



ST. CHARLES  
SINCE 1834

### AGENDA ITEM EXECUTIVE SUMMARY

Title: Motion to Approve and Execute an Acceptance Resolution for Public Streets Located in Phase I of The Reserve of St. Charles Subdivision

Presenter: Christopher Tiedt

*Please check appropriate box:*

Government Operations

Government Services

Planning & Development

X

City Council (3/17/14)

Estimated Cost:

N/A

Budgeted:

YES

NO

If NO, please explain how item will be funded:

#### Executive Summary:

Grandfield Drive, Foxgrove Drive, Rosebud Drive, Prairie Crossing Drive and Reserve Drive between Rosebud Drive and Illinois Route 31 located in the public right of way including final surface course and curbs, were constructed and installed as part of the Phase I improvements for The Reserve of St. Charles subdivision. Said improvements have undergone required testing and inspection, and all base repairs and curb repairs were made prior to the final surface being placed. These improvements will now enter into 1-year maintenance period.

**Staff recommends approval and execution of the Acceptance Resolution for Public Streets Located in Phase I of The Reserve of St. Charles Subdivision.**

#### Attachments: *(please list)*

- Acceptance Resolution
- Bill of Sale
- Map of identifying location of streets being accepted

#### Recommendation / Suggested Action *(briefly explain):*

Motion to approve and execute an Acceptance Resolution for Public Streets Located in Phase I of The Reserve of St. Charles Subdivision.

*For office use only:*

Agenda Item Number: IA

**City of St. Charles  
Kane and DuPage Counties**

**ACCEPTANCE RESOLUTION**

**Subdivision Name: The Reserve of St. Charles**

**Whereas** Omni-Tech, LLC, the Developer of (Subdivision Name) The Reserve of St. Charles, entered into a contract with (Contractor's Name) Orange Crush, to complete the construction of Grandfield Drive, Foxgrove Drive, Rosebud Drive, Prairie Crossing Drive and Reserve Drive between Rosebud Drive and Illinois Route 31 including curbs and final surface in the aforesaid Subdivision; and

**Whereas**, the Contractor has completed the construction of Grandfield Drive, Foxgrove Drive, Rosebud Drive, Prairie Crossing Drive and Reserve Drive between Rosebud Drive and Illinois Route 31 including curbs and final surface in accord with the plans and specifications, as revised, heretofore approved by the City of St. Charles; and

**Whereas**, Grandfield Drive, Foxgrove Drive, Rosebud Drive, Prairie Crossing Drive and Reserve Drive between Rosebud Drive and Illinois Route 31 including curbs and final surface have been inspected by the Engineer for the sub divider and by a representative for the City of St. Charles and are found to be satisfactory;

**Now, Therefore, Be It Resolved** by the City Council of St. Charles, that said Council hereby approves and accepts Grandfield Drive, Foxgrove Drive, Rosebud Drive, Prairie Crossing Drive and Reserve Drive between Rosebud Drive and Illinois Route 31 including curbs and final surface. It being understood that this acceptance and/or approval in no way relieves the Contractor of his Surety of any obligation for maintenance for a period of one (1) year as provided for in said Contract.

**Passed** by the City Council of the City of St. Charles, this \_\_\_\_\_ day of \_\_\_\_\_,  
20 \_\_\_\_, and **APPROVED** by the Mayor of said City of St. Charles, this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_.

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MAYOR

ATTEST:

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CITY CLERK

**BILL OF SALE**

KNOW ALL MEN BY THESE PRESENTS, that Omni-Tech, LLC, an IL limited liability company ("Seller"), in consideration of One (\$1.00) Dollar and other good and valuable consideration, does hereby grant, sell, transfer and deliver unto the CITY OF ST. CHARLES, an Illinois municipal corporation in Kane County, Illinois, ("City") the following goods, chattels or other items of personal property, to wit:

ONE: Each and every part of Grandfield Drive, Foxgrove Drive, Rosebud Drive, Prairie Crossing Drive and Reserve Drive between Rosebud Drive and Illinois Route 31 including curbs and final surface, as fully described in a certain set of plans and specifications attached hereto and incorporated herein as Exhibit "A".

TWO: The object of this Bill of Sale is to grant, sell, transfer and deliver to the CITY, with the exceptions noted, the ownership in all items of personalty, which comprise Grandfield Drive, Foxgrove Drive, Rosebud Drive, Prairie Crossing Drive and Reserve Drive between Rosebud Drive and Illinois Route 31 including curbs and final surface by SELLER to date within the CITY.

SELLER does hereby covenant and warrant to the CITY that SELLER is the lawful owner of the aforescribed goods, chattels and personalty; that such items are free and clear from all encumbrances; that SELLER has the absolute right to sell the same as aforesaid; and that SELLER warrants and will defend the same against the claims and demands of all persons; and that the execution of this Bill of Sale is an authorized act of said SELLER.

IN WITNESS WHEREOF, SELLER has signed and sealed this Bill of Sale at Deerfield, IL, this 26<sup>th</sup> day of February, 2014.

OMNI-TECH, LLC, an IL limited liability company

BY:   
\_\_\_\_\_  
Gary R. Janko, Manager



**City of St. Charles, Illinois**  
 Two East Main Street, St. Charles, IL 60174-1084  
 Phone: 630-377-1400 Fax: 630-377-4400 www.stcharles.il.gov

# Exhibit A

**RAYMOND ROGINA** Mayor  
**MARK KOENEN** City Administrator



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City of St. Charles, Illinois  
 Five County, Illinois  
 Professional Engineering Number  
 Professional Engineer License Number  
 North American Datum 1983  
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Scale: 1" = 200' Feet