

## ORDINANCE NO. F-0938

### AN ORDINANCE ANNEXING CERTAIN TERRITORY TO THE CITY OF WHEATON, ILLINOIS 2S545 WIESBROOK ROAD LIFETIME CONSTRUCTION, INC.

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 August 9, 2004, to consider the terms and conditions of the proposed Annexation Agreement; and

WHEREAS, an annexation agreement dated August 16, 2004, among the City and Lifetime Construction, Inc. ("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, 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:

THAT PART OF THE SOUTHWEST QUARTER OF SECTION 30, TOWNSHIP 39 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED BY COMMENCING AT THE POINT OF INTERSECTION OF THE NORTH AND SOUTH DIVISION LINE OF THE SOUTHEAST QUARTER OF SAID SECTION WITH THE EAST WEST SECTION LINE OF SAID SECTION 30 AND RUNNING THENCE SOUTH 88° 55' WEST ALONG THE QUARTER SECTION LINE, 2661.0 FEET TO AN IRON PIPE IN THE CENTER LINE OF THE PUBLIC HIGHWAY KNOWN AS WIESBROOK ROAD AT A POINT THAT IS 5.30 CHAINS EAST OF THE WEST QUARTER SECTION CORNER OF SAID SECTION 30; THENCE SOUTH 35° 22' 30" WEST ALONG THE CENTER LINE EOF SAID ROAD, 547.03 FEET; THENCE SOUTH 21° 00' WEST ALONG SAID CETNER LINE, 326.8 FEET; THENCE SOUTH 9° 24' WEST ALONG SAID CENTER LINE, 191.5 FEET FOR A PLACE OF BEGINNING; THENCE SOUTH 80° 36' EAST AT RIGHT ANGLES WITH SAID CENTER LINE, 255.0 FEET; THENCE SOUTH 9° 24' WEST, PARALLEL WITH SAID CETNER LINE, 170.82 FEET; THENCE NORTH 80° 36' WEST, AT RIGHT ANGLES WITH THE LAST DESCRIBED COURSE, 255.0 FEET TO THE AFORESAID CENTER LINE OF WIESBROOK ROAD; THENCE NORTH 9° 24' EAST ALONG SAID CENTER LINE, 170.82 FEET TO THE PLACE OF BEGINNING, ALL IN DU PAGE COUNTY, ILLINOIS. P.I.N. 04-25-405-003

This property is commonly known as 2S545 Wiesbrook Road, Wheaton, Illinois.

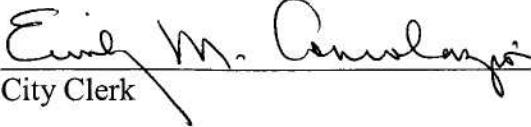
Section 3: The City Clerk is authorized and directed to record with the Office of the Recorder of Deeds, DuPage County, Illinois, and to file with the Office of the County Clerk, DuPage County, Illinois, a certified copy of this ordinance together with the accurate map of the subject property appended 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. Annis Lang  
City Clerk

  
James Carr  
Mayor

Ayes:	<u>Roll Call Vote</u> Councilman Mouhelis Councilman Bolds Councilwoman Corry Councilman Johnson Mayor Carr Councilwoman Johnson Councilman Mork
-------	---

Nays: None

Absent: None

Motion Carried Unanimously

Passed: August 16, 2004  
Published: August 17, 2004