

## ORDINANCE NO. F-1195

### AN ORDINANCE AMENDING THE WHEATON ZONING MAP ON A CERTAIN PIECE OF PROPERTY COMMONLY KNOWN AS 2 S 426 ORCHARD ROAD WHEATON DEVELOPMENT GROUP, 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 2 S 426 Orchard Road, Wheaton, Illinois; and

WHEREAS, the zoning application is being requested pursuant to the terms and conditions of a certain Annexation Agreement dated August 21, 2006 ("Annexation Agreement"), among the Wheaton Development Group, 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 June 26, 2006 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 in conformance with the Annexation Agreement:

THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 29, (EXCEPTING THEREFROM THE SOUTH 120.0 FEET AND ALSO EXCEPT THEREFROM THE WEST 501.54 FEET) TOWNSHIP 39 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN DUPAGE COUNTY, ILLINOIS, LESS AND EXCLUDING THE FOLLOWING DESCRIBED PROPERTY:

THAT PART OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 29, TOWNSHIP 39 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED BY BEGINNING AT THE NORTHEAST CORNER OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 29; THENCE SOUTH ALONG THE EAST LINE OF SAID NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 29, SAID LINE ALSO KNOWN AS THE EAST LINE OF ORCHARD ROAD AS OCCUPIED, A DISTANCE OF 422.10 FEET TO A POINT; THENCE WEST, A DISTANCE OF 836.52 FEET TO A POINT ON THE EAST LINE OF THE WEST 501.54 FEET OF SAID NORTHWEST 1/4 OF THE SOUTHWEST 1/4, SAID POINT BEGINNING 410.92 FEET SOUTH, AS MEASURED ALONG SAID EAST LINE OF THE WEST 501.54 FEET THEREOF, OF THE NORTH LINE OF SAID NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 29; THENCE NORTH ALONG SAID EAST LINE 410.92 FEET TO THE NORTH LINE OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 29; THENCE EAST ALONG SAID NORTH LINE, A DISTANCE OF 836.82 FEET TO A POINT ON THE EAST LINE OF SAID ORCHARD ROAD AS OCCUPIED AND TO THE POINT OF BEGINNING, IN DUPAGE COUNTY, ILLINOIS.

P.I.N. 05-29-300-022

The subject property is commonly known as 2 S 426 Orchard Road, Wheaton, IL 60187.

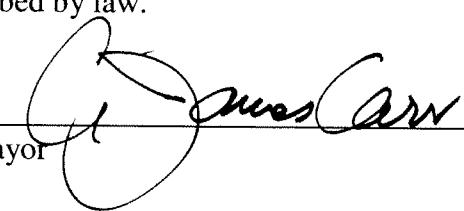
Section 2: The City Clerk is authorized and directed to record with the Office of the Recorder of Deeds, DuPage County, Illinois, and to file with the Office of the County Clerk, DuPage County, Illinois, a certified copy of this ordinance together with the accurate map of the subject property appended 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.

ATTEST:

Cindy M. Connelley  
City Clerk

  
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Mayor Carr

Ayes: Roll Call Vote  
Councilman Mouhelis  
Councilman Suess  
Councilman Bolds  
Councilwoman Corry  
Mayor Pro Tem Johnson  
Councilman Levine

Nays: None

Absent: Mayor Carr

Motion Carried Unanimously

Passed: August 21, 2006  
Published: August 22, 2006