

ORDINANCE NO. F-1268

**AN ORDINANCE ANNEXING CERTAIN TERRITORY
TO THE CITY OF WHEATON, ILLINOIS -
1100 WHEATON OAKS COURT
ELLIOT**

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 March 12, 2007, to consider the terms and conditions of the proposed Annexation Agreement; and

WHEREAS, an Annexation Agreement dated April 2, 2007 among the City and Robert J. Elliot ("Developer") ("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:

THAT PART OF THE SOUTH HALF OF SECTION 8, TOWNSHIP 39 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED BY COMMENCING AT THE SOUTHEAST CORNER OF LOT 4 IN OYER'S SUBDIVISION, ACCORDING TO THE PLAT THEREOF RECORDED JANUARY 6, 1911 AS DOCUMENT 102898 (SAID SOUTHEAST CORNER ALSO BEING THE SOUTHWEST CORNER OF LOT 3 IN WHEATON OAKS O-R ZONED P.U.D., ACCORDING TO THE PLAT THEREOF RECORDED NOVEMBER 19, 1976, AS DOCUMENT R76-84406); THENCE EAST, ON THE SOUTH LINE OF SAID LOT 3, A DISTANCE OF 20.0 FEET TO THE PLACE OF BEGINNING; THENCE SOUTH, AT 90 DEGREES TO THE LAST DESCRIBED COURSE, A DISTANCE OF 20.0 FEET; THENCE EAST, PARALLEL WITH SAID SOUTH LINE, A DISTANCE OF 259.95 FEET TO THE POINT ON A LINE DRAWN AT 90 DEGREES TO SAID SOUTH LINE THROUGH A POINT 150.0 FEET WEST OF THE SOUTHEAST CORNER OF LOT 3; THENCE SOUTH, AT 90 DEGREES TO THE LAST DESCRIBED COURSE, A DISTANCE OF 60 FEET; THENCE EAST, PARALLEL WITH SAID SOUTH LINE, A DISTANCE OF 80.0 FEET TO THE SOUTH LINE OF SAID LOT 3 AT A POINT 90.0 FEET WEST OF THE SOUTHEAST CORNER THEREOF; THENCE WESTERLY, ON SAID SOUTH LINE, A DISTANCE OF 319.73 FEET TO THE PLACE OF BEGINNING, IN DUPAGE COUNTY, ILLINOIS.
P.I.N. 05-08-417-009, 05-08-306-048

The subject property is commonly known as the property immediately south of 1100 Wheaton Oaks Court, 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

Roll Call Vote

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

Nays: None

Absent: Councilman Johnson

Motion Carried Unanimously

Passed: April 2, 2007
Published: April 3, 2007

(2)

PLAT

FRED BUCHOLZ

Du Page County Recorder

421 North County Farm Road - Wheaton IL 60187
(630) 407-5400

PLAT
R2007-159368
AUG. 28, 2007
2:28 PM

DATE OF INSTRUMENT: 4/3/07

\$42.00

- CASH
- CHECK
- CREDIT CARD

DOCUMENT TYPE:

- SUBDIVISION
- ANNEXATION
- VACATION
- DEDICATION
- ORDINANCE
- EASEMENT
- DECLARATION
- RESOLUTION
- _____

TITLE: Wheaton City of

1ST PARTY: _____

2ND PARTY: _____

LEGAL DESCRIPTION: pt of south half of

SEC. 8 TWP. 39 RANGE 10

PIN NO. 05-08-417-009
05-08-306-048

UNIT NO. _____

SUBMITTED BY:

Tyler

ACCOMPANYING PAPERS: Ord F-1268

- YES
- NO

BOOK _____

MAIL TO: _____

PAGE _____

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City of Wheaton

TAB 1

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