



ST. CHARLES
SINCE 1834

AGENDA ITEM EXECUTIVE SUMMARY

Title:	Motion to Approve and Execute an Acceptance Resolution for Public Storm Sewer and Appurtenances 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	
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If NO, please explain how item will be funded:

Executive Summary:

Public storm sewer and appurtenances located in the public right of way of Grandfield Drive, Foxgrove Drive, Rosebud Drive, Prairie Crossing Drive and Reserve Drive between Rosebud Drive and Illinois Route 31 were constructed to service Phase I of The Reserve of St. Charles subdivision. Said storm sewer and appurtenances have undergone and passed all required testing and inspection, and are found to be acceptable. The Development Engineering Division has received all required documents including utility easements and as-built drawings depicting the locations of said public improvement.

Staff recommends approval and execution of the Acceptance Resolution for Public Storm Sewer and Appurtenances in Phase I of The Reserve of St. Charles Subdivision.

Attachments: *(please list)*

- Acceptance Resolution
- Bill of Sale
- Map of identifying location of storm sewer being accepted

Recommendation / Suggested Action *(briefly explain):*

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

<i>For office use only:</i>	<i>Agenda Item Number:</i> IB
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(Storm Sewer)

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

ACCEPTANCE RESOLUTION

Subdivision Name: The Reserve of St. Charles

Whereas The Ryland Group, Inc., the original Developer of (Subdivision Name) The Reserve of St. Charles, entered into a contract with (Contractor's Name) Neptune Construction, for the construction of Storm Sewer System and appurtenances located in the public right of way of Grandfield Drive, Foxgrove Drive, Rosebud Drive, Prairie Crossing Drive and Reserve Drive between Rosebud Drive and Illinois Route 31 in the aforesaid Subdivision; and

Whereas, the Contractor has constructed the Storm Sewer System and appurtenances located in the public right of way of Grandfield Drive, Foxgrove Drive, Rosebud Drive, Prairie Crossing Drive and Reserve Drive between Rosebud Drive and Illinois Route 31 in accordance with the plans and specifications, as revised, heretofore approved by the City of St. Charles; and

Whereas Omni-Tech, LLC, acquired the aforesaid Subdivision from The Ryland Group, Inc. who completed some, but not all, of the required land improvements; and

Whereas Omni-Tech, LLC has completed and fulfilled all 1-year maintenance warranty obligations for the aforesaid improvements; and

Whereas, the Storm Sewer System and appurtenances located in the public right of way of Grandfield Drive, Foxgrove Drive, Rosebud Drive, Prairie Crossing Drive and Reserve Drive between Rosebud Drive and Illinois Route 31 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 Storm Sewer System and appurtenances located in the public right of way

of Grandfield Drive, Foxgrove Drive, Rosebud Drive, Prairie Crossing Drive and Reserve Drive between
Rosebud Drive and Illinois Route 31.

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 ____.

MAYOR

ATTEST:

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 a Storm Sewer System and appurtenances located in the public right of way of Grandfield Drive, Foxgrove Drive, Rosebud Drive, Prairie Crossing Drive and Reserve Drive between Rosebud Drive and Illinois Route 31, 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 the Storm Sewer System and appurtenances located in the public right of way of Grandfield Drive, Foxgrove Drive, Rosebud Drive, Prairie Crossing Drive and Reserve Drive between Rosebud Drive and Illinois Route 31, 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 26th day of February, 2014.

OMNI-TECH, LLC, an IL limited liability company

BY:  _____

Gary R. Janko, Manager

Exhibit A



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Data Source:
City of St. Charles, Illinois
City of St. Charles, Illinois
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Projection: Transverse Mercator
North American Datum 1983
Printed on: February 26, 2014 05:28 PM