

## ORDINANCE NO. F-0184

AN ORDINANCE AMENDING THE WHEATON ZONING ORDINANCE MAP  
ON A CERTAIN PIECE OF PROPERTY COMMONLY KNOWN AS  
0N371 GARY AVENUE/MUEHLFELT

WHEREAS, a written application 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 commonly located at 0N371 Gary Avenue; and

WHEREAS, the zoning application is being requested pursuant to the terms and conditions of a certain 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"); 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 October 27, 1997, to consider the requested zoning amendment.

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 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 R-3 Residential District zoning classification:

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 2: The subject property shall be developed and improved in full compliance with the terms, provisions, and conditions of the Annexation Agreement; and the zoning granted herein is granted pursuant to the Annexation Agreement, which is on file in the Office of the City Clerk and incorporated into this ordinance by this reference as though fully set forth herein.

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 the second anniversary of its passage, approval, and publication in pamphlet form in the manner prescribed by law.

ATTEST:

Emily M. Cerasella  
City Clerk

  
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James Caw  
Mayor

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