

1230

**ORDINANCE NO. F-1095**

**AN ORDINANCE ANNEXING CERTAIN TERRITORY  
TO THE CITY OF WHEATON, ILLINOIS  
MCKENZIE PLACE/PHASE 2 – AIRHART CONSTRUCTION**

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 October 10, 2005, to consider the terms and conditions of the proposed annexation agreement; and

WHEREAS, an annexation agreement dated October 17, 2005, among the City and Airhart Construction ("Owner") ("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:

THE NORTH HALF OF LOT 4 IN BLOCK 2 IN ARTHUR T. MCINTOSH AND COMPANY'S WHEATON FARMS, BEING A SUBDIVISION OF PART OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER 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 NUMBER 175034, IN DUPAGE COUNTY, ILLINOIS.

THE SOUTH HALF OF LOT 4 AND THE NORTH 5 FEET OF LOT 5 IN BLOCK 2 IN ARTHUR T. MCINTOSH AND COMPANY'S WHEATON FARMS, BEING A SUBDIVISION OF PART OF THE NORTHWEST QUARTER OF SECTION 10, AND PART OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER 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 NUMBER 175034, IN DUPAGE COUNTY, ILLINOIS.

LOT 5 (EXCEPT THE NORTH 5 FEET THEREOF) IN BLOCK 2 IN ARTHUR T. MCINTOSH AND COMPANY'S WHEATON FARMS, BEING A SUBDIVISION OF PART OF THE NORTHWEST QUARTER OF SECTION 10, AND PART OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER 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 NUMBER 175034, IN DUPAGE COUNTY, ILLINOIS.

THE NORTH 15 FEET OF LOT 13 AND THE SOUTH HALF OF LOT 14 IN BLOCK 2 IN ARTHUR T. MCINTOSH AND COMPANY'S WHEATON FARMS, BEING A SUBDIVISION OF THE WEST HALF OF THE NORTHWEST QUARTER OF SECTION 10, ALSO THAT PART LYING SOUTH OF THE CENTER LINE OF GENEVA ROAD OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 3, ALL IN TOWNSHIP 39 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MARCH 10, 1924 AS DOCUMENT NUMBER 175034, IN DUPAGE COUNTY, ILLINOIS.

THE NORTH 40 FEET OF THE WEST 100 FEET OF THE NORTH HALF OF LOT 14 IN BLOCK 2 OF ARTHUR T. MCINTOSH AND COMPANY'S WHEATON FARMS, BEING A SUBDIVISION OF THE WEST HALF OF THE NORTHWEST QUARTER OF SECTION 10, ALSO THAT PART LYING SOUTH OF THE CENTER LINE OF GENEVA ROAD OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 3, ALL IN TOWNSHIP 39 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MARCH 10, 1924 AS DOCUMENT NUMBER 175034, IN DUPAGE COUNTY, ILLINOIS.

THE SOUTH 50 FEET OF THE WEST 200 FEET OF LOT 15 IN BLOCK 2 OF ARTHUR T. MCINTOSH AND COMPANY'S WHEATON FARMS, BEING A SUBDIVISION OF THE WEST HALF OF THE NORTHWEST QUARTER OF SECTION 10, ALSO THAT PART LYING SOUTH OF THE CENTER LINE OF GENEVA ROAD OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 3, ALL IN TOWNSHIP 39 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MARCH 10, 1924 AS DOCUMENT NUMBER 175034, IN DUPAGE COUNTY, ILLINOIS.

THE NORTH HALF OF LOT 14 (EXCEPT THE NORTH 40 FEET OF THE WEST 100 FEET THEREOF) AND THE SOUTH HALF OF LOT 15, (EXCEPT THE WEST 200 FEET THEREOF) ALL IN BLOCK 2 IN ARTHUR T. MCINTOSH AND COMPANY'S WHEATON FARMS, BEING A SUBDIVISION OF THE NORTHWEST QUARTER OF SECTION 10, AND PART OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER 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 NUMBER 175034, IN DUPAGE COUNTY, ILLINOIS.

P.I.N.: 05-10-100-020, 05-10-100-021, 05-10-100-022, 05-10-100-014, 05-10-100-012, 05-10-100-011, 05-10-100-013

The subject property is commonly known as 2015 N. President Street, 2017 N. President Street, 2019 N. President Street, 2020 N. Stoddard Avenue, and 2022 N. Stoddard Avenue, all in Wheaton, IL 60187.

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.

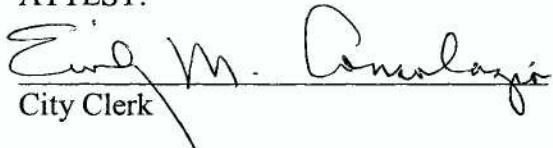
Section 4: The annexation approved in this ordinance shall be null and void and of no further effect, without further action by the City Council, if the Owner and Developer do not execute and return the Annexation Agreement to the City Clerk within sixty (60) days of the date this Ordinance was passed.

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.

  
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Mayor

ATTEST:

  
\_\_\_\_\_  
City Clerk

Ayes: Roll Call Vote  
Councilman Mouhelis  
Councilman Suess  
Councilwoman Corry  
Councilman Johnson  
Mayor Carr  
Councilman Levine

Nays: None

Absent: Councilman Bolds

Motion Carried Unanimously

Passed: October 17, 2005  
Published: October 18, 2005