

## ORDINANCE NO. F-1662

### AN ORDINANCE REPEALING AND RESCINDING A PORTION OF SECTION II OF ORDINANCE C-263/D80 ADOPTED MARCH 16, 1925

**WHEREAS**, on March 16, 1925 the Corporate Authorities of the City of Wheaton, DuPage County, Illinois, vacated Main Street between Indiana Street and Roosevelt Road via ordinance C-263/D80, which vacated Main Street currently lies within the parcels described on Exhibit A attached hereto and made a part hereof; and

**Whereas**, Section II of said Ordinance contained a stipulation that the Wheaton Park District maintain Main Street as a public Roadway; and

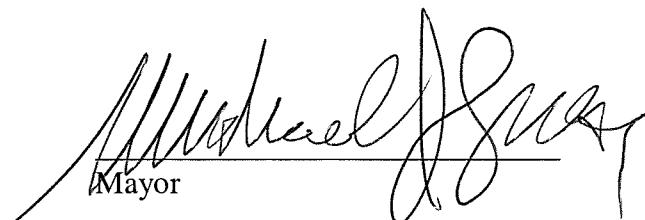
**Whereas**, the purpose of Section II of Ordinance C-263/D80 requiring that the Wheaton Park District maintain Main Street has become unnecessary and superfluous; and

**Whereas**, Section II of said Ordinance also contained a requirement that the vacation was subject to the rights of the City of Wheaton and Wheaton Sanitary District for the purposes of laying, constructing, operating, maintaining and repairing any and all water pipes, sewers, drains and other underground structures now existing or which the City of Wheaton or the Wheaton Sanitary District may hereafter desire therein.

**NOW, THEREFORE, BE IT ORDAINED** by the Mayor and City Council of the City of Wheaton as follows:

- A.) That the provisions set forth in Ordinance C-263/D80 requiring the maintenance of a public roadway on vacated Main Street by the Wheaton Park District are hereby repealed and rescinded, provided, however, that nothing herein shall release or relinquish the rights of the City of Wheaton and Wheaton Sanitary District expressed in the 1925 Ordinance concerning water pipes, sewers, drains and other underground structures.
- B.) That the City Clerk is directed to have a certified copy of this Ordinance recorded with the DuPage County Recorder of Deeds.
- C.) That this Ordinance shall become effective upon its passage, approval and publication as required by law.

**ADOPTED** this 17<sup>th</sup> day of September, 2012



Michael J. Scott  
Mayor

ATTEST:

  
Alison Bennett Hagan  
City Clerk

Roll Call Vote:

Ayes:	Councilman Suess
	Councilwoman Ives
	Councilman Mouhelis
	Councilman Rutledge
	Mayor Gresk
	Councilwoman Pacino Sanguinetti
	Councilman Scalzo
Nays:	None
Absent:	None

Motion Carried Unanimously

Passed: September 17, 2012  
Published: September 18, 2012

**Exhibit A**

Lots 6 and 7 in Mariano's Resubdivision of Part of the Southwest 1/4 of Section 16, Township 39 North, Range 10, East of the Third Principal Meridian, According to the Plat thereof Recorded September \_\_\_, 2012, as Document No. \_\_\_\_\_ in DuPage County, Illinois.

PINS: 05-16-334-010  
05-16-334-018  
05-16-337-016  
05-16-377-018  
05-16-337-020

Address: Northwest Corner of Roosevelt Road and Main Street, Wheaton, Illinois

