

ORDINANCE NO. F-1161

**AN ORDINANCE ANNEXING CERTAIN TERRITORY
TO THE CITY OF WHEATON, ILLINOIS
26W595 EMBDEN LANE – NAHUMYK; 26W598 EMBDEN LANE – DINEEN;
27W005 EMBDEN LANE - KAUZLARICH**

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 April 10, 2006, to consider the terms and conditions of the proposed annexation agreement; and

WHEREAS, an annexation agreement dated April 17, 2006, among the City and Robert & Judith Nahumyk; Earl & Judy Dineen; and Roy & Barbara Kauzlarich ("Owners") ("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:

LOT 1 IN WIESBROCK'S SUBDIVISION, BEING A SUBDIVISION IN SECTION 30, TOWNSHIP 39 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN AND PART OF SECTION 25, TOWNSHIP 39 NORTH, RANGE 9 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED AS DOCUMENT #793559 ON MARCH 21, 1956, IN DUPAGE COUNTY, ILLINOIS.

LOT 29 IN WIESBROCK'S SUBDIVISION, BEING A SUBDIVISION IN SECTION 30, TOWNSHIP 39 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN AND PART OF SECTION 25, TOWNSHIP 39 NORTH, RANGE 9 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED AS DOCUMENT #793559 ON MARCH 21, 1956, IN DUPAGE COUNTY, ILLINOIS.

LOT 30 IN WIESBROCK'S SUBDIVISION, BEING A SUBDIVISION IN SECTION 30, TOWNSHIP 39 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN AND PART OF SECTION 25, TOWNSHIP 39 NORTH, RANGE 9 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED AS DOCUMENT #793559 ON MARCH 21, 1956, IN DUPAGE COUNTY, ILLINOIS. P.I.N. 05-30-301-004, 05-30-302-008, 04-25-404-001

The subject properties are commonly known as 26W595 Embden Lane, 26W598 Embden Lane, and 27W005 Embden Lane, Wheaton, IL 60187.

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.

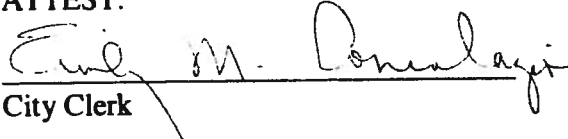
Section 5: All ordinances or parts of ordinances in conflict with these provisions are repealed.

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 Seuss
Councilman Bolds
Councilwoman Corry
Councilman Johnson
Mayor Carr
Councilman Levine
Councilman Mouhelis

Nays: None

Absent: None

Motion Carried Unanimously

Passed: April 17, 2006
Published: April 18, 2006

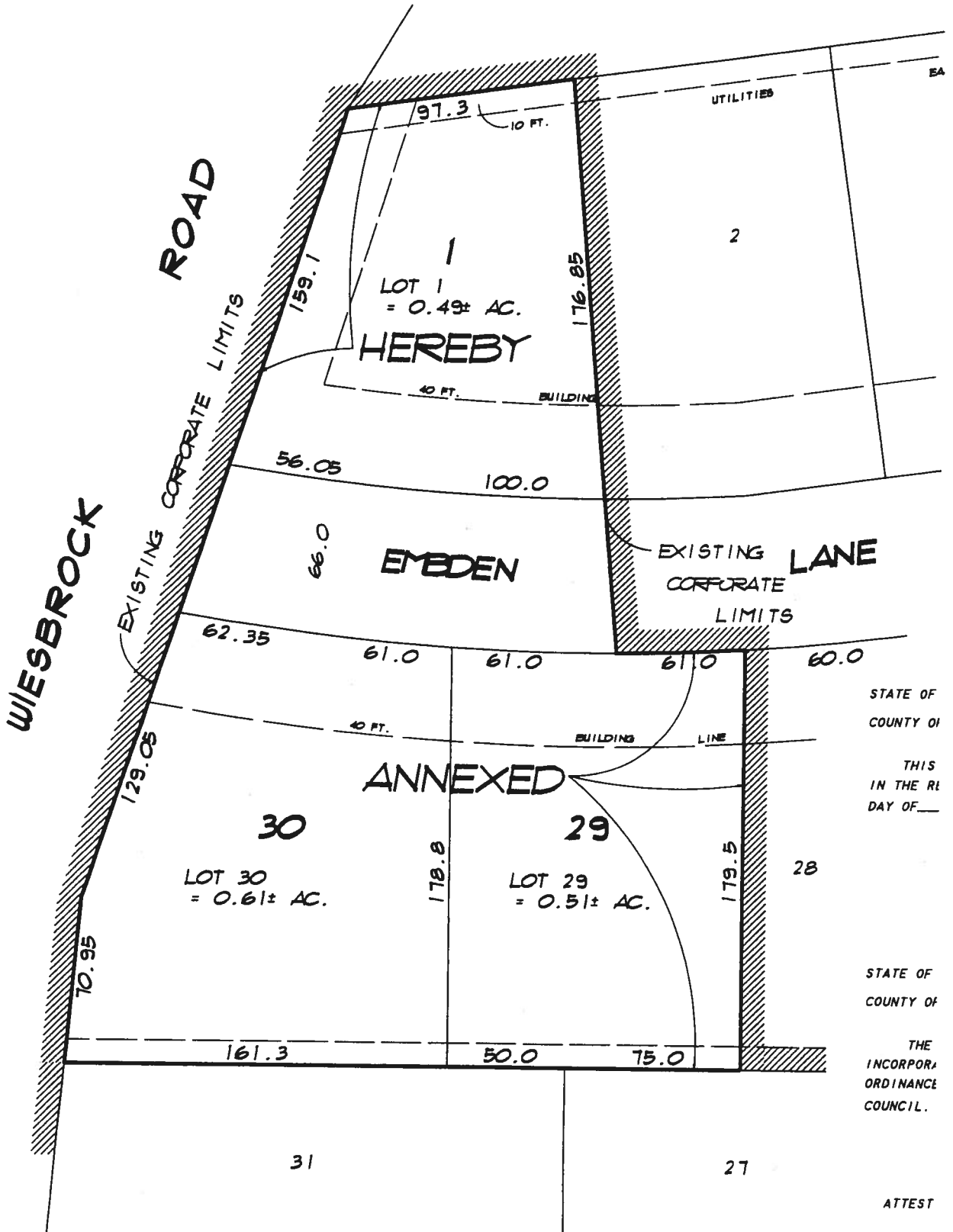
COMMONLY KNOWN AS 26W595 EMBDEN LANE, WHEATON, IL 60187 (PIN 05-30-301-004)

LOT 29 IN WIESBROCK'S SUBDIVISION, BEING A SUBDIVISION IN SECTION 30, TOWNSHIP 39 NORTH, 6 MERIDIAN AND PART OF SECTION 29, TOWNSHIP 39 NORTH, RANGE 9 EAST OF THE THIRD PRINCIPAL RECORD AS DOCUMENT #793559 ON MARCH 21, 1956, IN DU PAGE COUNTY, ILLINOIS.

COMMONLY KNOWN AS 26W595 EMBDEN LANE, WHEATON, IL 60187 (PIN 05-30-302-008)

LOT 30 IN WIESBROCK'S SUBDIVISION, BEING A SUBDIVISION IN SECTION 30, TOWNSHIP 39 NORTH, 6 MERIDIAN AND PART OF SECTION 29, TOWNSHIP 39 NORTH, RANGE 9 EAST OF THE THIRD PRINCIPAL RECORD AS DOCUMENT #793559 ON MARCH 21, 1956, IN DU PAGE COUNTY, ILLINOIS.

COMMONLY KNOWN AS 27W005 EMBDEN LANE, WHEATON, IL 60187 (PIN 04-25-404-001)



SUBMITTED BY & RETURN TO CITY OF WHEATON

STATE OF ILLINOIS COUNTY OF DU PAGE

ATTEST