

ORDINANCE NO. F-1140

AN ORDINANCE OF THE CITY OF WHEATON, DU PAGE COUNTY, ILLINOIS,
AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO A CERTAIN FIRST
AMENDMENT TO DEVELOPMENT AGREEMENT REGARDING THE CITY OF
WHEATON MAIN STREET REDEVELOPMENT PROJECT AREA

WHEREAS, the Mayor and City Council of the City of Wheaton, DuPage County, Illinois (the "City"), have heretofore determined that it is necessary and advisable for the public health, safety, welfare and convenience of residents of the City that the City undertake a redevelopment project and have heretofore approved a redevelopment plan and designated a redevelopment project area (the "Project Area") for that portion of the City known as the City of Wheaton Main Street Redevelopment Project Area, all as authorized by the Tax Increment Allocation Redevelopment Act, as amended; and,

WHEREAS, the City has previously entered into a Development Agreement (the "Agreement") dated April 18, 2005 with Winona Properties, LLC (the "Developer") regarding a portion of said Project Area; and;

WHEREAS, the City and the Developer desire to amend the Agreement;

WHEREAS, the First Amendment to Development Agreement is on file with the City Clerk of the City and available for public inspection.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Wheaton, DuPage County, Illinois, a home rule municipality in the exercise of its home rule powers, as follows:

Section 1. That the Mayor and City Clerk be and the same are hereby authorized to execute the First Amendment to Development Agreement between the City and the Developer, in substantially the form attached hereto as Exhibit "A", and, by this reference, incorporated herein.

Section 2. That all ordinances and resolutions, or parts thereof in conflict with the provisions of this Ordinance are, to the extent of such conflict, hereby repealed.

Section 3. That this Ordinance shall be in full force and effect from and after its passage, approval and publication in pamphlet for as provided by law.

PASSED AND APPROVED by the City Council of the City of Wheaton, Illinois, this 21st day of February, 2006.

Mayor

A handwritten signature in black ink, appearing to read "James Carr", is written over a horizontal line. The signature is stylized and cursive.

ATTEST:

Eine M. Conularzi
City Clerk

Roll Call Vote:

Ayes: Councilman Levine
Councilman Mouhelis
Councilman Bolds
Councilwoman Corry
Mayor Carr

Nays: None

Absent: Councilman Johnson
Councilman Seuss

Motion Carried Unanimously

Passed: February 21, 2006
Published: February 22, 2006