

826

**ORDINANCE NO. F-0818**

**AN ORDINANCE ANNEXING CERTAIN TERRITORY**  
**TO THE CITY OF WHEATON, ILLINOIS**  
**2129 PRESIDENT STREET, 1012 GENEVA ROAD, 1020 GENEVA ROAD**  
**MCNAUGHTON BUILDERS, INC ON BEHALF OF THE**  
**MARYANN MUEHLFELT TRUST**

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 February 24, 2003 and continued to April 14, 2003, to consider the terms and conditions of the proposed annexation agreement; and

WHEREAS, an annexation agreement dated April 21, 2003, among the City and McNaughton Builders, Inc. ("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, DuPage 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:

PARCEL 1: THE NORTH 75 FEET OF THE SOUTH 200 FEET OF LOTS 17 AND 18 IN BLOCK 2 IN ARTHUR T. MCINTOSH AND COMPANY'S WHEATON FARMS, BEING A SUBDIVISION OF PART OF THE NORTHWEST  $\frac{1}{4}$  OF SECTION 10, AND PART OF THE SOUTHWEST  $\frac{1}{4}$  OF THE SOUTHWEST  $\frac{1}{4}$  OF SECTION 3, TOWNSHIP 39 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN ACCORDING TO THE PLAT THEREOF RECORDED MARCH 10, 1924 AS DOCUMENT 175034, IN DUPAGE COUNTY, ILLINOIS.  
P.I.N. 05-10-100-002

PARCEL 2: THE NORTH 75 FEET OF THE SOUTH 125 FEET OF LOTS 17 AND 18 IN BLOCK 2 IN ARTHUR T. MCINTOSH AND COMPANY'S WHEATON FARMS, BEING A SUBDIVISION OF PART OF THE NORTHWEST  $\frac{1}{4}$  OF SECTION 10, AND PART OF THE SOUTHWEST  $\frac{1}{4}$  OF THE SOUTHWEST  $\frac{1}{4}$  OF SECTION 3, TOWNSHIP 39 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN,

ACCORDING TPO THE PLAT THEREOF RECORDED MARCH 10, 1924 AS DOCUMENT 175034, IN DUPAGE COUNTY, ILLINOIS. P.I.N. 05-10-100-003

PARCEL 3: THE SOUTH 50 FEET OF LOTS 17 AND 18 IN BLOCK 2 IN ARTHUR T. MCINTOSH AND COMPANY'S WHEATON FARMS, BEING A SUBDIVISION OF PART OF THE NORTHWEST  $\frac{1}{4}$  OF SECTION 10, AND PART OF THE SOUTHWEST  $\frac{1}{4}$  OF THE SOUTHWEST  $\frac{1}{4}$  OF SECTION 3, TOWNSHIP 39 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MARCH 10, 1924 AS DOCUMENT 175034, IN DUPAGE COUNTY, ILLINOIS. P.I.N. 05-10-100-004

PARCEL 4: THE NORTH HALF OF LOT 15 AND THE SOUTH 50 FEET OF LOT 16 IN BLOCK 2 IN ARTHUR T. MCINTOSH AND COMPANY'S WHEATON FARMS, BEING A SUBDIVISION OF PART OF THE NORTHWEST  $\frac{1}{4}$  OF SECTION 10, AND PART OF THE SOUTHWEST  $\frac{1}{4}$  OF THE SOUTHWEST  $\frac{1}{4}$  OF SECTION 3, TOWNSHIP 39 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MARCH 10, 1924 AS DOCUMENT 175034, IN DUPAGE COUNTY, ILLINOIS. P.I.N. 05-10-100-010 05-10-100-006

PARCEL 5: LOT 16 (EXCEPT THE SOUTH 25 FEET THEREOF) AND (EXCEPT SO MUCH OF THE NORTHERLY PORTION OF SAID LOT 16 AS WAS DEDICATED FOR HIGHWAY PURPOSES IN DOCUMENT 397915) IN BLOCK 2 IN ARTHUR T. MCINTOSH AND COMPANY'S WHEATON FARMS, BEING A SUBDIVISION OF PART OF THE NORTHWEST  $\frac{1}{4}$  OF SECTION 10, AND PART OF THE SOUTHWEST  $\frac{1}{4}$  OF THE SOUTHWEST  $\frac{1}{4}$  OF SECTION 3, TOWNSHIP 39 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MARCH 10, 1924 AS DOCUMENT 175034, IN DUPAGE COUNTY, ILLINOIS.

P.I.N. 05-10-100-005

PARCEL 6: LOT 3 (EXCEPT SO MUCH OF THE NORTHERLY PORTION OF SAID LOT 3 AS WAS DEDICATED FOR HIGHWAY PURPOSES IN DOCUMENT 397915) IN BLOCK 2 IN ARTHUR T. MCINTOSH AND COMPANY'S WHEATON FARMS, BEING A SUBDIVISION OF PART OF THE NORTHWEST  $\frac{1}{4}$  OF SECTION 10, AND PART OF THE SOUTHWEST  $\frac{1}{4}$  OF THE SOUTHWEST  $\frac{1}{4}$  OF SECTION 3, TOWNSHIP 39 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MARCH 10, 1924 AS DOCUMENT 175034, IN DUPAGE COUNTY, ILLINOIS. P.I.N. 05-10-100-007

PARCEL 7: LOT 2 (EXCEPT SO MUCH OF THE NORTHERLY PORTION OF SAID LOT 2 AS WAS DEDICATED FOR HIGHWAY PURPOSES IN DOCUMENT 397915) IN BLOCK 2 IN ARTHUR T. MCINTOSH AND COMPANY'S WHEATON FARMS, BEING A SUBDIVISION OF PART OF THE NORTHWEST  $\frac{1}{4}$  OF SECTION 10, AND PART OF THE SOUTHWEST  $\frac{1}{4}$  OF THE SOUTHWEST  $\frac{1}{4}$  OF SECTION 3, TOWNSHIP 39 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN ACCORDING TO THE PLAT THEREOF RECORDED MARCH 10, 1924 AS DOCUMENT 175034, IN DUPAGE COUNTY, ILLINOIS. P.I.N. 05-10-100-008

This property is commonly known as 2129 President Street, 1012 Geneva Road and 1020 Geneva Road, Wheaton, Illinois.

Section 3: The City Clerk is authorized and directed to record with the Office of the Recorder of Deeds, DuPage County, Illinois, and to file with the Office of the County Clerk, DuPage 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.

ATTEST:

Emily M. Corry  
City Clerk

James Carr  
Mayor

Roll Call Vote

Ayes: Councilman Mouhelis  
Councilman Bolds  
Councilwoman Corry  
Councilman Johnson  
Mayor Carr  
Councilwoman Johnson  
Councilman Mork

Nays: None

Absent: None

Motion Carried Unanimously

Passed: May 19, 2003  
Published: May 20, 2003