

**WHEATON PARK DISTRICT
RESOLUTION NO. 2026-01**

**A RESOLUTION APPROVING THE TERMS AND AUTHORIZING THE EXECUTION OF A
TEMPORARY CONSTRUCTION EASEMENT AND PERPETUAL ACCESS AND MAINTENANCE
EASEMENT AGREEMENT BETWEEN BOARD OF EDUCATION OF COMMUNITY UNIT SCHOOL
DISTRICT 200 AND THE WHEATON PARK DISTRICT**

WHEREAS, the Park District is the owner of certain real property located at 1100 S. Main St, Wheaton, IL 60189, commonly referred to as Kelly Park ("Park Property"); and

WHEREAS, the Board of Education of Community Unit School District 200 ("School District") is the owner of certain real property located at 1125 South Wheaton Avenue Wheaton, IL 60189, commonly referred to as Edison Middle School ("School Property"), and located adjacent to the Park Property; and

WHEREAS, the School District has plans to construct an addition to Edison Middle School, which includes certain stormwater and drainage improvements in and around the southern boundary of the School Property, portions of which will be located on certain portions of the Park Property (collectively, the "Planned Improvements"); and

WHEREAS, the School District and Park District have negotiated for the grant of certain temporary and permanent easements in, over, across, along and upon certain portions of the Park District's property to permit the installation and maintenance of the Planned Improvements, and to otherwise assist the School District with the overall operation and maintenance of its stormwater and drainage systems in and around the Park District's property ("Easement Agreement"); and

WHEREAS, the Park District has determined that it is in the public interest and in the interest of intergovernmental cooperation to grant such easements to the School District, subject to the terms and conditions of the Easement Agreement; and

WHEREAS, the Park District has the authority to grant such easements pursuant to Articles 8-1 and 8-11 of the Park District Code of the State of Illinois (70 ILCS 1205/8-1 and 8-11); and

NOW, THEREFORE, IT IS HEREBY RESOLVED by the Board of Park Commissioners of the Wheaton Park District, DuPage County, Illinois ("Park Board"), as follows:

Section 1. The Park Board hereby finds that the foregoing preambles to this Resolution are true and correct and incorporates them and the definitions set forth and exhibits referred to therein, in this Resolution in their entireties.

Section 2. The Park Board hereby determines that it is in the public interest and in the interest of intergovernmental cooperation to grant temporary and permanent easements to the School District, subject to the terms and conditions of the Easement Agreement as herein approved.

Section 3. The Park Board hereby approves the form, terms, and provisions of the proposed Easement Agreement by and between the Park District and School District, substantially as presented to the Park Board at this meeting, with such non-material modifications thereto as the President of the Park Board, in consultation with legal counsel, shall approve, which approval shall be conclusively evidenced by the President's execution thereof.

Section 4. The President and Secretary of the Park Board, the Park District's Executive Director, or his designee, and the Park District's attorneys are hereby authorized, empowered and directed to execute, attest, deliver or file, or cause to be delivered or filed, as applicable, such other instruments, and to take such other actions, as are reasonably necessary or desirable to carry out the provisions of and effect the intent and purposes of this Resolution and of the Easement Agreement, all without further necessity of action by the Park Board.

Approved this 15th day of April, 2026 by roll call vote as follows:


Ayes: Barrett, Frey, Kelly, Pechavich, Vires

Nays: Ø

Absent: Mee, Walker

Abstain: Ø


President, Board of Park Commissioners

ATTEST:

Secretary, Board of Park Commissioners

STATE OF ILLINOIS)
) SS.
COUNTY OF DUPAGE)

SECRETARY'S CERTIFICATE

I, the undersigned, do hereby certify that I am the Secretary of the Board of Park Commissioners of the Wheaton Park District, DuPage County, Illinois, and as such official, I am keeper of the records, ordinances, resolutions, files and seal of said Park District; and,

I HEREBY CERTIFY that the foregoing instrument is a true and correct copy of:

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adopted at a duly called Regular Meeting of the Board of Park Commissioners of the Wheaton Park District, held in the City of Wheaton City Council Chambers, 303 W. Wesley St., Wheaton, IL, in said District at 5:00 p.m. on the 15th day of April, 2026.

I FURTHER CERTIFY that the deliberations of the Board on the adoption of said resolution were conducted openly, that the vote on the adoption of said resolution was taken openly, that said meeting was called and held at a specified time and place convenient to the public, that notice of said meeting was duly given to all of the news media requesting such notice, that said meeting was called and held in strict compliance with the provisions of the Open Meetings Act of the State of Illinois, as amended, and with the provisions of the Park District Code of the State of Illinois, as amended, and that the Board has complied with all of the provisions of said Act and said Code and with all of the procedural rules of the Board.

IN WITNESS WHEREOF, I hereunto affix my official signature and the seal of the Wheaton Park District in said District this 15th day of April, 2026.



Secretary
Board of Park Commissioners
Wheaton Park District