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ORDINANCE NO. F-0183

AN ORDINANCE ANNEXING CERTAIN TERRITORY  
TO THE CITY OF WHEATON, ILLINOIS  
ON 371 GARY AVENUE/MUEHLFELT

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 October 27, 1997, to consider the terms and conditions of the proposed annexation agreement; and

WHEREAS, an annexation agreement dated November 3, 1997, among the City and American National Bank and Trust Company of Chicago as Trustee under Trust Agreement dated June 1, 1974, known as Trust Number 3192 ("Owner") (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, Du Page 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 SOUTHEAST QUARTER OF SECTION EIGHT (8), TOWNSHIP THIRTY-NINE NORTH, RANGE TEN (10), EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF SAID SOUTHEAST QUARTER AND RUNNING THENCE NORTH 89°50' EAST ALONG THE NORTH LINE OF SAID QUARTER SECTION 69.5 FEET TO THE CENTER LINE OF THE OLD ROAD; THENCE SOUTH 10°33' EAST ALONG SAID CENTER LINE 18.95 FEET TO THE SOUTH LINE EXTENDED WEST, OF BLOCK EIGHT (8) OF THE PLAT OF PURNELL GARDENS, DUPAGE COUNTY, ILLINOIS; THENCE NORTH 89°50' EAST PARALLEL TO THE NORTH LINE OF SAID QUARTER SECTION 124.21 FEET TO AN IRON STAKE AND THE NORTHEAST CORNER OF RICHARD SCHMIDT'S LAND; THENCE SOUTH 0°57' WEST ALONG RICHARD

SCHMIDT'S EAST LINE 77.62 FEET TO SAID SCHMIDT'S SOUTHEAST CORNER FOR A PLACE OF BEGINNING; THENCE SOUTH 89°50' WEST PARALLEL TO THE NORTH LINE OF SAID QUARTER SECTION AND ALONG SAID SCHMIDT'S SOUTH LINE 152 FEET, MORE OR LESS, TO THE CENTER OF THE CONCRETE ROAD IN GARY AVENUE AND SAID SCHMIDT SOUTHWEST CORNER; THENCE SOUTHERLY ALONG THE CENTER LINE OF SAID CONCRETE ROAD 78.15 FEET; THENCE EAST PARALLEL TO THE NORTH LINE OF SAID QUARTER SECTION 33 FEET TO AN IRON STAKE; THENCE CONTINUING EAST PARALLEL TO THE NORTH LINE OF SAID QUARTER SECTION 113 FEET TO AN IRON STAKE; THENCE NORTH 0°57' EAST 78.07 FEET TO SAID SCHMIDT'S SOUTHEAST CORNER AND THE PLACE OF BEGINNING.

(05-08-400-005)

This property is commonly known as 0N371 Gary Avenue, Wheaton, Illinois 60187.

Section 3: The City Clerk is authorized and directed to record with the Office of the Recorder of Deeds, Du Page County, Illinois, and to file with the Office of the County Clerk, Du Page County, Illinois, a certified copy of this ordinance together with the accurate map of the subject property appended to this ordinance.

Section 4: All ordinances or parts of ordinances in conflict with these provisions are repealed.

Section 5: This ordinance shall become effective from and after the second anniversary of its passage, approval, and publication in pamphlet form in the manner prescribed by law.



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James Carr  
\_\_\_\_\_  
Mayor

ATTEST:



\_\_\_\_\_  
Emily M. Conley  
\_\_\_\_\_  
City Clerk

Ayes:

Roll Call Vote:

Councilman Mork  
Councilwoman Davenport  
Councilman Eckhoff  
Councilman Gresk  
Mayor Carr  
Councilman Johnson  
Councilwoman Johnson

Nays:

None

Absent:

None

Motion Carried Unanimously

Passed: November 3, 1997

Published: November 4, 1997