

ORDINANCE NO. F-1247

**AN ORDINANCE AMENDING THE PLANNED UNIT DEVELOPMENT
FOR THE COURTHOUSE SQUARE PROJECT
-LOT 11 LEGAL DESCRIPTION CORRECTION-**

WHEREAS, on September 20, 2004, the Wheaton City Council approved Ordinance No. F-0950 "AN ORDINANCE REZONING PROPERTY FROM I-1 INSTITUTIONAL TO R-7 RESIDENTIAL AND GRANTING A SPECIAL USE PERMIT FOR A RESIDENTIAL PLANNED UNIT DEVELOPMENT FOR PROPERTY BORDERED BY THE ILLINOIS PRAIRIE PATH RIGHT-OF-WAY, WASHINGTON STREET, NAPERVILLE ROAD, WILLOW AVENUE AND REBER STREET (NATIONAL LOUIS UNIVERSITY/ COURTHOUSE PROPERTY)" recorded as Document Number R2004-271416 on October 21, 2004 in the office of the DuPage County Recorder; and

WHEREAS, On March 21, 2005, the Wheaton City Council approved Ordinance No. F-1014 "AN ORDINANCE AMENDING ORDINANCE NO. F-0950 ENTITLED AN ORDINANCE REZONING PROPERTY FROM I-1 INSTITUTIONAL TO R-7 RESIDENTIAL AND GRANTING A SPECIAL USE PERMIT FOR A RESIDENTIAL PLANNED UNIT DEVELOPMENT FOR PROPERTY BORDERED BY THE ILLINOIS PRAIRIE PATH RIGHT-OF-WAY, WASHINGTON STREET, NAPERVILLE ROAD, WILLOW AVENUE AND REBER STREET (NATIONAL LOUIS UNIVERSITY/COURTHOUSE PROPERTY)" recorded as Document Number R-2005-074148 on April 12, 2005 in the office of the DuPage Recorder; and

WHEREAS, On January 3, 2006, the Wheaton City Council approved Ordinance No. F-1121, "AN ORDINANCE GRANTING FINAL PUD APPROVAL FOR THE COURTHOUSE SQUARE PROJECT"; and


WHEREAS, On November 20, 2006 the Wheaton City Council approved Ordinance No. F-1230, "AN ORDINANCE AMENDING THE PLANNED UNIT DEVELOPMENT FOR THE COURTHOUSE SQUARE PROJECT -BRICK SIZE-"; and

WHEREAS, Courthouse Land Development, LLC ("Owner") has made the City aware of a surveying error which resulted in a different legal description for certain property within the Planned Unit Development known as Lot 11, and in order to effectuate the zoning boundary lines as intended in Ordinance No. 1014, Owner requests that the City adopt an Ordinance approving a minor amendment to the Planned Unit Development to provide a correct legal description for Lot 11.

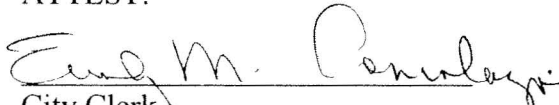
NOW THEREFORE BE IT ORDAINED, by the Mayor and City Council of the City of Wheaton, DuPage County, Illinois, pursuant to its home rule powers as follows:

Section 1: The legal description for Lot 11 as set forth in Exhibit "A" attached hereto, shall be substituted for the legal description for Lot 11 attached as Exhibit "C" in Ordinance No. F-1014.

Section 2: This ordinance shall become effective after its passage, approval and publication in pamphlet form in the manner described by law.


Mayor

ATTEST:


City Clerk

Roll Call Vote:

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

Nays: None

Absent: None

Motion Carried Unanimously

Passed: January 16, 2007
Published: January 17, 2007

EXHIBIT "A"

LOT 11 IN COURTHOUSE SQUARE, BEING A SUBDIVISION OF PART OF THE
SOUTHWEST QUARTER AND PART OF THE SOUTHEAST QUARTER OF SECTION 16,
TOWNSHIP 39 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN,
ACCORDING TO THE PLAT THEREOF RECORDED SEPTEMBER 8, 2005, AS
DOCUMENT NUMBER R2005-197255, IN DUPAGE COUNTY, ILLINOIS.