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ORDINANCE NO. F-0517

AN ORDINANCE VACATING PORTION OF
WILLISTON STREET/HANNEN

WHEREAS, written petition has been filed with the City of Wheaton, Illinois ("City"), requesting the vacation of a certain portion of the Williston Street right-of-way; and

WHEREAS, the vacation petition has been filed pursuant to the provisions of Chapter 58, Article IV, of the City Code; thereafter, pursuant to notice as required by the City Code, a public hearing was conducted by the City Council on September 11, 2000, to consider the vacation; and

WHEREAS, the City has determined that the vacation of the right-of-way legally described herein will promote the health, safety, and welfare of the City and its residents.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Wheaton, DuPage County, Illinois, pursuant to its home rule powers, as follows:

Section 1: The following described portion of right-of-way commonly known as Williston Street is vacated:

OF THAT PART OF WILLISTON STREET LYING SOUTH OF THE SOUTH LINE OF LOWDEN AVENUE AND NORTH OF THE SOUTH LINE OF WHEATON ESTATES IN SECTION 22, TOWNSHIP 39 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN. ACCORDING TO THE PLAT OF SAID WHEATON ESTATES RECORDED JUNE 26, 1924, AS DOCUMENT 179450, IN DUPAGE COUNTY, ILLINOIS.

Section 2: The vacation provided for in this ordinance is subject to the following conditions and requirements:

- A. Petitioner shall provide all necessary public utility easements as directed by the Director of Engineering.
- B. Petitioner shall pay to the City the total sum of Seventy-Three Thousand Dollars (\$73,000) which represents the fair market value of that portion of the Williston Street right-of-way, total land area of 10,176 square feet, which is vacated pursuant to the provisions of this ordinance.
- C. Petitioner shall provide letters from Commonwealth Edison, Northern Illinois Gas, Ameritech and AT&T indicating they have no interest or object to the proposed right-of-way vacation.

Section 3: It shall be a condition precedent to the effectiveness of this ordinance and the recording and filing of the plat of vacation as provided for in Section 4 that the conditions contained in Section 2 of this ordinance be satisfied.

Section 4: The Mayor is authorized and directed to execute the plat of vacation, dated July 18, 2000, prepared by Steinbrecher Land Surveyors, Inc., West Chicago, Illinois; and the City Clerk is authorized and directed to attest to the signature of the Mayor. The plat of vacation shall be recorded in the Office of the Recorder of Deeds, DuPage County, Illinois, along with a certified copy of this ordinance, at the expense of the petitioner, and shall be filed in the office of the DuPage County Clerk, DuPage County, Illinois.

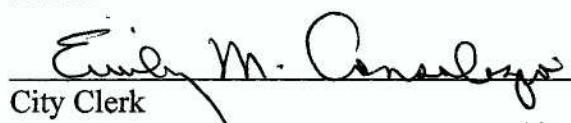
Section 5: All ordinances or parts of ordinances in conflict with these provisions are repealed.

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

Attest:



City Clerk

Roll Call Vote:

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

Nays: Councilman Mork
Absent: None

Motion Carried

Passed: September 18, 2000
Published: September 19, 2000