

ORDINANCE NO. F-1078

AN ORDINANCE AMENDING THE WHEATON ZONING MAP ON A CERTAIN PIECE OF PROPERTY COMMONLY KNOWN AS 0N498 DARLING STREET -NICHOLAS

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 0N498 Darling Street, Wheaton, Illinois; and

WHEREAS, the zoning application is being requested pursuant to the terms and conditions of a certain annexation agreement dated September 6, 2005, ("Annexation Agreement"), among the City and Daniel T. Nicholas ("Owner"); 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 August 22, 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-3 Single Family Residential Zoning District classification and in conformance with the Annexation Agreement:

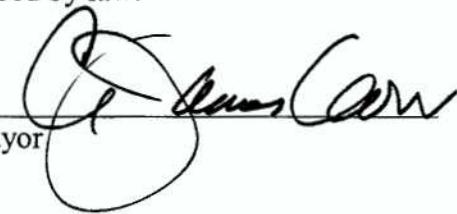
LOTS 1, 2 AND 3 EXCEPT THE SOUTH 5.0 FEET THEREOF, IN BLOCK 1 IN
PURCELL GARDENS, A SUBDIVISION OF PART OF THE EAST ½ OF SECTION 8,
TOWNSHIP 39 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN,
ACCORDING TO THE PLAT THEREOF RECORDED AUGUST 7, 1985, AS
DOCUMENT 197513, OF THE PUBLIC RECORDS OF DUPAGE COUNTY,
ILLINOIS.
P.I.N. 05-08-217-013

The subject property is commonly known 0N498 Darling Street, Wheaton, IL 60187.

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.

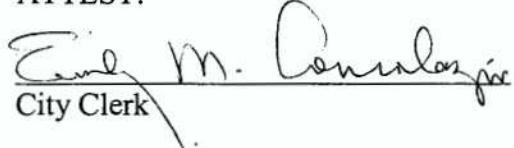
Section 3: All ordinances or parts of ordinances in conflict with these provisions are repealed.

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. Donahue
City Clerk

Roll Call Vote

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

Nays: None

Absent: None

Motion Carried Unanimously

Passed: September 6, 2005
Published: September 7, 2005