

525

ORDINANCE NO. E-0035

AN ORDINANCE OF THE CITY OF WHEATON, DUPAGE COUNTY,  
ILLINOIS, AUTHORIZING THE CONVEYANCE OF CERTAIN  
REAL PROPERTY LOCATED IN THE DOWNTOWN WHEATON  
REDEVELOPMENT PROJECT AREA

WHEREAS, the Mayor and City Council (the "CORPORATE AUTHORITIES") 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 Downtown Wheaton Redevelopment Project Area, and have further adopted tax increment allocation financing and established a special tax allocation fund for the PROJECT AREA, all as authorized by the Tax Increment Allocation Redevelopment Act, as amended (the "ACT"); and,

WHEREAS, the CITY currently holds title to certain real property located in the PROJECT AREA legally described on Exhibit "A" attached hereto and, by this reference, incorporated herein (the "SUBJECT REALTY"); and,

WHEREAS, the ACT authorizes municipalities to own, convey, mortgage or dispose of land in the manner and at such price the municipality determines is reasonably necessary to achieve the objectives of the redevelopment plan and project; and,

WHEREAS, the CITY has entered into a Redevelopment Agreement (the "AGREEMENT") with R. Franczak & Associates, Inc. (the "DEVELOPER") which provides, in part, for the CITY to convey the SUBJECT REALTY to the DEVELOPER upon the terms and conditions contained therein. A copy of the AGREEMENT is on file with the City Clerk and available for inspection.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and City Council of the City of Wheaton, DuPage County, Illinois, as follows:

Section 1. That the conveyance of the SUBJECT REALTY to the DEVELOPER is hereby approved. Such conveyance shall be subject to the various terms and conditions set forth in the AGREEMENT.

Section 2. That the Mayor and City Clerk of the CITY be and the same are hereby authorized to execute and attest a deed conveying the SUBJECT REALTY to the DEVELOPER, or any Illinois land trust, corporation or other designated controlled entity permitted under the AGREEMENT, such deed to be in substantially the form attached hereto as Exhibit "B" and, by this reference, incorporated herein. The Mayor and City Clerk are also hereby authorized to execute and attest such other documents as are necessary to effect

the conveyance of the SUBJECT REALTY to the DEVELOPER.

Section 3. 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.

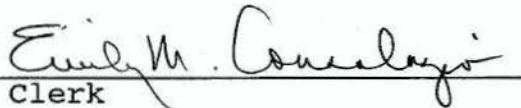
Section 4. That this Ordinance shall be in full force and effect from and after its adoption, approval and publication in pamphlet form as provided by law.

PASSED AND APPROVED by the Mayor and City Council of the City of Wheaton, Illinois, this 3rd day of June, 1996.

Mayor



ATTEST:

  
City Clerk

AYES: Councilwoman Davenport; Councilman Eckhoff; Mayor Carr; Councilman Gresk; Councilwoman Johnson; Councilman Mork; and Councilwoman Culler.

NAYS: None

ABSENT: None

Motion Carried Unanimously

Passed: June 3, 1996

Published: June 4, 1996



EXHIBIT "A"

F-0035

THAT PART OF LOT 2 IN COUNTY CLERK'S ASSESSMENT DIVISION OF THE SOUTH EAST 1/4 OF SECTION 17, TOWNSHIP 39 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED BY COMMENCING AT THE SOUTHEAST CORNER OF SAID LOT 2, SAID POINT BEING AT THE INTERSECTION OF THE WEST LINE OF GARY STREET, WITH THE NORTH LINE OF NORTH RAILROAD STREET; THENCE NORTH ALONG THE WEST LINE OF GARY STREET 236 FEET; THENCE WEST AT RIGHT ANGLES TO SAID GARY STREET, 117.6 FEET; THENCE SOUTH PARALLEL TO SAID GARY STREET, 224.2 FEET TO THE NORTH LINE OF SAID NORTH RAILROAD; THENCE SOUTH 87 DEGREES 3 ALONG SAID NORTH RAILROAD STREET, 54 FEET; THENCE EAST ALONG THE NORTH LINE OF SAID NORTH RAILROAD STREET, 65.7 FEET TO THE POINT OF BEGINNING, IN DUPAGE COUNTY, ILLINOIS

PIN 05-17-403-016

\_\_\_\_\_(SEAL)\_\_\_\_\_(SEAL)  
C. James Carr, Mayor Emily M. Consolazio, City Clerk  
 \_\_\_\_\_(SEAL)\_\_\_\_\_ (SEAL)

QUIT CLAIM DEED

Kindredland to Corporation  
CORPORATION

City of Wheaton

TO

GEORGE E. COLE  
LEGAL FORMS

State of Illinois, County of DuPage ss. I, the undersigned, a Notary Public, in and for the County and State aforesaid, DO HEREBY CERTIFY, that C. James Carr personally known to me to be the Mayor ~~XXXXXX~~ of the City of Wheaton

IMPRESS  
NOTARIAL SEAL  
HERE

~~XXXXXX~~ and Emily M. Consolazio personally known to me to be the City Clerk ~~XXXXXX~~ of said City ~~XXXXXX~~ and personally known to me to be the same persons whose names are subscribed to the foregoing instrument, appeared before me this day in person and severally acknowledged that as such Mayor ~~XXXXXX~~ and City Clerk ~~XXXXXX~~ they signed and delivered the said instrument and caused the ~~XXXXXX~~ seal of said City ~~XXXXXX~~ to be affixed thereto, pursuant to authority given by the Board of City Council of said City ~~XXXXXX~~ as their free and voluntary act, and as the free and voluntary act and deed of said corporation, for the uses and purposes therein set forth.

Given under my hand and official seal, this \_\_\_\_\_ day of \_\_\_\_\_ 1996.

Commission expires \_\_\_\_\_ 19\_\_\_\_ NOTARY PUBLIC

This instrument was prepared by Corski & Good, 211 S. Wheaton Ave., Wheaton, Illinois  
(NAME AND ADDRESS)

MAIL TO: { Gorski & Good  
(Name)  
211 S. Wheaton Avenue  
(Address)  
Wheaton, Illinois 60187  
(City, State and Zip)

SEND SUBSEQUENT TAX BILLS TO:

\_\_\_\_\_  
(Name)  
\_\_\_\_\_  
(Address)  
\_\_\_\_\_  
(City, State and Zip)

OR RECORDER'S OFFICE BOX NO. \_\_\_\_\_



## EXHIBIT "A"

THAT PART OF LOT 2 IN COUNTY CLERK'S ASSESSMENT DIVISION OF THE SOUTH EAST 1/4 OF SECTION 17, TOWNSHIP 39 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED BY COMMENCING AT THE SOUTHEAST CORNER OF SAID LOT 2, SAID POINT BEING AT THE INTERSECTION OF THE WEST LINE OF GARY STREET, WITH THE NORTH LINE OF NORTH RAILROAD STREET; THENCE NORTH ALONG THE WEST LINE OF GARY STREET 236 FEET; THENCE WEST AT RIGHT ANGLES TO SAID GARY STREET, 117.6 FEET; THENCE SOUTH PARALLEL TO SAID GARY STREET, 224.2 FEET TO THE NORTH LINE OF SAID NORTH RAILROAD; THENCE SOUTH 87 DEGREES 3 ALONG SAID NORTH RAILROAD STREET, 54 FEET; THENCE EAST ALONG THE NORTH LINE OF SAID NORTH RAILROAD STREET, 65.7 FEET TO THE POINT OF BEGINNING, IN DUPAGE COUNTY, ILLINOIS

PIN 05-17-403-016