

ORDINANCE NO. F- 1043

**AN ORDINANCE AMENDING CITY OF WHEATON ORDINANCE NO. F-0052
PERTAINING TO 222-240 EAST WILLOW AVENUE-METROPOLITAN FAMILY
SERVICES OF DUPAGE**

WHEREAS, on September 6, 1996, the City of Wheaton, Illinois ("City"), enacted City Ordinance No. F-0052, entitled "AN ORDINANCE AMENDING THE WHEATON ZONING ORDINANCE MAP AND GRANTING A SPECIAL USE PERMIT FOR A PLANNED UNIT DEVELOPMENT (BUSINESS AND PROFESSIONAL OFFICES)-222-240 EAST WILLOW AVENUE-METROPOLITAN FAMILY SERVICES OF DUPAGE" ("original ordinance") authorizing the use of two office buildings on the property legally described herein as:

LOT 1 IN METROPOLITAN FAMILY SERVICES PLAT OF CONSOLIDATION, BEING A SUBDIVISION OF PART OF THE SOUTHWEST QUARTER OF SECTION 16, TOWNSHIP 39 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED DECEMBER 16, 1996 AS DOCUMENT NO. R96-201264. IN DUPAGE COUNTY, ILLINOIS. P.I.N. 05-16-325-015

and commonly known as 222-240 East Willow Avenue, Wheaton, Illinois ("subject property"); and

WHEREAS, application has been made to: (i) subdivide the subject property in order to legally separate the property commonly known as 240 East Willow Avenue from the property commonly known as 222 East Willow Avenue; and (ii) amend the original ordinance to modify the original site plan for the subject property and allow limited shared parking between the two new parcels of real estate; and

WHEREAS, Metropolitan Family Services of DuPage will continue to operate its social services agency on the property commonly known as 222 East Willow Avenue and a separate and distinct new owner of the property commonly known as 240 East Willow Avenue will own and use the 240 East Willow Avenue real estate for general business and professional office purpose; and

WHEREAS, the City has determined that the requested amendment constitutes a minor amendment to the original ordinance.

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

Section 1: The Subdivision of the subject property is authorized and approved, specifically subject to the terms of this ordinance; and the Mayor is authorized to sign the plat of subdivision entitled "Metropolitan Family Services Plat of Subdivision" prepared by Webster McGrath & Ahlberg, Ltd dated April 5, 2005, and the City Clerk is directed to attest to the signature of the Mayor.

Section 2: The original ordinance and special use permit for planned unit development are amended as follows:

A. The owners of the parcels of real estate commonly known as 222 and 240 East Willow Avenue shall execute a "Parking Easement Agreement" attached hereto as Exhibit "A" The "Parking Easement Agreement" shall be recorded in the Office of the DuPage County Recorder; and the continuing effectiveness of the "Parking Easement Agreement" and the easement granted therein shall be a condition precedent to the continuing effectiveness of this Ordinance and the authorization of the subject property to be used as provided for in the original ordinance and this Ordinance;

B. This amendment of the original ordinance and its special use permit for planned unit development allowing the buildings on the subject property to be used for business and professional offices shall be in full compliance with the terms and conditions of the original ordinance, as modified by the site plan entitled Metropolitan Family Services dated April 26, 2005.

Section 3: In all other respects, the terms, conditions and provisions of the original ordinance are ratified and remain in full force and effect.

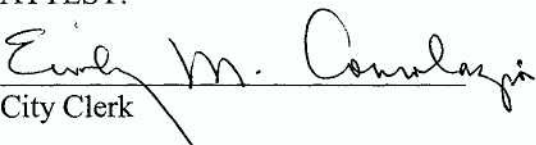
Section 4: All ordinances or parts of ordinances in conflict with these provisions are repealed.

Section 5: 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

Roll Call Vote:
Councilman Mouhelis
Councilman Seuss
Councilman Bolds
Councilwoman Corry
Councilman Johnson
Mayor Carr
Councilman Levine

Motion Carried Unanimously

Passed: May 16, 2005
Published: May 17, 2005