|  | AGENDA ITEM EXECUTIVE SUMMARY |   |                     | Agenda Item number: *4i |  |
|--|-------------------------------|---|---------------------|-------------------------|--|
|  | Title:                        | Recommendation to Approve and Execute an Acceptance Resolution for Public Utility (Watermain) for Tiger Drylac – 3945 Swenson Ave |                     |                         |  |
| CITY OF<br>ST. CHARLES<br>ILLINOIS • 1834  | Presenter:                    | Simona H  | awk                 |                         |  |
| Meeting: Planning & Development Committee Date: May 13, 2024   |                               |   |                     |                         |  |
| Proposed Cost: \$  |                               |   | Budgeted Amount: \$ | Not Budgeted: □         |  |
| TIF District: None   |                               |   |                     |                         |  |
| Executive Summary (if not budgeted, please explain):   |                               |   |                     |                         |  |
| Public watermain and appurtenances were constructed by the developer to service the improvements for the Tiger Drylac Building Expansion project.  Said utilities have undergone and passed all required standard testing.  The City has performed inspections and all punchlist items have been resolved.  Record Drawings have been submitted and approved. Easements have been granted. |                               |   |                     |                         |  |
| Attachments (please list): Acceptance Resolution   |                               |   |                     |                         |  |
| Bill of Sale   |                               |   |                     |                         |  |
| Exhibit  |                               |   |                     |                         |  |
| Recommendation/Suggested Action (briefly explain): Staff recommends approval and execution of an acceptance resolution.  |                               |   |                     |                         |  |

## **BILL OF SALE**

KNOW ALL MEN BY THESE PRESENTS, that TIGER RYLAC U.S.A. INC ("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 Watermain Systems and appurtenances, as fully described in a certain set of Record Drawing plans and specifications, titled Site Improvement Plans for Tiger Drylac Building Expansion, 3945 Swenson Ave, prepared by MeritCorp, dated December 12, 2023, of which the overall utility plan is 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 Watermain Systems and appurtenances by SELLER to date within the CITY.

SELLER does hereby covenant and warrant to the CITY that SELLER is the lawful owner of the aforedescribed 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 GUELPH, ONT., this 2 MD day of APRIL , 2024.

(SELLER)

ITS: DIRECTOR OF FINANCE

ATTEST:

Maria E. Veitia Garcia

## City of St. Charles Kane and DuPage Counties

## ACCEPTANCE RESOLUTION

| Subdivision Name: Tiger Drylac – 3945 Swenson Ave   |  |  |  |  |  |
|---|--|--|--|--|--|
|   |  |  |  |  |  |
| Whereas Tiger Drylac USA, Inc., the Developer of  |  |  |  |  |  |
| <u>Tiger Drylac – 3945 Swenson Ave</u> , constructed public watermain and appurtenances in easements      |  |  |  |  |  |
| as described in the attached exhibits in the aforesaid Subdivision; and                                   |  |  |  |  |  |
| Whereas, the Developer has constructed public watermain and appurtenances in accord                       |  |  |  |  |  |
| with the plans and specifications, heretofore approved by the City of St. Charles; and                    |  |  |  |  |  |
| Whereas, the constructed public watermain and appurtenances 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 the constructed public watermain and appurtenances. It being understood       |  |  |  |  |  |
| that this acceptance and/or approval in no way relieves the Developer 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, thisday of, 2024,                                  |  |  |  |  |  |
| and APPROVED by the Mayor of said City of St. Charles, this day of, 2024.                                 |  |  |  |  |  |
|   |  |  |  |  |  |
| MAYOR   |  |  |  |  |  |
| ATTEST:   |  |  |  |  |  |

CITY CLERK

## **EXHIBIT A - WATERMAIN**

