

DISTRICT – OUTSIDE VILLAGE LIMITS  
(watermain provided per past agreement)

VILLAGE OF LOMBARD  
REQUEST FOR BOARD OF TRUSTEES ACTION  
For Inclusion on Board Agenda

    X     Resolution or Ordinance (Blue) \_\_\_\_\_ Waiver of First Requested  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
Recommendations of Boards, Commissions & Committees (Green)  
Other Business (Pink)

TO: PRESIDENT AND BOARD OF TRUSTEES  
FROM: David A. Hulseberg, Village Manager *DAH*  
DATE: August 26, 2010 BOT Date: September 16, 2010  
TITLE: Resolution Accepting the Public Water Main and Fire Hydrants within the Regency Place Development, located in Oakbrook Terrace, Illinois.  
SUBMITTED BY: Department of Community Development *WA*

BACKGROUND/POLICY IMPLICATIONS:

The Department of Community Development transmits for your consideration a proposed resolution to accept the public water main and fire hydrants within the Regency Place Development in Oakbrook Terrace, Illinois. All public improvements were designed, constructed and tested in conformance with Village requirements.

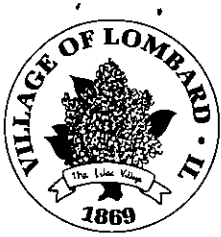
Staff recommends approval of this resolution.

FISCAL IMPACT/FUNDING SOURCE:

The public improvements were constructed by the project owner at no cost to the Village.

REVIEW (AS NECESSARY):

Village Attorney X \_\_\_\_\_ Date \_\_\_\_\_  
Finance Director X \_\_\_\_\_ Date \_\_\_\_\_  
Village Manager X *DAH* \_\_\_\_\_ Date 8/8/10



## MEMORANDUM

**TO:** David A. Hulseberg, Village Manager

**FROM:** Nick Hatfield, PE, Development Engineer NH

**DATE:** August 26, 2010

**SUBJECT: ACCEPTANCE OF PUBLIC WATER MAIN AND FIRE HYDRANTS  
AT REGENCY PLACE, WITHIN THE CORPORATE BOUNDARIES  
OF OAKBROOK TERRACE, ILLINOIS  
(PINs: 06-21-308-021, 06-21-308-022 and 06-21-308-023)**

The Private Engineering Services Division of the Community Development Department recommends that the Board of Trustees accept the public water main and fire hydrants within the Regency Place Development in Oakbrook Terrace, Illinois. Attached is the updated utility map. Please present the attached resolution to the Board of Trustees at their September 16, 2010 meeting.

The stated improvements are acceptable since they were installed substantially to plan and have passed all required tests. The Private Engineering Services Division has approved the project record drawings and a separate Board item will provide for the acceptance of the watermain easement.

The Department has obtained a letter of credit guaranteeing the improvements.

NH:nh

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cc: William J. Heniff, AICP, Director of Community Development  
Carl Goldsmith, Acting Director of Public Works  
Angela Podesta, Utilities Superintendent

**RESOLUTION**

R \_\_\_\_\_ 11

**RESOLUTION ACCEPTING PUBLIC WATER MAIN AND FIRE HYDRANTS  
AT REGENCY PLACE, WITHIN THE CORPORATE BOUNDARIES OF  
OAKBROOK TERRACE, ILLINOIS**

**(PINs: 06-21-308-021, 06-21-308-022 and 06-21-308-023)**

WHEREAS, the Private Engineering Services Division of the Village of Lombard has certified the completion of the public water main and fire hydrants within the Regency Place Development in Oakbrook Terrace, Illinois, and has recommended that said improvements be accepted; and

WHEREAS, the Corporate Authorities concur with said recommendation.

NOW, THEREFORE, BE IT RESOLVED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF LOMBARD, DU PAGE COUNTY, ILLINOIS, AS FOLLOWS:

**SECTION 1:** That the public improvements, as certified by the Private Engineering Services Division and as set forth on the approved engineering plans for the public water main and fire hydrants within the Regency Place Development in Oakbrook Terrace, Illinois, be and hereby are accepted for ownership by the Village of Lombard.

**SECTION 2:** That the water services and fire suppression mains are to remain the responsibility of the property owner.

Adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2010.

Ayes: \_\_\_\_\_

Nays: \_\_\_\_\_

Absent: \_\_\_\_\_

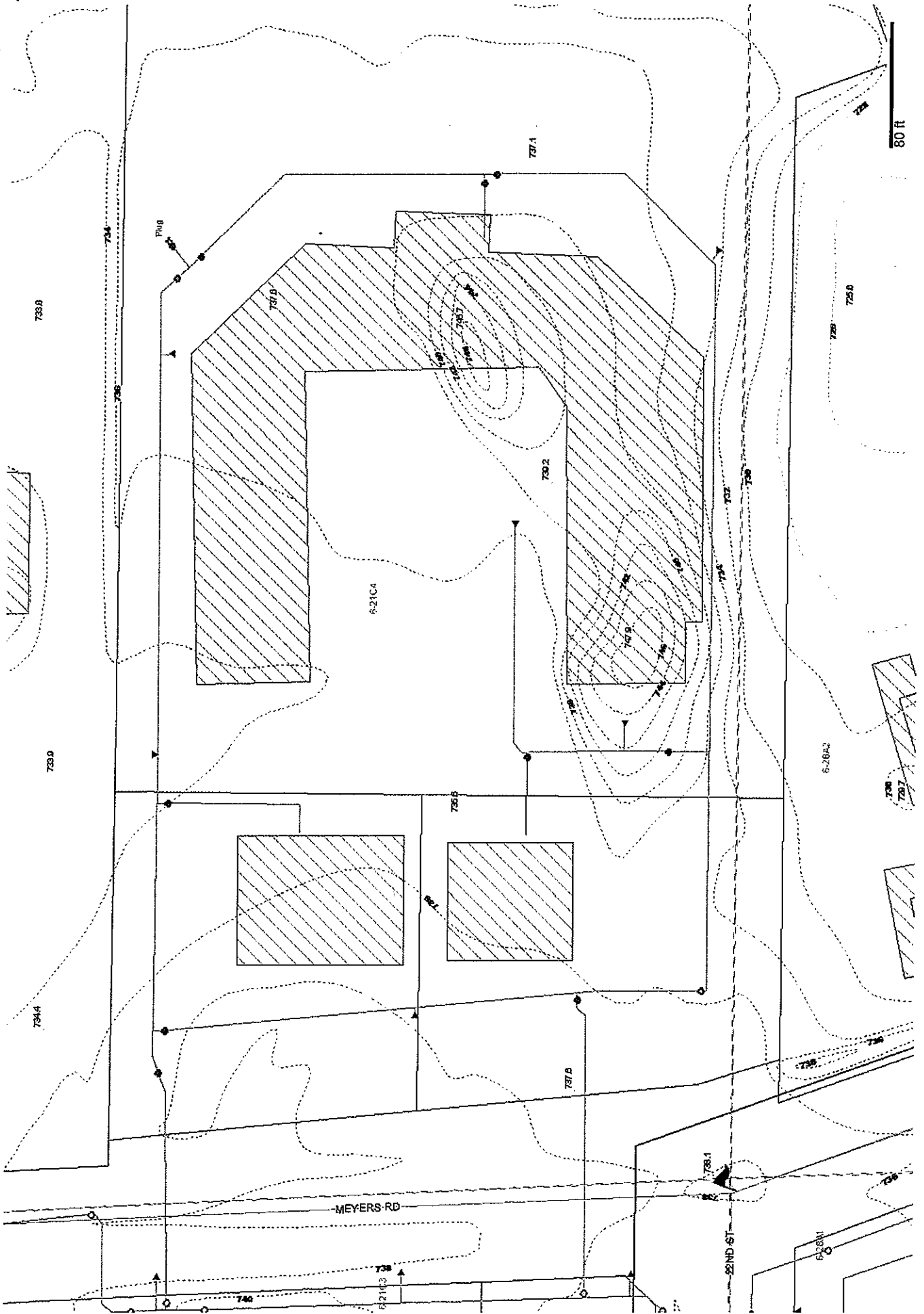
Approved this \_\_\_\_\_ day of \_\_\_\_\_, 2010.

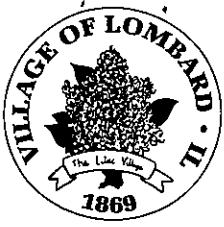
\_\_\_\_\_  
William J. Mueller, Village President

ATTEST:

\_\_\_\_\_  
Brigitte O'Brien, Village Clerk

# Regency Place Watermain (Oakbrook Terrace, IL)





**CERTIFICATE OF COMPLETION OF PUBLIC WATER MAIN AND FIRE  
HYDRANTS AT REGENCY PLACE, WITHIN THE COOPERATE  
BOUNDARIES OF OAKBROOK TERRACE, ILLINOIS (PINs: 06-21-308-021, 06-  
21-308-022 and 06-21-308-023)**


We, as representatives of the Village of Lombard, certify that the public water main and fire hydrants at the Regency Place Development in Oakbrook Terrace, Illinois, have been constructed substantially per plan and have passed all required tests.

We recommend acceptance by the Village President and the Board of Trustees of the Village of Lombard.

Recommended for acceptance:

  
\_\_\_\_\_  
Nick Hatfield, PE, Development Engineer  
Private Engineering Services Division

\_\_\_\_\_  
William J. Heniff, AICP,  
Director of Community Development

  
\_\_\_\_\_  
Carl Goldsmith,  
Director of Public Works



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Chicago, Illinois 60601-1293  
www.dlapiper.com

Harold W. Francke  
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T 312.368.4047  
F 312.630.5380

July 16, 2010

**BY MESSENGER**

Thomas P. Bayer  
Klein Thorpe and Jenkins, Ltd.  
20 North Wacker Drive  
Suite 1660  
Chicago IL 60606-2903

**Re: Village of Lombard/Regency Place Watermain**

Dear Tom:

Pursuant to your most recent correspondence enclosed are the Original Bill of Sale and the Original Certification of Project Compliance for the Regency Place Watermain.

At this time our client's engineer is in the process of revising the exhibit to the Grant of Easement. After we have received Village approval of that exhibit we will forward an executed copy of the Easement Grant to you as well. In answer to your prior question, Regency Place LLC is still the owner of the property in question and the only party that needs to execute that document.

It is my understanding that the acceptance of the watermain will be placed on the Village Board's August 19th agenda for consideration. Please let me know if you think it would be advisable for a representative of ownership to attend that meeting.

Please call with any questions or if any additional information or documentation is required.

Again, I appreciate your assistance.

Very truly yours,

**DLA Piper LLP (US)**

A handwritten signature in black ink, appearing to read 'H. Francke'.

Harold W. Francke

cc: Buddy Wright  
Tony Rossi, Sr.  
Tony Rossi, Jr.  
Bill Patrun  
Andy Heinen  
Jesse Dodson

**BILL OF SALE**

**REGENCY PLACE, L.L.C.**, an Illinois limited liability company ("Owner"), in consideration of Ten and 00/100 (\$10.00) Dollars and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, does hereby transfer and convey to the **VILLAGE OF LOMBARD**, an Illinois municipal corporation ("Grantee"), the following described personal property situated in Oakbrook Terrace, Illinois (collectively, the "Improvements"):

That certain potable watermain, and all appurtenances thereto, which has been constructed within the Regency Place Planned Unit Development, as depicted on those certain Record Drawings prepared by V3 Companies Ltd. consisting of sheets D-05-172-TOPT, Drawings 1, 2 and 3, dated May 11, 2006, and entitled "As-Built Topographical Survey".

Owner hereby represents and warrants to Grantee that Owner is the absolute owner of the Improvements, that the Improvements are free and clear of all liens, charges and encumbrances, and that Owner has full right, power and authority to convey the Improvements to Grantee and to make this bill of sale. **ALL WARRANTIES OF QUALITY, FITNESS AND MERCHANTABILITY ARE HEREBY EXCLUDED.**

**IN WITNESS WHEREOF**, Owner has signed this Bill of Sale at Chicago, Illinois this 3<sup>rd</sup> day of June, 2010.

**REGENCY PLACE, L.L.C.**, an Illinois limited liability company

By: M&R Regency Place, LLC, Managing Member

By: The Rossi Group, L.L.C., its Managing Member

By: 

Name: Anthony R. Rossi, Sr.

Its: Manager

STATE OF ILLINOIS )  
 ) SS.  
COUNTY OF Cook )

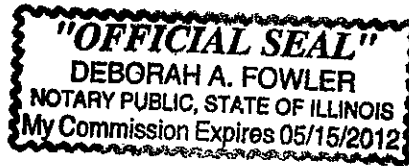
I, Deborah Fowler, a Notary Public in and for said County in the State aforesaid, do hereby certify that Anthony R. Rossi, Sr., Manager of The Rossi Group, L.L.C., an Illinois limited liability company, which is the Managing Member of M&R Regency Place, LLC, which is the Managing Member of **REGENCY PLACE, L.L.C.**, personally known to me to be the same person whose name is subscribed to the foregoing Bill of Sale as such Manager, acknowledged that he signed and delivered such Bill of Sale as his own free and voluntary act and as the free and voluntary act of said limited liability company, for the uses and purposes set forth therein.

GIVEN under my hand and notarial seal this 3 day of June, 2010.

Deborah Fowler  
Notary Public

My Commission expires:

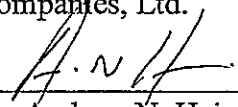
5/15/2012





CERTIFICATION OF PROJECT COMPLIANCE

We, V3 Companies, Ltd., registered Professional Engineers in the State of Illinois, hereby certify: (1) that those certain "Record Drawings" pertaining to the construction of a watermain and appurtenant improvements (collectively, the "Improvements") at the Regency Place development in Oakbrook Terrace, Illinois, which Record Drawings consist of sheets D-05-172-TOPT, Drawings 1,2 and 3, bearing a most recent revision date of May 11, 2006, and entitled "As-Built Topographical Survey", accurately depict the as-built condition of the Improvements, and (2) that the Improvements will function in substantial conformance to the design intent of said Record Drawings.

Signed: V3 Companies, Ltd.  
By:   
Andrew N. Heinen

Dated: 7/13/10

Illinois Registration Number: 062-056580

(SEAL)

