

ORDINANCE NO. F-1128

**AN ORDINANCE ANNEXING CERTAIN TERRITORY
TO THE CITY OF WHEATON, ILLINOIS
26W575 EMBDEN LANE - SMITH**

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 January 9, 2006, to consider the terms and conditions of the proposed annexation agreement; and

WHEREAS, an annexation agreement dated February 6, 2006, among the City and Catherine A. Smith ("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:

Lot #28 in Wiesbrook's Subdivision, being a Subdivision in Section 30, Township 39 North, Range 10 East of the Third Principal Meridian according to the plat thereof, recorded as Document # 793559 on March 21, 1956, in DuPage County, Illinois. P.I.N. 05-30-302-009

The subject property is commonly known 26W575 Embden Lane, Wheaton, IL 60187.

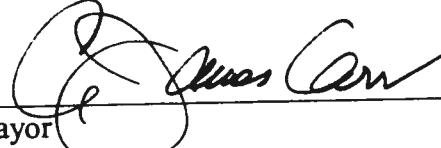
Section 3: The City Clerk is authorized and directed to record with the Office of the Recorder of Deeds, DuPage County, Illinois, and to file with the Office of the County Clerk, DuPage County, Illinois, a certified copy of this ordinance together with the accurate map of the subject property appended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

Dan [Signature]

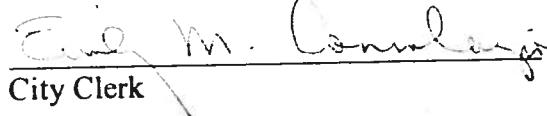
Section 5: All ordinances or parts of ordinances in conflict with these provisions are repealed.

Section 6: This ordinance shall become effective from and after its passage, approval, and publication in pamphlet form in the manner prescribed by law.



Mayor

ATTEST:



City Clerk

Roll Call Vote

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

Nays: None

Absent: None

Motion Carried Unanimously

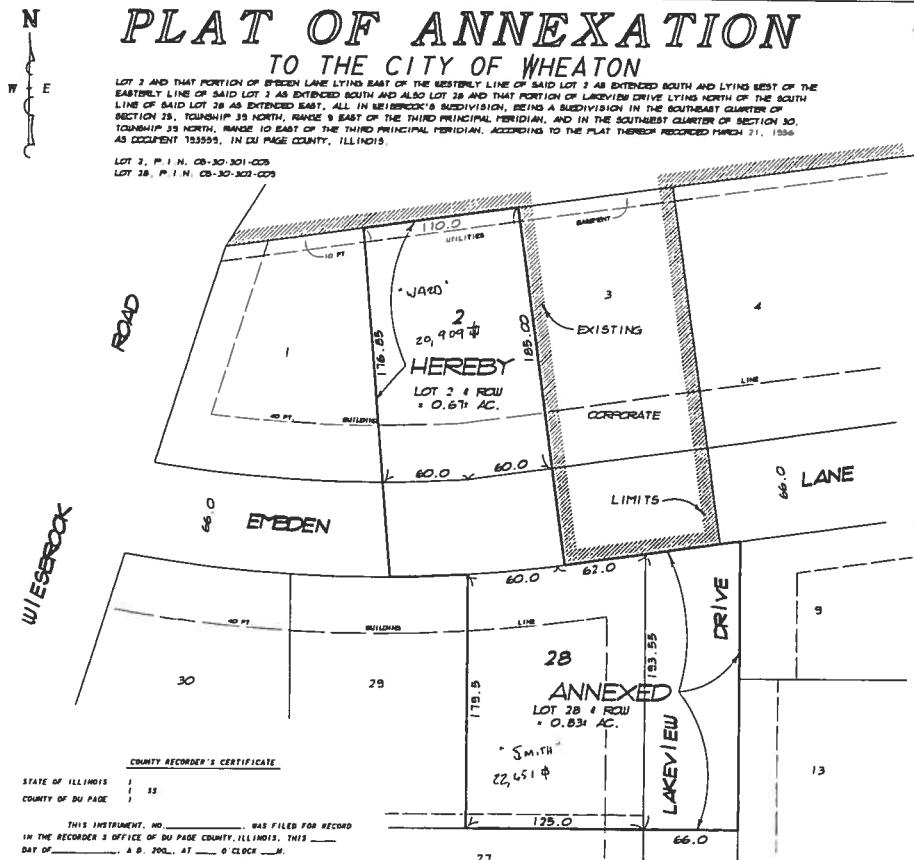
Passed: January 6, 2006

Published: January 7, 2006

PLAT OF ANNEXATION TO THE CITY OF WHEATON

EASTERLY LINE OF SAID LOT 1 AS EXTENDED SOUTH AND LYING WEST OF THE
EASTERLY LINE OF SAID LOT 1 AS EXTENDED SOUTH AND ALSO LOT 2 AND THAT PORTION OF THE PROPERTY Lying NORTH OF THE SOUTH
LINE OF SAID LOT 2B AS EXTENDED EAST, ALL IN WHEATON'S SUBDIVISION, BEING A SUBDIVISION OF THE SOUTHWEST QUARTER OF
SECTION 35, TOWNSHIP 35 NORTH, RANGE 9 EAST OF THE THIRD PRINCIPAL MERIDIAN, AND IN THE SOUTHWEST QUARTER OF SECTION 30,
TOWNSHIP 35 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MARCH 21, 1996
AS DOCUMENT 153559, IN DU PAGE COUNTY, ILLINOIS.

LOT 2, P. I. N. 08-30-301-028
LOT 2B, P. I. N. 08-30-302-029



COUNTY RECORDER'S CERTIFICATE

STATE OF ILLINOIS / ss /
COUNTY OF DU PAGE / ss /

THIS INSTRUMENT, NO. _____, WAS FILED FOR RECORD
IN THE RECORDER'S OFFICE OF DU PAGE COUNTY, ILLINOIS, THIS _____
DAY OF _____, A.D. 2001, AT _____ O'CLOCK M.

COUNTY RECORDER

STATE OF ILLINOIS / ss /
COUNTY OF DU PAGE / ss /

THE ANNEXED PLAT IS IDENTIFIED AS REPRESENTATIVE OF THE PROPERTY
INCORPORATED INTO AND MADE A PART OF THE CITY OF WHEATON, AS PER
ORDINANCE NO. _____, ADOPTED BY THE MAYOR AND CITY
COUNCIL, DATED THIS _____ DAY OF _____, A.D., 2001.

CITY OF WHEATON _____

ATTEST _____

CITY CLERK _____

STATE OF ILLINOIS / ss /
COUNTY OF DU PAGE / ss /

THIS IS TO CERTIFY THAT RE: STEINBRECHER LAND SURVEYORS, INC. PROFESSIONAL
ENGINEERING AND LAND SURVEYING DESIGN FIRM NO. 184-003126, HAVE PREPARED THE PLAT
DRAWN HEREON FOR THE PURPOSE OF ANNEXATION TO THE CITY OF WHEATON
WEST CHICAGO, ILLINOIS, NOVEMBER 23, 2001.

SUBMITTED BY & RETURN TO
CITY OF WHEATON
305 W. WESLEY AVE.
WHEATON, IL 60187

Steinbrecher Land Surveyors, Inc.
Professional Engineering and Land Surveying
Design Firm Corporation No. 184-003126
141 S. Nelson Blvd. West Chicago, IL 60185-2844
16301 293-8900 Fax: 293-8902



STEINBRECHER LAND SURVEYORS, INC. By:
Rich J. Weber
PROFESSIONAL LAND SURVEYOR #3583
MY LICENSE EXPIRES NOVEMBER 30, 2006.