

1710

ORDINANCE NO. F-1025

**AN ORDINANCE ANNEXING CERTAIN TERRITORY
TO THE CITY OF WHEATON, ILLINOIS
MCKENZIE PLACE – AIRHART CONSTRUCTION**

WHEREAS, a written petition has been filed with the City Clerk of Wheaton, Illinois, requesting the annexation to the City of Wheaton, Illinois ("City"), of certain territory contiguous to the boundaries of the City and not within the corporate boundaries of any other municipality, pursuant to a proposed annexation agreement which sets forth the terms and conditions under which annexation shall take place; and

WHEREAS, pursuant to notice, a public hearing was conducted by the City Council on October 25, 2004, to consider the terms and conditions of the proposed annexation agreement; and

WHEREAS, an annexation agreement dated April 4, 2005, among the City and Airhart Construction ("Owner") ("Annexation Agreement"), is the direct result of deliberations on the proposed Annexation Agreement pursuant to the public hearing and other meetings before the City Council and City Staff.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Wheaton, DuPage County, Illinois, pursuant to its home rule powers, as follows:

Section 1: The terms, conditions, provisions, and obligations contained in the Annexation Agreement are incorporated into this annexation ordinance by this reference as though fully set forth herein. A copy of the Annexation Agreement is on file in the Office of the City Clerk.

Section 2: The following described territory is hereby annexed to the City:

PARTS OF LOTS 6 THRU 13 IN BLOCK 2 IN ARTHUR T. MCINTOSH AND COMPANY'S WHEATON FARMS, BEING A SUBDIVISION OF THE WEST ½ OF THE NORTHWEST ¼ OF SECTION 10, AND ALSO THAT PART LYING SOUTH OF THE CENTERLINE OF GENEVA ROAD OF THE SOUTHWEST ¼ OF SECTION 3, TOWNSHIP 39 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MARCH 10, 1924 AS DOCUMENT 175034, IN DUPAGE COUNTY, ILLINOIS.

P.I.N. 05-10-100-015, 05-10-100-016, 05-10-100-017, 05-10-100-018, 05-10-100-019, 05-10-100-023, 05-10-100-024, 05-10-100-030, 05-10-100-032, 05-10-100-034, 05-10-100-035, 05-10-100-036, 05-10-100-037

This property is commonly known as the 5.4 acre site located on the northeast corner of Daly Road and President Street, Wheaton, Illinois.

Section 3: The City Clerk is authorized and directed to record with the Office of the Recorder of Deeds, DuPage County, Illinois, and to file with the Office of the County Clerk, DuPage County, Illinois, a certified copy of this ordinance together with the accurate map of the subject property appended to this ordinance.

Section 4: The annexation approved in this ordinance shall be null and void and of no further effect, without further action by the City Council, if the Owner and Developer do not execute and return the Annexation Agreement to the City Clerk within sixty (60) days of the date this Ordinance was passed.

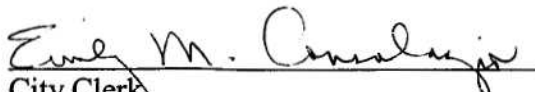
Section 5: All ordinances or parts of ordinances in conflict with these provisions are repealed.

Section 6: This ordinance shall become effective from and after its passage, approval, and publication in pamphlet form in the manner prescribed by law.



Mayor

ATTEST:



City Clerk

Ayes: Roll Call Vote
 Councilman Johnson
 Mayor Carr
 Councilwoman Johnson
 Councilman Mork
 Councilman Mouhelis
 Councilman Bolds
 Councilwoman Corry

Nays: None

Absent: None

Motion Carried Unanimously

Passed: April 4, 2005
Effective: April 6, 2005
Published: April 6, 2005