

ORDINANCE NO. F-0223

**AN ORDINANCE ANNEXING CERTAIN TERRITORY
TO THE CITY OF WHEATON, ILLINOIS
NORTHEAST CORNER OF BUTTERFIELD ROAD AND
WIESBROOK ROAD/ARMBRUST**

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 January 12, 1998 and February 23, 1998, to consider the terms and conditions of the proposed annexation agreement; and

WHEREAS, an annexation agreement dated March 16, 1998, among the City and Edward J. Wiesbrock, not individually but solely as Trustee under Trust Agreement dated April 10, 1956 and known as Trust No. 1 ("Owners"), and Steven Armbrust. ("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, 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:

LOTS 32, 33 AND 34 IN WIESBROCK'S SUBDIVISION, A SUBDIVISION OF PART OF THE WIESBROCK FARM IN THE SOUTHEAST 1/4 OF SECTION 25, TOWNSHIP 39 NORTH, RANGE 9 EAST OF THE THIRD PRINCIPAL MERIDIAN, AND IN THE SOUTHWEST 1/4 OF SECTION 30, TOWNSHIP 39 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN ACCORDING TO THE PLAT THEREOF RECORDED MARCH 21, 1956 AS DOCUMENT 793559, IN DUPAGE COUNTY, ILLINOIS.

P.I.N. 04-25-405-004 04-25-405-005 04-25-405-006

This property is commonly known as the northeast corner of Butterfield Road and Wiesbrook Road, Wheaton, Illinois.

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: The annexation approved by 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 to the City Clerk the Annexation Agreement within sixty (60) days of the date this ordinance was passed.

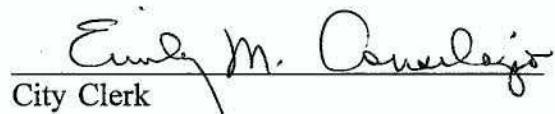
Section 5: All ordinances or parts of ordinances in conflict with these provisions are repealed.

Section 6: This ordinance shall become effective from and after its passage, approval, and publication in pamphlet form in the manner prescribed by law.



James Carr
Mayor

ATTEST:



Emily M. Consalvo
City Clerk

Ayes:

Roll Call Vote:

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

Nays:

None

Absent:

None

Motion Carried Unanimously

Passed: March 16, 1998

Published: March 17, 1998