT ARE HEREBY GRANTED.

FRONT YARD SETBACKS = JARABLE AS SHOWN
SIDE YARD SETBACKS = 14'
REAR YARD SETBACKS = 25'
CORNER SETBACKS = 21'

RECORDED BY DEEDS CERTIFICATE

STATE OF ILLINOIS) SS
COUNTY OF DU PAGE)

THIS INSTRUMENT WAS FILED FOR RECORD IN THE RECORDER OF DEEDS OFFICE OF DU PAGE COUNTY, ILLINOIS, ON THE _____ DAY OF _____ 2017.

DU PAGE COUNTY RECORDER OF DEEDS _____

1 OF 2

WBK engineering
WBK ENGINEERING, LLC
116 WEST MAIN STREET, SUITE 201
17 CHARLES STREET, SUITE 207
630148-1765

CLIENT
DAVID WEEKLEY HOMES
1920 THOREAU NORTH DRIVE
SCHAUMBURG, IL 60173

DISGN	RVW	TITLE
_____	_____	AMBER COURT SUBDIVISION
_____	_____	FINAL PLAT OF SUBDIVISION
_____	_____	SCALE: 1"=10'
_____	_____	NATURE OR REGION
_____	_____	FINAL PLAT FILE NUMBER

AMBER COURT SUBDIVISION
FINAL PLAT OF SUBDIVISION

PLAT SUBMITTED FOR RECORDING BY
CITY OF WHEATON
303 W WESLEY ST
WHEATON, ILLINOIS 60178

FINAL PLAT OF SUBDIVISION AMBER COURT SUBDIVISION

BEING A SUBDIVISION OF PART OF THE THE SOUTHEAST QUARTER OF SECTION 19 AND THE
PART OF THE NORTHEAST QUARTER OF SECTION 20, ALL IN TOWNSHIP 39 NORTH, RANGE 10
EAST OF THE THIRD PRINCIPAL MERIDIAN, DUPAGE COUNTY, IL

PERMANENT STORMWATER MANAGEMENT EASEMENT PROVISIONS

ALL EASEMENTS INDICATED AS STORMWATER MANAGEMENT EASEMENTS ARE PERMANENT EASEMENTS 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 OR OTHERWISE VIOLATE APPLICABLE STORMWATER LAWS, CODES, ORDINANCES AND REGULATIONS. EACH OWNER SHALL BE EQUALLY RESPONSIBLE FOR MAINTAINING SUCH STORMWATER MANAGEMENT FACILITY IN ACCORDANCE WITH THE RECOMMENDED MAINTENANCE SCHEDULES OUTLINED IN THE STORMWATER MANAGEMENT REPORT AND SHALL NOT DESTROY OR MODIFY GRADES OR SLOPES OR ANY DESIGN OR FUNCTION IN ANY MANNER WHICH VIOLATES APPLICABLE STORMWATER LAWS, ORDINANCES, CODES AND REGULATIONS, OR THE ORIGINAL APPROVED DESIGNS WITHOUT FIRST HAVING RECEIVED WRITTEN APPROVAL FROM THE CITY OF WHEATON OR THE COUNTY AS THE LAW MAY REQUIRE.

IN THE EVENT ANY OWNER FAILS TO MAINTAIN ANY SUCH EASEMENT/STORMWATER MANAGEMENT FACILITY THE CITY OF WHEATON, ILLINOIS SHALL UPON THIRTY (30) DAYS WRITTEN NOTICE OUTLINED THE NATURE AND DEFECT OF THE DEFAULT AND THAT THE OWNER SHALL NOT HAVE CURED SAID DEFAULT, SHALL HAVE THE RIGHT, BUT NOT THE OBLIGATION, TO PERFORM OR HAVE PERFORMED ON ITS BEHALF, ANY MAINTENANCE, RECONSTRUCTION OR OTHER WORK UPON THE STORMWATER MANAGEMENT FACILITY AND ITS APPURTENANCES REASONABLY NECESSARY TO INSURE ADEQUATE STORMWATER STORAGE, FREE FLOW OF WATER, EROSION CONTROL, AND TURF MAINTENANCE TO ELIMINATE STAGNANT WATER WITHIN THE DETENTION AREA, COMPLIANCE WITH APPLICABLE STORMWATER LAWS, CODES, ORDINANCES AND REGULATIONS OR RESTORE THE EASEMENT AREA TO ITS ORIGINAL DESIGN PARAMETERS AND FUNCTIONS AS AN ALTERNATIVE TO PERFORMING THE WORK AS DESCRIBED HEREIN. THE CITY RETAINS ANY AND ALL REMEDIES PROVIDED IN LAW AND OR EQUITY TO ENFORCE THE OWNER'S OBLIGATIONS.

IN THE EVENT THE CITY OF WHEATON, ILLINOIS PERFORMS OR HAS PERFORMED ANY MAINTENANCE WORK, REPAIRS OR RECONSTRUCTION WORK AS DESCRIBED HEREIN TO OR UPON ANY SUCH EASEMENT OR EASEMENT AREA THE COST TOGETHER WITH AN ADDITIONAL 5% (FIVE) PERCENT OF SAID COST SHALL BE ASSESSED TO THE OWNER OF EACH LOT WITHIN THE SUBDIVISION, ITS SUCCESSORS AND ASSIGNS AND SHALL ALSO CONSTITUTE A LIEN AGAINST THE EASEMENT PROPERTY. THE CITY SHALL HAVE THE RIGHT TO FORECLOSE THE LIEN ON EACH LOT WITHIN THE PROPERTY UPON FAILURE OF THE OWNERS OR ASSOCIATION TO PAY THE ENTIRE LIEN WITHIN FOURTEEN (14) DAYS OF THE CITY'S WRITTEN NOTICE OF LIEN TO THE ASSOCIATION. THIS LIEN MAY BE ENFORCED BY ANY ACTION BROUGHT BY OR ON BEHALF OF THE CITY OF WHEATON AND ATTORNEY FEES INCURRED BY THE CITY IN THE ENFORCEMENT OF THE OWNER(S) OBLIGATIONS AS SET FORTH SHALL BE REIMBURSED TO THE CITY BY THE OWNER(S).

THE ABOVE EASEMENT PROVISIONS SHALL ALSO APPLY TO THE PERPETUAL MAINTENANCE OF ALL REQUIRED NATIVE PLANTING / BEST MANAGEMENT PRACTICES DESIGN IMPROVEMENTS AND ALL DETENTION FACILITIES AND IMPROVEMENTS AS OUTLINED IN _____ STORMWATER MANAGEMENT REPORT DATED _____ AS APPROVED AND AMENDED AND AMENDED THE OWNER SHALL KEEP AN INSPECTION AND MAINTENANCE LOG ON THE PREMISES OF THE STORMWATER MANAGEMENT FACILITY AND BMP DEVICES WHICH THEY SHALL MAKE AVAILABLE TO THE CITY OF WHEATON UPON REQUEST.

THE ABOVE PROVISIONS SHALL RUN WITH THE LAND AND BE BINDING ON ALL SUCCESSORS, ASSIGNS, AND GRANTEEES.

SURVEYOR'S CERTIFICATE

STATE OF ILLINOIS)
COUNTY OF KANE) SS

I, DONALD RERICK, ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 35-3465 DO HEREBY CERTIFY THAT AT THE REQUEST OF THE OWNER, HEREIN, I HAVE SURVEYED AND SUBDIVIDED THE FOLLOWING DESCRIBED PROPERTY:

THAT PART OF THE SOUTHEAST QUARTER OF SECTION 19, AND THE NORTHEAST QUARTER OF SECTION 20, TOWNSHIP 39 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHEAST CORNER OF LOT 3 OF WATER TOWER PLACE, PER DOCUMENT NUMBER RECD-17053, RECORDED MARCH 21, 1980; THENCE NORTH 00 DEGREES 48 MINUTES 33 SECONDS WEST ALONG THE EAST LINE OF SAID WATER TOWER PLACE, A DISTANCE OF 381.95 FEET TO THE CENTERLINE OF WESBROOK ROAD; THENCE NORTH 89 DEGREES 09 MINUTES 01 SECONDS EAST ALONG SAID CENTERLINE OF WESBROOK ROAD, A DISTANCE OF 288.78 FEET TO THE NORTHWEST CORNER OF WALNUT GROVE SUBDIVISION, PER DOCUMENT NUMBER P78-26749, RECORDED MAY 2, 1978; THENCE SOUTH 00 DEGREES 48 MINUTES 33 SECONDS EAST ALONG THE WEST LINE OF SAID WALNUT GROVE SUBDIVISION, A DISTANCE OF 399.31 FEET TO THE SOUTHWEST CORNER OF SAID WALNUT GROVE SUBDIVISION; THENCE SOUTH 62 DEGREES 19 MINUTES 49 SECONDS WEST ALONG THE NORTHERLY RIGHT-OF-WAY LINE OF DUPAGE COUNTY PARKWAY (FORMERLY CHICAGO, AURORA AND ELON RAILROAD), A DISTANCE OF 280.24 FEET TO THE POINT OF BEGINNING, CONTAINING 2.244 ACRES, MORE OR LESS, IN DUPAGE COUNTY, ILLINOIS.

INCLUDING AN EASEMENT IN FAVOR OF COMMONWEALTH Edison COMPANY, HENCEFORTH REFERRED TO AS OUTLET C, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF LOT 3 OF WATER TOWER PLACE, PER DOCUMENT NUMBER RECD-17053, RECORDED MARCH 21, 1980; THENCE NORTH 00 DEGREES 48 MINUTES 33 SECONDS WEST ALONG THE EAST LINE OF SAID WATER TOWER PLACE, A DISTANCE OF 381.95 FEET TO THE CENTERLINE OF WESBROOK ROAD; THENCE NORTH 89 DEGREES 09 MINUTES 01 SECONDS EAST ALONG SAID CENTERLINE OF WESBROOK ROAD, A DISTANCE OF 288.78 FEET TO THE NORTHWEST CORNER OF WALNUT GROVE SUBDIVISION, PER DOCUMENT NUMBER P78-26749, RECORDED MAY 2, 1978; THENCE SOUTH 00 DEGREES 48 MINUTES 33 SECONDS EAST ALONG THE WEST LINE OF SAID WALNUT GROVE SUBDIVISION, A DISTANCE OF 381.2 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING SOUTH 00 DEGREES 48 MINUTES 33 SECONDS EAST ALONG SAID WEST LINE, A DISTANCE OF 124.66 FEET; THENCE SOUTH 89 DEGREES 11 MINUTES 27 SECONDS WEST, A DISTANCE OF 63.06 FEET; THENCE NORTH 00 DEGREES 48 MINUTES 33 SECONDS WEST, A DISTANCE OF 111.15 FEET; THENCE NORTH 89 DEGREES 09 MINUTES 01 SECONDS EAST, A DISTANCE OF 72.84 FEET TO THE POINT OF BEGINNING, CONTAINING 0.154 ACRES, MORE OR LESS, IN DUPAGE COUNTY, ILLINOIS.

I FURTHER CERTIFY THAT THE PLAT HEREON DRAWN IS A CORRECT REPRESENTATION OF SAID SURVEY AND SUBDIVISION WHICH WAS PREPARED IN COMPLIANCE WITH THE LAWS OF THE STATE OF ILLINOIS.

I FURTHER CERTIFY THAT THE PROPERTY DESCRIBED AND SHOWN ON THE PLAT HEREON DRAWN IS WITHIN THE CORPORATE LIMITS OF THE CITY OF WHEATON, DUPAGE COUNTY, ILLINOIS, AND THAT THIS SITE APPEARS TO BE SITUATED IN ZONE A7 (AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN) AS DEFINED IN THE FLOOD INSURANCE RATE MAP NO. 17043C0004H AND 17043C0007H BOTH WITH AN EFFECTIVE DATE OF DECEMBER 16, 2004 TO THE BEST OF MY KNOWLEDGE AND BELIEF.

GIVEN UNDER MY HAND AND SEAL THIS 19th DAY OF FEBRUARY 2017.

ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 35-3465
ALL LICENSES EXPIRE NOVEMBER 30, 2018
THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT MINIMUM STANDARDS FOR A BOUNDARY SURVEY.

EASEMENT PROVISIONS
As required by zoning ordinance and other laws on record.

Commonwealth Edison Company
303 Water Tower Place
Chicago, Illinois

This easement is granted to the City of Wheaton, Illinois, for the purpose of providing for the storage and free flow of stormwater. The easement shall be used for the storage and free flow of stormwater and for any other purpose that does not adversely affect the storage and free flow of stormwater. The easement shall not be used for any other purpose without the written approval of the City of Wheaton. The easement shall be perpetual and shall run with the land. The easement shall be subject to the terms and conditions set forth in the Stormwater Management Report. The easement shall be subject to the terms and conditions set forth in the Stormwater Management Report. The easement shall be subject to the terms and conditions set forth in the Stormwater Management Report.

+ Mark Cozzi 2/7/17
Mark Cozzi
Real Estate Specialist COMED



PROJECT NO. 16217
DATE: 2/20/17
DRAWING NO. 200
SHEET
2 OF 2

WBK engineering
WBK ENGINEERING, LLC
118 WEST MAIN STREET, SUITE 101
ST. CHARLES, ILLINOIS 60374
(630) 443-7718

CLIENT	DSGN	RWN	TITLE
DAVID WEEKLEY HOMES 1920 THOREAU NORTH DRIVE SCHAUMBURG, IL 60173	DWN	RPD	AMBER COURT SUBDIVISION
	CHVD	GER	
			SCALE
			NO. DATE NATURE OF REVISION
			FINAL PLAT OF SUBDIVISION

**AMBER COURT
SUBDIVISION**

**FINAL PLAT
OF SUBDIVISION**

ORDINANCE NO. F-1989

AN ORDINANCE AUTHORIZING APPROVAL OF AN EXTENSION OF TIME ON THE VALIDITY OF AND AMENDING ORDINANCE NO. F-1125 – “AN ORDINANCE AMENDING THE WHEATON ZONING MAP BY REZONING CERTAIN REAL ESTATE AND GRANTING A SPECIAL USE PERMIT FOR PLANNED UNIT DEVELOPMENT ON REAL ESTATE COMMONLY LOCATED ON THE SOUTH SIDE OF WIESBROOK ROAD AT LEABROOK LANE - NOZZEL, INC. & COMMONWEALTH EDISON COMPANY”

WHEREAS, on January 17, 2006 the Mayor and City Council approved Ordinance No. F-1125 (Original Ordinance) which granted a rezoning and issuance of a special use permit for a Planned Unit Development in order to allow for the development of four single family homes on four residential zoning lots and the continued existence of a Commonwealth Edison utility substation on a separate additional lot, all on certain property legally described herein and commonly known as the south side of Wiesbrook Road at Leabrook Lane, Wheaton, Illinois 60189; and

WHEREAS, on July 7, 2014 the Mayor and City Council approved Ordinance No. F-1798 (Amended Ordinance) which granted a one-year extension on the validity of the Original Ordinance until July 7, 2015; and

WHEREAS, following the enactment of the Original Ordinance and Amended Ordinance, an application has been made requesting approval of an extension of time and revised preliminary plat of subdivision; and the City has determined that the requested amendment is a minor amendment and may be implemented without public hearing, pursuant to the provisions of Section 5.10.6 of the Wheaton Zoning Ordinance; and

WHEREAS, Article 4.4 of the City of Wheaton Zoning Ordinance provides that upon written application and for good cause shown, the corporate authorities may, in their sole discretion, grant extensions of time not to exceed one year each.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Wheaton, DuPage County, Illinois, pursuant to its home rule powers, that:

Section 1: Section 2 of the Original Ordinance is hereby amended to approve the revised preliminary plat of subdivision entitled “*Amber Court Subdivision*”, prepared by *WBK Engineering, LLC*, dated December 14, 2016.

Section 2: Section 2(1) of the Original Ordinance is hereby deleted in its entirety and replaced with the following:

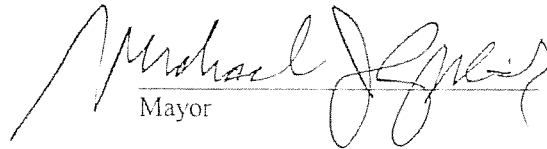
“1. The owner of the Subject Property shall provide public pedestrian and non-motorized bicycle access to and egress from the Illinois Prairie Path adjacent to the planned unit development on a 10 foot wide concrete path located within a minimum 15 foot wide public access easement along the western portion of the Subject Property and connecting it to the right-of-way to be dedicated for the public street, in the location identified on the Preliminary Plat. Said access easement shall be located within a outlot owned and maintained by the homeowner’s association of the planned unit development and shall be effectuated pursuant to applicable provisions contained on the final plat of subdivision for the Subject Property as hereafter approved by the City.”

Section 3: Approval is granted to allow the Original Ordinance and Amended Ordinance to be valid until October 17, 2017.

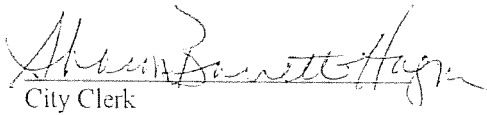
Section 4: In all other respects, the terms and provisions of the Original Ordinance and Amended Ordinance are ratified and remain in full force and effect.

Section 5: All ordinances and parts of ordinances in conflict with these provisions are hereby repealed.

Section 6: This ordinance shall become effective after its passage, approval, and publication in pamphlet form in the manner prescribed by law.


Mayor

ATTEST:


City Clerk

Roll Call Vote

Ayes: Councilwoman Fitch
Councilman Prendiville
Councilman Rutledge
Mayor Gresk
Councilman Saline
Councilman Scalzo
Councilman Sues

Nays: None

Absent: None

Motion Carried Unanimously

Passed: December 19, 2016
Published: December 20, 2016