

ORDINANCE NO. F-0717

AN ORDINANCE AUTHORIZING THE NEGOTIATION FOR THE ACQUISITION OF CERTAIN PROPERTY LOCATED WITHIN THE WHEATON MAIN STREET REDEVELOPMENT PROJECT AREA BY THE CITY OF WHEATON, DUPAGE COUNTY, ILLINOIS (109 North Main Street, Wheaton, Illinois)

WHEREAS, on December 6, 1999, the Mayor and City Council of the City of Wheaton (the "Corporate Authorities") passed and approved Ordinance No. F-0418, "An Ordinance of the City of Wheaton, DuPage County, Illinois, Approving a Tax Increment Redevelopment Plan and Redevelopment Project for the City of Wheaton Main Street Redevelopment Project Area"; and

WHEREAS, on December 6, 1999, the Corporate Authorities passed and approved Ordinance No. F-0419, "An Ordinance of the City of Wheaton, DuPage County, Illinois, Designating the City of Wheaton Main Street Redevelopment Project Area A Redevelopment Project Area Pursuant to the Tax Increment Allocation Redevelopment Act"; and

WHEREAS, on December 6, 1999, the Corporate Authorities passed and approved Ordinance No. F-0420, "An Ordinance of the City of Wheaton, DuPage County, Illinois, Adopting Tax Increment Allocation Financing for the City of Wheaton Main Street Redevelopment Project Area"; and

WHEREAS, on January 7, 2002, the Corporate Authorities passed and approved Ordinance No. F-0675, "An Ordinance of the City of Wheaton, DuPage County, Illinois Approving an Amendment to the Wheaton Main Street Redevelopment Area Project and Plan and Ratifying and/or Confirming Certain Other Changes"; and

WHEREAS, the Corporate Authorities deem it advisable and in the public interest and welfare to acquire title to certain real estate located within the City of Wheaton Main Street Redevelopment Project Area, with the said real estate having been found in Ordinance No. F-0418 to not be subject to growth and development by private enterprise, and also that the property would not be reasonably anticipated to be developed without the adoption of a Redevelopment Plan; and

WHEREAS, the Corporate Authorities find that the real estate described in the attached **Exhibit A** and depicted in the attached **Exhibit B** should be acquired to fulfill the goals and purposes of the Redevelopment Plan and Redevelopment Project for the City of Wheaton Main Street Redevelopment Project Area; and

WHEREAS, in accordance with the property ownership disclosure requirement imposed on units of local government as set forth in 50 ILCS 105/3.1, the City of Wheaton, has obtained a tract search identifying the record title holder of the real estate described in the attached Exhibit A and depicted in the attached Exhibit B to be: Robert O. Sandberg, a copy of said tract search being attached hereto and incorporated herein as **Exhibit C**; and

WHEREAS, the Corporate Authorities have determined a valuation of said fee simple parcel which it believes to represent a fair amount to be offered to the owner of said parcel.

NOW THEREFORE, BE IT ORDAINED by the City Council of the City of Wheaton, DuPage County, Illinois, as follows:


SECTION 1: That the recitals set forth above are hereby adopted and incorporated into this Ordinance.

SECTION 2: That it is necessary and desirable that the real estate described in Exhibit A and depicted in Exhibit B attached hereto be acquired in fee simple by the said City of Wheaton by purchase, donation, lease or eminent domain as authorized in 65 ILCS 5/11-74.4-4.

SECTION 3: That the City Manager, his staff, and the City Attorneys be, and hereby are, authorized to negotiate for the acquisition of the property in fee simple described in Exhibit A and depicted in Exhibit B based on the appraisal information obtained on the subject real estate, as well as either other information available, including title and tract search reports, and in accordance with the directions received by the City Council and the long standing policies and procedures established and utilized by the City of Wheaton.

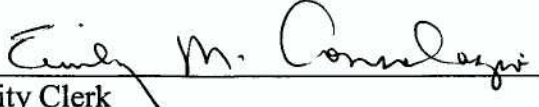
SECTION 4: If any section, paragraph, or provision of this Ordinance shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph, or provision shall not affect any of the remaining provisions of this Ordinance.

SECTION 5: All ordinances, resolutions, motions, or orders in conflict herewith shall be, and the same hereby are, repealed to the extent of such conflict, and this Ordinance shall be in full force and effect upon its passage and approval as provided by law.



Mayor

ATTEST:



City Clerk

Ayes:

Roll Call Vote:

Councilman Gresk
Councilman Johnson
Mayor Carr
Councilwoman Johnson
Councilman Mork
Councilman Mouhelis

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Nays: Councilman Eckhoff
Absent: None

Motion Carried Unanimously

Passed: May 20, 2002
Published: May 21, 2002