

ORDINANCE NO. F-1848

**AN ORDINANCE ANNEXING A CERTAIN PROPERTY TO THE CITY OF WHEATON,
ILLINOIS - 0N536 GARY AVENUE - M/I HOMES OF CHICAGO, LLC**

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 ("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 November 24, 2014 to consider the terms and conditions of the proposed Annexation Agreement; and

WHEREAS, an annexation agreement dated January 26, 2015, among the City and Muehlfelt Land Partnership ("Owner") and M/I Homes of Chicago, LLC ("Developer"), 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; and

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 1 IN MUEHLFELT LAND PARTNERSHIP ASSESSMENT PLAT, BEING PART OF THE NORTHWEST QUARTER OF SECTION 8, TOWNSHIP 39 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED FEBRUARY 27, 2001 AS DOCUMENT NUMBER R2001-032701 (EXCEPT THE SOUTH 100.00 FEET OF THE NORTH 169.71 FEET OF THE WEST 15.00 FEET THEREOF), IN DUPAGE COUNTY, ILLINOIS, EXCEPTING THEREFROM THAT PART DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID LOT 1, SAID POINT BEING COMMON WITH THE NORTHWEST CORNER OF LOT 2 IN SAID MUEHLFELT PLAT; THENCE SOUTH 00 DEGREES 49 MINUTES 29 SECONDS EAST, 46.54 FEET (46.0 FEET RECORD DISTANCE) ALONG THE EAST LINE OF SAID LOT 1 TO A JOG IN SAID EAST LINE; THENCE SOUTH 88 DEGREES 28 MINUTES 40 SECONDS WEST, 16.00 FEET ALONG SAID JOG TO ANOTHER JOG IN SAID EAST LINE; THENCE SOUTH 00 DEGREES 49 MINUTES 29 SECONDS EAST, 65.00 FEET ALONG SAID JOG TO ANOTHER JOG IN SAID EAST LINE; THENCE SOUTH 88 DEGREES 28 MINUTES 40 SECONDS WEST, 240.82 FEET TO AN INTERSECTION WITH THE SOUTHERLY EXTENSION OF THE WEST LINE OF LOT 6 IN BLOCK 8 OF GRANGE PARK ADDITION TO WHEATON RECORDED OCTOBER 20, 1926 AS DOCUMENT NUMBER 223492; THENCE NORTH 00 DEGREES 45 MINUTES 53 SECONDS WEST, 111.46 FEET ALONG SAID SOUTHERLY EXTENSION TO THE NORTH LINE OF SAID LOT 1 IN MUEHLFELT LAND PARTNERSHIP ASSESSMENT PLAT; THENCE NORTH 88 DEGREES 30 MINUTES 09 SECONDS EAST, 256.71 FEET ALONG SAID NORTH LINE TO THE POINT OF BEGINNING.

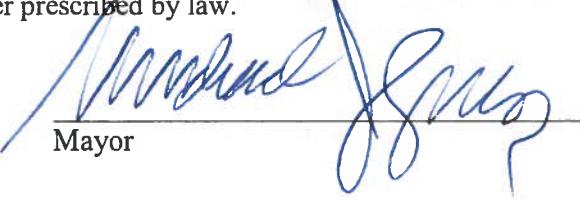
P.I.N.: 05-08-116-034

The subject property is commonly known as 0N536 Gary Avenue, Wheaton, IL 60187.

Section 3: The City Clerk is 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: All ordinances or parts of ordinances in conflict with these provisions are repealed.

Section 5: This ordinance shall become effective from and after its passage, approval, publication in pamphlet form, and execution by all the parties to the Annexation Agreement approved in conjunction with the approval of this Annexation as in the manner prescribed by law.



Michael Gresk

ATTEST:



Alan Bennett Hagen

City Clerk

Roll Call Vote

Ayes: Councilman Suess
Councilman Prendiville
Councilman Rutledge
Councilman Saline
Mayor Gresk
Councilman Scalzo

Nays: None

Absent: None

Motion Carried Unanimously

Passed: January 26, 2015
Published: January 27, 2015