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ORDINANCE NO. F-0229

**AN ORDINANCE ANNEXING CERTAIN TERRITORY
TO THE CITY OF WHEATON, ILLINOIS
2S230 AND 2S242 SHAFFNER ROAD/LAVERY**

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 March 23, 1998, to consider the terms and conditions of the proposed annexation agreement; and

WHEREAS, an annexation agreement dated April 6, 1998, among the City and Terrence J. Lavery d/b/a Terrence Lavery Builders, Inc., and Matthew P. Basiletti and John C. Basiletti ("Owners") ("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:

LOT 9 AND 10 IN BLOCK 2 IN ARTHUR T MCINTOSH AND COMPANY'S WEISBROOK ROAD SUBDIVISION, BEING A SUBDIVISION OF PART WEST FRACTIONAL HALF OF SECTION 30, TOWNSHIP 39 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, AND PART OF THE EAST HALF OF SECTION 25, TOWNSHIP 39 NORTH, RANGE 9, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JUNE 10, 1925 AS DOCUMENT 194383 AND CERTIFICATE OF CORRECTION FILED NOVEMBER 10, 1925 AS DOCUMENT 202879, IN DUPAGE COUNTY, ILLINOIS. P.I.N's 04-25-208-008/009

This property is commonly known as 2S230 and 2S242 Shaffner 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 in 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 the Annexation Agreement to the City Clerk within sixty (60) days of the date this Ordinance was passed.

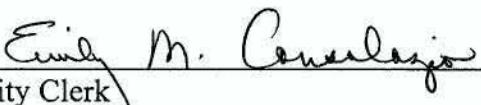
Section 5: All ordinances or parts of ordinances in conflict with these provisions are repealed.

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



Mayor Carr

ATTEST:



Emily M. Connelage
City Clerk

Roll Call Vote:

Ayes:

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

Nays:

None

Absent:

Councilman Mork

Motion Carried Unanimously

Passed: April 6, 1998
Published: April 7, 1998