

ORDINANCE NO. F-1060

**AN ORDINANCE AMENDING THE WHEATON ZONING MAP
ON A CERTAIN PIECE OF PROPERTY COMMONLY KNOWN AS
PAPWORTH STREET BETWEEN GENEVA ROAD & AMY LANE
S&K DEVELOPMENT, LLC.**

WHEREAS, a written petition has been made to amend the Zoning Map, which is attached to and forms a part of the Zoning Ordinance of Wheaton, Illinois to rezone and reclassify certain property legally described herein within the city limits of Wheaton, Illinois ("City"), and located at Papworth Street between Geneva Road and Amy Lane, Wheaton, Illinois; and

WHEREAS, the zoning application is being requested pursuant to the terms and conditions of a certain Annexation Agreement dated June 20, 2005 ("Annexation Agreement"), among the City and S&K Development, LLC ("Developer"); and

WHEREAS, pursuant to notice as required by the Illinois Municipal Code and the Wheaton Zoning Ordinance, a public hearing was conducted by the Wheaton City Council, sitting as a special hearing body on May 23, 2005 to consider the requested zoning amendment.

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 Zoning map, which is attached to and forms a part of the Wheaton Zoning Ordinance, is amended by adding, including and classifying the following described property in the R-4 Single Family Residential Zoning District classification with a Special Use Permit for a Planned Unit Development and in conformance with the Annexation Agreement:

PARCEL 1. THAT PART OF THE NORTH EAST QUARTER OF SECTION 8, TOWNSHIP 39 NORTH RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED BY COMMENCING AT THE NORTH EAST CORNER OF SAID SECTION 8 AND RUNNING THENCE WESTERLY ALONG THE NORTH LINE OF SAID SECTION 8, A DISTANCE OF 678 FEET FOR A POINT OF BEGINNING; THENCE SOUTH PARALLEL WITH THE EAST LINE OF SAID SECTION 8, A DISTANCE OF 267.26 FEET; THENCE PARALLEL WITH THE NORTH LINE OF SAID SECTION 8, A DISTANCE OF 326.0 FEET; THENCE NORTH PARALLEL WITH THE EAST LINE OF SAID SECTION 8, A DISTANCE OF 267.26 FEET TO THE NORTH LINE OF SAID SECTION 8; THENCE EAST ALONG SAID NORTH LINE, 326.0 FEET TO THE POINT OF BEGINNING, IN DUPAGE COUNTY, ILLINOIS, EXCEPT THAT PART THEREOF DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTH EAST CORNER OF SAID SECTION 8 AND RUNNING THENCE WESTERLY ALONG THE NORTH LINE OF SAID SECTION 8, A DISTANCE OF 678 FEET FOR A POINT OF BEGINNING; THENCE SOUTH PARALLEL WITH THE EAST LINE OF SAID SECTION 8, A DISTANCE OF 40.00 FEET; THENCE WESTERLY PARALLEL WITH THE NORTH LINE OF SAID SECTION 8, A DISTANCE OF 33.00 FEET; THENCE SOUTHERLY PARALLEL WITH THE EAST LINE OF SECTION 8, A DISTANCE OF 152.00 FEET; THENCE WESTERLY PARALLEL WITH THE NORTH LINE OF SAID SECTION 8, A DISTANCE OF 143.00 FEET; THENCE SOUTHERLY PARALLEL WITH THE EAST LINE OF SAID SECTION 8, A DISTANCE OF 9.0

FEET; THENCE WESTERLY PARALLEL WITH THE NORTH LINE OF SAID SECTION 8, A DISTANCE OF 150.02 FEET; THENCE NORTHERLY PARALLEL WITH THE EAST LINE OF SAID SECTION 8, A DISTANCE OF 201.0 FEET TO THE NORTH LINE OF SAID SECTION 8; THENCE EAST ALONG SAID NORTH LINE, 326.02 FEET TO THE POINT OF BEGINNING, IN DUPAGE COUNTY, ILLINOIS.

PARCEL 2 THAT PART OF THE NORTHEAST QUARTER OF SECTION 8, TOWNSHIP 39 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED BY COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 8 AND RUNNING THENCE WEST ALONG THE NORTH LINE OF SAID SECTION 678.0 FEET TO THE NORTHWEST CORNER OF THE VETERANS OF FOREIGN WARS PROPERTY; THENCE SOUTH PARALLEL WITH THE EAST LINE OF SAID SECTION 8, 267.26 FEET FOR A PLACE OF BEGINNING; THENCE CONTINUING SOUTH ON SAID LINE PARALLEL WITH THE EAST LINE OF SAID SECTION 8, 180 FEET; THENCE WEST PARALLEL WITH THE NORTH LINE OF SAID SECTION 8, 326 FEET; THENCE NORTH, PARALLEL WITH THE EAST LINE OF SAID SECTION 8, 180 FEET; THENCE EAST PARALLEL WITH THE NORTH LINE OF SECTION 8, 326 FEET TO THE PLACE OF BEGINNING, IN MILTON TOWNSHIP, DUPAGE COUNTY, ILLINOIS.

PARCEL 3 THAT PART OF THE NORTHWEST QUARTER OF SECTION 8, TOWNSHIP 39 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED BY COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 8 AND RUNNING THENCE WEST ALONG THE NORTH LINE OF SAID SECTION 678 FEET TO THE NORTHWEST CORNER OF VETERANS OF FOREIGN WARS PROPERTY; THENCE SOUTH PARALLEL WITH THE EAST LINE OF SAID SECTION 8, 447.26 FEET FOR A PLACE OF BEGINNING; THEN CONTINUING SOUTH ON SAID LINE PARALLEL WITH THE EAST LINE OF SAID SECTION 8, 218.34 FEET; THENCE WEST PARALLEL WITH THE NORTH LINE OF SAID SECTION 8, 326 FEET; THENCE NORTH PARALLEL WITH THE EAST LINE OF SAID SECTION 8, 218.34 FEET; THENCE EAST PARALLEL WITH THE NORTH LINE OF SAID SECTION 8, 326 FEET TO THE PLACE OF BEGINNING, IN DUPAGE COUNTY, ILLINOIS.

PARCEL 4 THAT PART OF THE NORTHEAST QUARTER OF SECTION 8, TOWNSHIP 39 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED BY COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION AND RUNNING THENCE WESTERLY ALONG THE NORTH LINE OF SAID SECTION, 678 FEET TO THE NORTHWEST CORNER OF A TRACT OF LAND NOW OWNED BY V.F.W.; THENCE SOUTH PARALLEL WITH THE EAST LINE OF SAID SECTION AND ALONG THE WEST LINE OF SAID V.F.W. TRACT, 665.6 FEET FOR A POINT OF BEGINNING; THENCE SOUTH PARALLEL WITH THE EAST LINE OF SAID SECTION, 267.27 FEET; THENCE WESTERLY PARALLEL WITH THE NORTH LINE OF SAID SECTION, 326 FEET; THENCE NORTH PARALLEL WITH THE EAST LINE OF SAID SECTION, 267.27 FEET; THENCE EASTERLY PARALLEL WITH THE NORTH LINE OF SAID SECTION, 326 FEET, TO THE POINT OF BEGINNING, IN DUPAGE COUNTY, ILLINOIS.

P.I.N. 05-08-202-001, 05-08-202-002, 05-08-202-003, 05-08-202-004, 05-08-206-001, 05-08-206-002

The subject property is commonly known as 25W133 Geneva Road, 25W111 Geneva Road, 0N750 Papworth Street, 0N720 Papworth Street, and 0N674 Papworth Street, Wheaton, IL 60187.

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Section 2: 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 3: All ordinances or parts of ordinances in conflict with these provisions are repealed.

Section 4: 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. Condega
City Clerk

Roll Call Vote

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

Nays: Councilman Seuss

Absent: None

Motion Carried Unanimously

Passed: June 20, 2005

Published: June 21, 2005