

RESOLUTION NO. R-2019-60

**A RESOLUTION TERMINATING A GRANT OF LANDSCAPE EASEMENT AND AGREEMENT FOR
GRANT OF LANDSCAPE EASEMENT**

(MAIN STREET PROFESSIONAL CENTER/R-05-02)

WHEREAS, the City of Wheaton entered into a "Landscape Easement and Agreement" by Resolution R-05-02 dated January 7, 2002; and

WHEREAS, the City has determined that it is no longer necessary or efficient for the taxpayers to continue to maintain the landscaping in the easement area; and

WHEREAS, paragraph 12 of the Grant of Landscape Easement and Agreement provides:

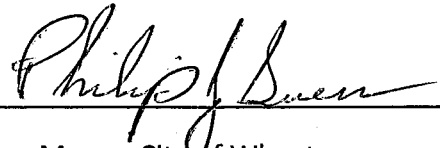
"12. The City may terminate this easement and agreement by notifying the Owner in writing at least ninety (90) days prior to the date of termination."

WHEREAS, the Corporate Authorities of the City of Wheaton hereby elect to terminate the Grant of Landscape Easement and Agreement ninety (91) days subsequent to the adoption and delivery of notice of this resolution to the current owners of the property subject to the easement.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and the City Council of the City of Wheaton, DuPage County, Illinois, pursuant to its home rule authority, and the terms of the Grant of Landscape Easement and Agreement, approved by Resolution R-05-02, dated January 28, 2002, that the City hereby terminates the Grant of Landscape Easement and Agreement entered into by the City of Wheaton and the then owner, Main Street Professional Center, and any subsequent owner, in privity with the ownership of the property subject to the easement as follows.

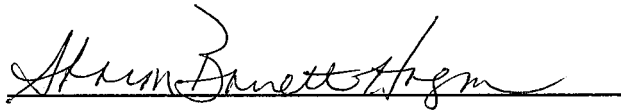
1. That the Landscape Easement and Agreement dated January 7, 2002, approved by Resolution R-05-02 is hereby terminated on the 91st day following written notice of termination to the current owner by the City Clerk; and
2. The City Clerk is hereby directed to notify the current owner of the property of this termination of the easement and agreement by providing it with a certified copy of this resolution; and
3. That City staff is authorized to undertake any and all actions necessary to effectuate the terms of this resolution and the termination.

ADOPTED this 15th day of July 2019.



Mayor, City of Wheaton

ATTEST:



City Clerk

Ayes: Councilwoman Fitch
Mayor Sues
Councilman Scalzo
Councilman Zaruba
Councilman Barbier
Councilwoman Bray-Parker

Nays: None
Absent: Councilman Rutledge
Motion Carried Unanimously