

ORDINANCE NO. F-1269

**AN ORDINANCE AMENDING THE WHEATON ZONING MAP
ON A CERTAIN PIECE OF PROPERTY COMMONLY KNOWN AS
1100 WHEATON OAKS COURT
ELLIOT**

WHEREAS, a written petition has been made to amend the Zoning Map, which is attached to and forms a part of the Zoning Ordinance of Wheaton, Illinois to rezone and reclassify certain property legally described herein within the city limits of Wheaton, Illinois ("City"), and located at 1100 Wheaton Oaks Court, Wheaton, IL; and

WHEREAS, the zoning application is being requested pursuant to the terms and conditions of a certain Annexation Agreement dated April 2, 2007 ("Annexation Agreement"), among the Robert J. Elliot ("Developer"); and

WHEREAS, pursuant to notice as required by the Illinois Municipal Code and the Wheaton Zoning Ordinance, a public hearing was conducted by the Wheaton City Council, sitting as a special hearing body on March 12, 2007 to consider the requested zoning amendment.

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 Zoning map, which is attached to and forms a part of the Wheaton Zoning Ordinance, is amended by adding, including and classifying the following described property in the O-R Office Research Zoning District in conformance with the Annexation Agreement:

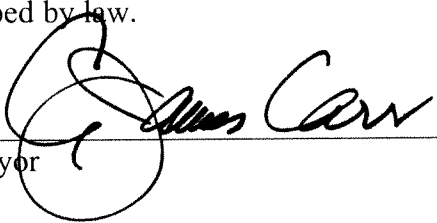
THAT PART OF THE SOUTH HALF OF SECTION 8, TOWNSHIP 39 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED BY COMMENCING AT THE SOUTHEAST CORNER OF LOT 4 IN OYER'S SUBDIVISION, ACCORDING TO THE PLAT THEREOF RECORDED JANUARY 6, 1911 AS DOCUMENT 102898 (SAID SOUTHEAST CORNER ALSO BEING THE SOUTHWEST CORNER OF LOT 3 IN WHEATON OAKS O-R ZONED P.U.D., ACCORDING TO THE PLAT THEROF RECORDED NOVERMBER 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 2: 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.

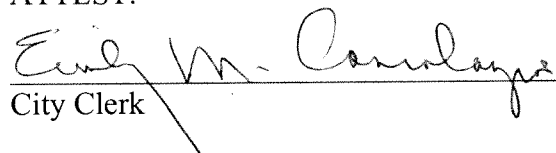
Section 3: All ordinances or parts of ordinances in conflict with these provisions are repealed.

Section 4: 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