

ORDINANCE NO. F-0733

**AN ORDINANCE PROVIDING FOR THE DELETION OF THE ACQUISITION OF
CERTAIN PROPERTY LOCATED WITHIN THE WHEATON MAIN STREET
REDEVELOPMENT PROJECT AREA BY THE CITY OF WHEATON,
DUPAGE COUNTY, ILLINOIS**

**(101-103 West Front Street, Wheaton, Illinois
105 West Front Street, Wheaton, Illinois
106 North Main Street, Wheaton, Illinois
108 North Main Street, Wheaton, Illinois
110 North Main Street, Wheaton, Illinois)**

WHEREAS, on December 6, 1999, the Mayor and City Council of the City of Wheaton (the "Corporate Authorities") passed and approved Ordinance No. F-0418, "An Ordinance of the City of Wheaton, DuPage County, Illinois, Approving a Tax Increment Redevelopment Plan and Redevelopment Project for the City of Wheaton Main Street Redevelopment Project Area"; and

WHEREAS, on December 6, 1999, the Corporate Authorities passed and approved Ordinance No. F-0419, "An Ordinance of the City of Wheaton, DuPage County, Illinois, Designating the City of Wheaton Main Street Redevelopment Project Area A Redevelopment Project Area Pursuant to the Tax Increment Allocation Redevelopment Act"; and

WHEREAS, on December 6, 1999, the Corporate Authorities passed and approved Ordinance No. F-0420, "An Ordinance of the City of Wheaton, DuPage County, Illinois, Adopting Tax Increment Allocation Financing for the City of Wheaton Main Street Redevelopment Project Area"; and

WHEREAS, on September 11, 2000, the Corporate Authorities passed and approved Ordinance No. F-0512 authorizing the acquisition by either negotiation or condemnation of certain properties commonly known as 102-110 North Main Street for purposes of accomplishing the redevelopment goals of the City of Wheaton; and

WHEREAS, on September 12, 2000, the City of Wheaton filed condemnation in Case No. 00ED052, City of Wheaton v. Robert O. Sandberg, et al., 18th Judicial Circuit of Illinois; and

WHEREAS, through the course of the condemnation case, the owner of the property expressed his objection to the acquisition of his property, and expressed his strong preference for the opportunity to undertake his own redevelopment of the property, and maintain his business as part of the Downtown Redevelopment Area; and

WHEREAS, on June 7, 2001, the Corporate Authorities adopted Ordinance No. F-0602 authorizing the dismissal of the pending eminent domain proceedings, and expressed the City's willingness to allow the owner of the properties under condemnation the chance to pursue private redevelopment opportunities, and reserving the right to reinstitute eminent domain proceedings at a future date; and

WHEREAS, on January 7, 2002, the Corporate Authorities passed and approved Ordinance No. F-0675, "An Ordinance of the City of Wheaton, DuPage County, Illinois, Approving an Amendment to the Wheaton Main Street Redevelopment Area Project and Plan and Ratifying and/or Confirming Certain Other Changes"; and

WHEREAS, the newly adopted Wheaton Main Street Redevelopment Area Project Plan specifically finds that the purpose of the Redevelopment Plan is to encourage private investment of underutilized and vacant properties in order to strengthen the economy, tax base and business environment in the City of Wheaton; and

WHEREAS, the Redevelopment Plan also indicates that the overall goal is to prepare commercial corridor improvement plans that establish street scape and façade design elements that can unify the image of both public and private properties in the Redevelopment Plan Area; and

WHEREAS, the Plan further states as follows:

"Block 302 is part of the pedestrian core of the commercial business district, but the pedestrian nature is compromised by ground floor vacancies, underutilized ground floor space and ineffective use of second floor space. The age and character of buildings on this block make it physically attractive, yet the difficulty to maintain old buildings is obvious in the physical decay of structures and in building obsolescence. Most importantly, the chronic vacancy that occurs on this prominent downtown block is a strong threat to the health of the entire central business district. It is necessary to encourage private investment and participation in the strengthening of this block. It is also necessary for the City to identify and pursue the specific tools that it may use to encourage redevelopment enhancement of this block. These tools may range from providing financial assistance to property owners and developers, to property acquisition.... opportunities for strengthening ground floor retailing activities current exist in the first two buildings along Main Street north of Front Street and the Masonic Temple."; and

WHEREAS, on the 21st day of May, 2002, Ordinance No. F-0719 was adopted by the Corporate Authorities, authorizing the acquisition of certain property located within the Wheaton Main Street Redevelopment Project Area; and

WHEREAS, after the passage of Ordinance No. F-0719 the record titleholder of the Subject Property, Robert O. Sandberg, (hereinafter "Owner") stated that he was not interested in conveying the Subject Property to the City of Wheaton and expressed his continued interest through correspondence dated May 30, 2002 and attached hereto as **Exhibit A**; and

WHEREAS, the Owner has requested that the Corporate Authorities refrain from exercising its power of eminent domain in order to acquire the Subject Property; and

WHEREAS, although the Corporate Authorities continue to believe that acquisition of the Subject Property is both necessary and proper to continue the goals of the Redevelopment Plan, the Corporate Authorities have elected, at this time, to hold-off on acquiring the Subject Property through the use of its power of eminent domain as requested by the property owner; and

WHEREAS, the Corporate Authorities have determined that it is in the best interest of the City of Wheaton to, at this time, delete from acquisition the property legally described in **Exhibit B** and depicted in **Exhibit C** attached hereto; and

WHEREAS, it is the express intention of the Corporate Authorities that the deletion of the Subject Property from acquisition at this time as requested by the Owner, and granted by this Ordinance, shall not constitute a finding that the Corporate Authorities do not "need" this property, and the Corporate Authorities expressly state that the acquisition of the Subject Property in the future will be important to furthering the goals of the Redevelopment Plan; and

NOW THEREFORE, BE IT ORDAINED by the City Council of the City of Wheaton,
DuPage County, Illinois, as follows:

SECTION 1: That the recitals set forth above are hereby adopted and incorporated into this Ordinance.

SECTION 2: That, at this time, as has been requested by the Owner of the Subject Property, it is necessary and desirable that the real estate described herein in Exhibit A and depicted in Exhibit B be eliminated from acquisition by negotiation as provided in Ordinance No. F-0719.

SECTION 3: If any section, paragraph, or provision of this Ordinance shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph, or provision shall not affect any of the remaining provisions of this Ordinance.

SECTION 4: All ordinances, resolutions, motions, or orders in conflict herewith shall be, and the same hereby are, repealed to the extent of such conflict, and this Ordinance shall be in full force and effect upon its passage and approval as provided by law.


James Caw

ATTEST:

Emily M. Connelley
City Clerk

Ayes:

Roll Call Vote:
Councilman Mork
Councilman Mouhelis
Councilman Gresk
Councilman Johnson
Mayor Carr

Nays:

Councilman Eckhoff

Absent:

Councilwoman Johnson

Motion Carried Unanimously

Passed: June 17, 2002

Published: June 18, 2002

**SANDBERGS STORE FOR MEN AND BOYS
101-103 FRONT STREET
WHEATON, IL 60187
630-665-1731**

Email: Sandbergstoreformenboysbigortall@yahoo.com

*City of Wheaton
303 W Wesley Street Box 727
Wheaton, IL 60189-0727*

May 30, 2002

Mr. Donald B. Rose, City Manager

Dear Mr. Rose,

Thank you for your interest in my three downtown Wheaton buildings, If you recall last year, through my attorney I offered to sell one or two of these properties to the City in order to settle your then " 2nd Condemnation Suit ". This offer was turned down by the City as they were not interested in the partial vacant and the soon to be vacant building. They were only interested in my corner building which houses my 44 year old retail mens store , boys store, big & tall mens wear, formal wear, specialty items and tailor shop, a business that has expanded 4 different times in downtown Wheaton, Illinois since 1958. It was known at your last council meeting (May 20, 2002) by some City officials and at least one councilman that I have acquired a tenant for the 111 N. Main St. Store which will now make this building 100% occupied. I now have six Store spaces in downtown Wheaton and five of the six rented. This rental ratio is far greater than the Danada Centers are now and far greater than thier history of empty spaces since thier beginning. For some reason the news of my newly leased space, was not mentioned at the council meeting when my property was discussed, I ask Why? It may be if there is not anything negative to report , nothing is reported. I have in the past been reluctant in offering my 109 N. Main Street store for rent as since 1986 it has been the cities desire to acquire my corner building by wrongful means, I had figured that if the City were to be successfull in the wrongful attempt that I would have to move into the 109 N. Main St. Store, therefore it stopped me from acquiring a tenant for that store, at the time, I had interested parties , one of which was Amblings Flowers, but this wrongful action by the City prevented this from happening, your false statements , twisted and misleading facts have done nothing but hurt my business, the City of Wheaton and my rental process. The damaging stickers put on the 111-113 N. Main St. Building was most unusual and harmful to the rental process and character of the building. Not to mention all of the very questionable requirements that were required at the location of which were all completed. When this mostly unnecessary work was completed, I asked for a letter stating the facts and this request was turned down by you, This letter would have helped in my rental process, but instead when your investigators would call a person in whom was interested in renting the store they would refer to a long list of repairs that had to be done at that building.

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This letter would have helped in my rental process, but instead when your investigators would call a person in whom was interested in renting the store they would refer to a long list of repairs that had to be done at that building.

Copies of letter demanding a copy of that list are enclosed for your better understanding along with a copy of my May 11, 2002 letter to Mr. Kreidl of which has yet to be answered. In contrast to when code violations in another building owners building were found in a building across the street. This building had 4 stores, 6 apartments and 2 offices and you never had any of the tenants vacated or were there any damaging signs posted. In this case the owner was given notice and plenty of time to get the violations corrected without the papers being called by you and bad press given.

I'm also enclosing a copy of a letter regarding a fire escape at the 109 N Main St. Building, you can see that answers are not quickly given but taking it to court by the city is usually done without delay. I am also enclosing a copy of a letter to councilman Mork which explains how accusations, suspicions, and beliefs are needlessly put in court by the city attorney regarding my corner building, then a condemnation is filed against the building which triggers an inspection of four or more inspectors with countless hours over a four week period with instructions from the city attorney to not talk with me but to open doors and let them into whereever they want to go. The building was inspected by areas and different stores at a time. It was never pointed out or identified to me a given violation and what has to be done to correct it. Remember we were all instructed not to talk to each other. The next thing I heard was when it was filed in the court with items listed not by areas as they were inspected but items in one area and then another and then another and etc. Then back to where first started then to a basement of one area, to a second floor of another and etc. This is not the way a code violation is handled with a building owner. The violation is identified and the owner is told what has to be done to correct it. Then he is given a reasonable amount of time to correct it, again why was I treated differently?

As for the condition of my building and the architectural and the historical features of them I will refer you to my letter to you dated September 5, 2000 (copy enclosed) this will explain my position as well as the questions I had then are the same as I have now. The costs and efforts that I have spent on this wrongful action by the city and the loss of business that your wrongful actions has caused me to delay my retirement by 10 years. You have stated that I won't do what you want me to do in regard to my buildings appearance. I would like to know exactly what you asked me to do that I refused to do? Please tell me, If I could concentrate on improving my buildings instead of trying to keep them I'm sure it could be better for all concerned.

I would like to be able to rent my building at 109 Main St. Without interference from the city and be able to be sure that after it is leased, that I will be able to feel that my building will not be taken from me. I for once would like to be treated like the other property owners in the central business district. I do not mean that you should give me a grant like the city has given to others, I just want to enjoy the freedom and security that the others have.

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*If I can be sure that my buildings are safe from your wrongful taking,
I will be glad to consider any of your recommendations that you may have. If you will do this it
will be the first time that it has happened since the beginning of your wrongful attempts to take
my buildings which started in 1986.*

Sincerely


Robert Sandberg

Ordinance No. F-0733 p. 8

May 11, 2002

Mr. Joseph Kreidl
303 W. Wesley Street
Box 727
Wheaton, IL 60189

Dear Mr. Kreidl,

In response to your letter of May 3, 2002, I would like to advise you that the mentioned attached copy of the B & F report was not attached to your letter like mentioned. Therefore, I request that you please forward a copy of this report immediately.

I can't imagine what could be in this report as prior to this inspection the building was thoroughly inspected by yourself and three other city inspectors. If you recall, everything including some very questionable things were done and a re-inspection revealed just that. I'm sure that B & F Technical would not have found anything that was missed by your department.

When the final inspection was completed, I requested a letter from you stating that there were not any code violations at that building at the present time. This letter was never given to me.

After the final inspection and all cited violations were corrected a potential tenant was requested to have a meeting with you and your three other inspectors and/or officials. I'm sure you will recall that this potential tenant was told that "there is a long list of scheduled repairs to be made on that building." This disheartened the potential tenant, however he did ask for a copy of this long list (which there shouldn't have been any at all) and Carol Zdan said that she would send him one, but never did. This potential tenant made three other requests but never got a copy of this fictitious list. Needless to say, the potential of this list as well as never receiving it totally discouraged this possible tenant from renting this store at 111 N Main Street, Wheaton, IL.

I now understand that you have recently warned a possible tenant that you suspect there to be lead based paint above the drop ceiling at 111 N Main. Wouldn't this be so for any building that may have been painted before 1967? Why wasn't this possible tenant told that the building had been recently thoroughly inspected and told there isn't any code violations at the present time. Wouldn't this be a help in getting a store rented or is this not your desire? Is it possible that if you can't find something to encourage a possible tenant that you have to say something to discourage him?

Sincerely,

Robert Sandberg

Robert Sandberg
Sandberg's Store for Men & Boys
101-103 W Front Street
Wheaton, IL 60187

Robert Sandberg
101-103 W. Front St.
Wheaton, IL 60187

Ordinance No. F-0733 p.9

Mr. Robert Mork
100 Hawkins Circle
Wheaton, IL 60187-2032

September 17, 2000

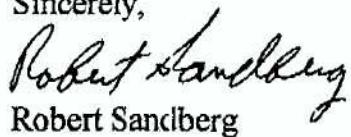
Dear Mr. Mork:

It appears that you have been misled like I'm sure the other council members and so many others. I have enclosed a copy of my answers to the city's complaint filed by the city's attorney. This complaint was filed on accusations, suspicions and beliefs. Now, I'm sure you know that this is not the way anyone else is treated. The way other people are treated in this city or any other city is in an entirely different manner. First of all an inspector not a lawyer identifies a proper code violation and the property owner is given a reasonable amount of time to correct that violation. The city doesn't expend the expense of a lawyer and file a lawsuit based on suspicions and beliefs and in turn the property owner has to respond and file an appearance which costs him the amount of \$108.00 to do so. Do you think this is communication when the city is paying a full time building inspector with several assistants. I was never given a verbal or written notice of any code violations before I received the lawsuit in which I responded to (copy enclosed).

This complaint which was filed by the city in April, 2000 was answered through the court system by myself on May 22, 2000. To date these allegations were never discussed with me by anyone from the city. I would think if any of these allegations were so important that the city had to seek the aid of the courts, that they would have contacted me directly and they would have contacted me at once, which would have saved not only myself time and money but also the taxpayers. Isn't this a reckless use of the taxpayers money? Do you care? Does anyone care? Or, was this done so that the council and mayor could be told by the city manager that we just can't get him to do anything until we get him in court. By this lack of communication this is exactly what the city manager wants you to believe. The business of the building inspector has been put in the hands of the attorney. Do the taxpayers know how much more this costs the city. Code violations shouldn't be a problem with any building as I'm sure you know that the city has an ordinance that gives them the power to correct any violation that a property owner states that he refuses to do. So there shouldn't be any problems except of course when new construction ordinance is being applied to an existing building and also is arbitrarily being applied and etc.

I hope this will give you a better understanding of what is going on and how it is so improperly being handled.

Sincerely,


Robert Sandberg

Ordinance No. F-0733 p.10

Mr. Donald Rose
City of Wheaton
P.O. Box 727
Wheaton, IL 60189-0727

September 5, 2000

Dear Mr. Rose:

I must say I'm shocked by your accusations and actions however I'm not surprised as you have been running me down, bad mouthing me and telling false stories about me and my business for over 14 years now. You told city employees to make sure that they don't let me get away with anything as far as codes are concerned and tell them to make me do things that are not being required in other buildings. You have withheld raises to city employees who have not given me problems and until they do, they don't get their deserved raise. I would like to know exactly what you have against me or maybe it is something you don't want to talk about. It may even be something you don't want in the papers if that's so, why don't just the two of us talk about it? This may stop you from rapping me to everyone you talk with. How could you possibly care about businesses downtown Wheaton when you can so willfully rundown a longtime merchant in the town. When you get a chance to talk about me or my buildings to anyone you speak only the things that you very well know will be harmful to my leasing process. I guess you think that this will in some way justify your actions against me.

When I have an interested tenant and they go to City Hall to ask about the business they want to put in, your property standards friend tells them that there are a whole list of so called repairs to be done on that building. This was after the thorough inspections were made by all four of the city inspectors and all items were completed and after I asked for a letter of compliance which was denied. When the tenant prospect asked what the scheduled repairs were she flipped through sheets of paper but never said what they were. Finally the tenant asked if he could have a copy of them and she said she would send him one but after three requests for that list he was never sent one. Was this why I was denied a letter stating that my building at 111-113 N. Main St. had been thoroughly inspected and all codes have been met? When a tenant prospect would ask about my building at City Hall they were told, oh! that building, nobody has looked at that building for years and hinting that there are a lot of things wrong with it. Yes, this was before and after the thorough inspections and after all requested and desired changes were made.

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As for my buildings, I'm sure if you would ask the Historical Society they would say that two of my three buildings are far above any of the other commercial buildings on North Main St. As for the other, the marble front building may not be to the liking of the Historical Society but they, as well as everyone else, would agree it is a very sound building.

The 111 N. Main St. building was thoroughly inspected by all of your city inspectors from the roof top to the basement. Yes, all four inspectors were on the roof top. I had to do many things that were not required in existing buildings however; when it was all done and reinspected you wouldn't allow a letter to be written stating that all things were brought up to code. Why? Would this have helped me rent the space. In view of all the bad mouthing you did about me and the building in the papers it may have just helped as anyone who read the articles would have been scared off.

The 109 N. Main St. building was also thoroughly inspected by all of your city inspectors. Suspicions that were reported in the complaint were unfounded however untrue things were written in a follow up report. I have done all things on that building except for a more sound fire escape. Since the building is now unoccupied I asked for some consideration on the fire escape as a new tenant or owner may want a permanent stairs although a certain type of a tenant or owner may not even need an exit there at all. I asked for this consideration as there are other buildings in the central business district that are fully occupied and there are not any outside second floor exits at all. Please note that I wouldn't even have asked for this consideration if the city was requiring all buildings to meet this possible requirement. But they were not, I was again being singled out. I thought for once I may be treated like everyone else and given this consideration until such time that everyone would have to have a second floor exit. Does that seem fair? I have yet to hear if this small request on my behalf will be granted. If this is what is bothering you about this building that I have recently starting moving out of I will do that also however; I would think if I were to sell it that the decision would be better made by the new owner as to what type of stairs he would like.

My corner building houses two businesses along with my 42 year old business which I have stocked with the largest inventory of my 42 years of operation in Wheaton. My inventory, if not the largest, is one of the largest in the central business district. This corner building also has three apartments on the second floor, these as well as the store fronts are all occupied. As this building is being used, it is the highest and best use of the building. This building was rebuilt after a fire in 1974. All new codes were complied with plus a second, second floor exit was built and a complete sprinkler system was installed as I was being forced into doing. At that time there were not any buildings in the central business district that had to install a complete sprinkler system. Even the high rise buildings didn't have it and still don't. I was told by the sprinkler contractors that the costs were too high to considerate it as it was an existing building and it would not be cost effective to do it.

These fire sprinkler systems are installed as the building is being built and not usually put in existing structures. I was told by the architect, who was also the contractor that was rebuilding my building, that I could fight this requirement by the city as it was not destroyed by 50% or more but they could hold up the occupancy of the building for years plus it would cost in legal fees. So he advised me to proceed with this large expense of installing a complete approved sprinkler system. This building has not been cited with any building code violations. I have never received anything as to the fact that it doesn't fit into the City of Wheaton's redevelopment program. If there is something that the city desires as to improvements to this building I wish they would advise me of them. If the requests are reasonable I'm sure that they can be worked out.

If you would look at the corner just south of me how can you say that this corner is the highest and best use of this property. It is an old gas station that doesn't sell gas, it is in disrepair, it has old cars parked with for sale signs, it has old cars with flat tires with old wooden storm windows leaning against it, with weeds as high as the car. These situations have existed for years, yet I have received tickets for having a parked car on a driveway in a residential area for sale as it wasn't properly registered. I have received letters from the property standards friend regarding residential property that a tenant who was renting the house had the grass too long which many have been as high as 6 to 8 inches high. The letter stated that I would be ticketed if the situation wasn't corrected immediately.

I would think that the City of Wheaton could find a higher and better use for this property. Why don't you take this property for the corporate store that wants to locate in Wheaton.

I didn't even ask the City of Wheaton to help me in my business or to purchase property. Why should the City of Wheaton help the corporate stores who are based in some other state and send their sales back to that state or another state to invest.

I purchased my commercial buildings from a local realtor in a process where everyone had an equal opportunity to buy the property. I paid the highest and this is why I got it. It was sold the American way to the highest bidder. I paid far more than an appraised value because:

A) The location, which is something that can't be appraised, as it rarely shows up in the income approach to value, the replacement cost approach to value or the market value approach to value.

B) The location was something I wanted for my business and I was willing to pay for it. I also worked hard to get it and to keep it. I paid my taxes and payments. I worked hard in my business and invested back into the community by making four other real estate purchases where city taxes were paid on these purchases and real estate taxes were paid each year which in turn went back to the community not to mention the portion of the sales tax that the City of Wheaton gets and has received for 42 years now.

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If you look at the block that makes up the block that my buildings are in you will see a frame house, yes not a commercial building at all in fact a fire hazard and a threat to the other buildings around it. I was told a long time ago, before I purchased my first commercial building in Wheaton, when I was looking at a house in the central business district that anyone purchasing any such frame building that they would be given an amount of time to tear the frame house down and put up a commercial building. Why is there still wood frame structures in the central business district? Also, there is a building which I'm sure you are familiar with, it has the front brick work that is so deteriorated that the mortar joints are out farther than the bricks itself. In fact, that same building had to be plastered at the bottom as the bricks were so badly deteriorated. Next to that building you have a building that the bricks looked so bad that years ago it was painted. We all know what happens to painted brick, in time the paint comes off making it look worse than it looked before it was painted.

All of my buildings are of sound brick fronts and solid thick marble front. My corner building I removed the thin white cultured marble below the display windows. My reason for doing so was to install stone boulders (large rocks) on this area in a driftwood design pattern. When the contractor went to City Hall he was told that he could not do it. At the time, I was so sick of fighting to get things done that I just gave up the idea which is still something I would like to do. I have seen it done and it looks real nice, it is very expensive to do and I'm willing to do it. Other than this I don't know what you mean when you say he hasn't fixed up his buildings. I have never been told by you or anyone as to anything that would enhance the appearance of my buildings that I haven't done. I have even done unnecessary things that were required by your inspectors and put in fourteen new double hung windows at the 111-113 N. Main St. building. These windows were thermopane with low E. glass and filled with argon gas. When these windows were installed I had the frames, jams, and window sills all wrapped with colored aluminum to match the colored windows which all enhanced the brick color so that the window frames, jams and sills will NEVER have to be painted. This means that you will never see any peeling paint on the building front like you now see and have seen for years on the building directly across the street from my 111-113 N. Main St. building. When this was finished I had the entire building tuckpointed. Architecturally this is one of the finest buildings on the block and it is structurally very sound. Again if there is something else you want done just tell me. I'm sure if there was, you already would have done so through one of your inspections.

Steve Best
111 N. Main St.
Wheaton, IL 60187
630-871-2800

Ordinance No. F-0733 p.14

Department of Building & Code Enforcement
Attn: Ms. Carol Zdan
303 W. Wesley St. Box 727
Wheaton, IL 60187

August 30, 1999

Dear Ms. Zdan:

I have yet to receive the answers to my questions in my letter to you dated April 27, 1999 (copy enclosed). If you recall you had requested that I come to City Hall to meet with you which I did. At that meeting you stated that there were a list of scheduled repairs to be done at that building. In fact you kept thumbing through a long list of things that you said were wrong with that building. If you recall, I asked to see your list which you refused to show me however; I thought you agreed to send me the list. To date, I have yet to receive the list.

I'm at this time requesting it again. Please don't ignore my request any longer as your failure to respond is only holding up my occupancy of 111 N. Main St., Wheaton, IL.

Sincerely,

Steve Best



Certified: Z 544 736 963

Ordinance No. F-0733 p.15

Steve Best
111 N. Main St.
Wheaton, IL 60187
630-871-2800

Department of Building & Code Enforcement
Attn: Ms. Carol Zdan
303 W. Wesley St., Box 727
Wheaton, IL 60187

April 27, 1999

Dear Ms. Zdan:

I have never abandoned my plans to put a tile store at 111 N. Main St., Wheaton, IL. I do have to admit that after meeting you to discuss my plans, I became very disheartened as it seemed to me that you not only didn't want me to rent that location but you also didn't seem at all enthusiastic about me becoming a part of the downtown business district.

This is not the reception I expected to get from Wheaton. I only heard negative things about the building in which I wanted my store to be a part of. In fact, you kept thumbing through a long list of things that you said were wrong at that location. You had mentioned that there were a list of scheduled repairs to be done at that building. You talked about cosmetic things such as floor coverings and pealing paint on the metal ceiling above the existing ceiling and etc. At that point, I asked to see your list of things wrong at that building and you wouldn't show it to me. I then asked if you would send me a list of these scheduled repairs that have to be done at that building and you proceeded to tell me that I would have to pay a water bill for a previous tenant in the amount of hundreds of dollars before I could ever get water. I find this all very hard to believe. If this is true, please state this in a letter to me along with a list of scheduled repairs that has to be done before I can start my remodeling.

When I left the meeting, I thought it was agreed that you would send this list to me but I have yet to receive this list and I can not move on with my plans until I receive it. I have invested in what I thought was an attractive neon sign which I think adds to Wheaton. I can't see why you would rather have an empty store front covered with brown paper while the remodeling is going on.

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I see violations all over town even signs sitting unmounted on sidewalks. I ask, why are you singling me out about my properly mounted sign on the inside of a store?

I'm determined about opening my own business and I thought Wheaton was the place. This is why I went so far as to have a good neon sign made up with a Wheaton phone number. I had to make arrangements and have a line put in at an early date to guarantee that phone number. If I didn't do all this already, I would accommodate you and locate in Glen Ellyn or some other town.

My hands are tied so until I get the requested information, I will not be able to proceed with my dreams in Wheaton.

Sincerely,

Steve Best

Ordinance No. F-0733 p.17

April 23, 1999

Carol Zdan
P.O. Box 727
303 W. Wesley St.
Wheaton, IL 60187-0727

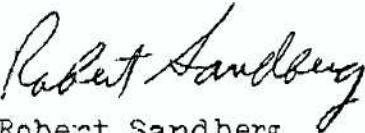
Dear Mrs. Zdan,

In regards to the fire escape at 109 N. Main St., I'm still awaiting your answer to my question regarding same. On March 22, 1999, as well as on two other prior occasions, I asked you for the code on having to have an escape on the second floor at that location. You promised me that you would get back to me on the requirement if there was one.

If you recall we discussed the neighboring building, which was built after mine, and the fact that that building didn't have a rear exit on either the first floor or on the second floor. Since my second floor at the present time is not being occupied, I'm at this time asking permission to have the old swing down fire escape removed. If this was done I would still have two rear exits on my building, which is two more than the above referenced building has now.

Please don't ignore this and as I said before if there is something that doesn't have to be done let me also know that.

Sincerely,


Robert Sandberg

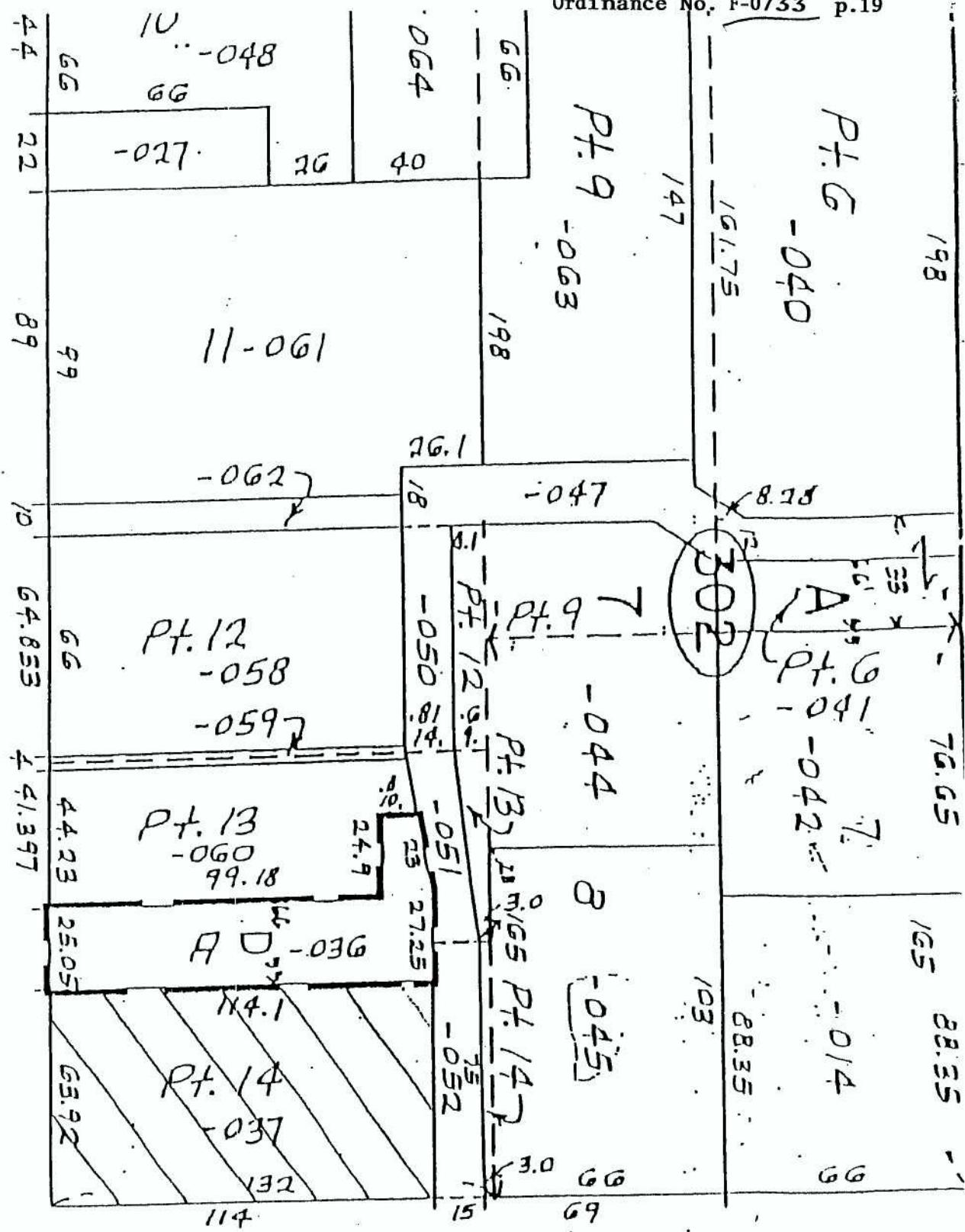
Legal Description:

THAT PART OF THE SOUTH 114.1 FEET OF LOT 14 IN BLOCK 7 IN TOWN OF WHEATON,
LYING EAST OF LOT "A" OF OWNERS ASSESSMENT PLAT OF PART OF LOTS 13 AND 14 IN
SAID BLOCK 7, AS SHOWN BY PLAT RECORDED AS DOCUMENT 410255, BEING A
SUBDIVISION IN SECTION 16, TOWNSHIP 39 NORTH, RANGE 10, EAST OF THE THIRD
PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JUNE 20, 1853 AS
DOCUMENT 7256, IN DUPAGE COUNTY, ILLINOIS.

P.I.N. 05-16-302-037

—ERNST

Ordinance No. F-0733 p.19



MAIN

**EXHIBIT C to Ordinance
(Front Street & Main Street)**