

RESOLUTION NO. 2020-70

**A RESOLUTION APPROVING A UTILITY EASEMENT
(30W250 BATAVIA ROAD)**

WHEREAS, the City is a home rule municipal corporation pursuant to Article VII, Section 6(a) of the Constitution of the State of Illinois of 1970; and

WHEREAS, on October 3, 2016, the City Council adopted Ordinance No. 3031, approving a final plat of subdivision for the Batavia Road Four-Lot Subdivision Project ("**Subdivision**"), which Subdivision consist of the property commonly known as 30W276 to 30W250 Batavia Road, in the City; and

WHEREAS, in connection with the approval of the final plat for the Subdivision, Main Street Homes, LLC ("**Developer**") agreed to construct certain public improvements associated with the Subdivision including a storm sewer ("**Storm Sewer**"); and

WHEREAS, pursuant to Resolution R2020-69, the City has accepted ownership of the Storm Sewer; and

WHEREAS, Raul & Laura Aguilar ("Owner") owns the property commonly known as 30W250 Batavia Road within the City ("Property"); and

WHEREAS, the Owner agrees to grant a utility easement across the Property to the City for the construction, operation, and maintenance of the Storm Sewer as depicted in that certain plat of easement prepared by Haeger Engineering, consisting of one sheet, with a latest revision date of August 5, 2020, a copy of which is attached to, and by this reference made a part of this resolution as **Exhibit A** ("**Plat of Easement**").

WHEREAS, the Mayor and the City Council have determined that it is in the best interest of the City and the public to approve the Plat of Easement;

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF WARRENVILLE, DU PAGE COUNTY, ILLINOIS, AS FOLLOWS:

SECTION 1: Recitals. The recitals listed above are incorporated in this Resolution as if fully set forth in this Resolution.

SECTION 2: Plat of Easement. The Plat of Easement is approved in substantially the form attached to this Resolution as Exhibit A.

SECTION 3: Authorization to Execute and Record Plat of Easement. The City Council hereby authorizes and directs the Mayor and the City Clerk to execute, on behalf of the City, the Plat of Easement and record the executed Plat of Easement at the DuPage County Recorder of Deeds, following its execution and delivery to the City Clerk by the Owner.

SECTION 4: Effective Date. This Resolution shall be in full force and effect following its passage and approval in the manner provided by law.

[VOTING RECORD AND SIGNATURE PAGE FOLLOWS]

PASSED THIS ____ day of _____, 2020.

AYES:

NAYS:

ABSENT:

ABSTAIN:

APPROVED THIS ____ day of _____, 2020.

MAYOR

ATTEST:

CITY CLERK

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EXHIBIT A
PLAT OF EASEMENT

