

ORDINANCE NO. F-1897

AN ORDINANCE AUTHORIZING THE EXECUTION OF A MINOR AMENDMENT TO AN ANNEXATION AGREEMENT (0N675 MORSE STREET – NORTHWOODS OF WHEATON - OAK CREEK CAPITAL PARTNERS, LLC)

WHEREAS, the City of Wheaton, Illinois, (“City”) and Oak Creek Capital Partners, LLC (“Developer”) has previously entered into an Annexation Agreement dated December 1, 2014, (“Annexation Agreement”); the subject matter of the Annexation Agreement is the property legally described in Exhibit “A” of the Annexation Agreement (“Subject Property”); and

WHEREAS, following the acquisition of the Subject Property by the Developer, M/I Homes of Chicago, an Illinois limited liability company (“M/I Homes”), is the successor in interest of the Developer for the Subject Property; and

WHEREAS, M/I Homes has petitioned the City to amend the Annexation Agreement to modify the Annexation Agreement to allow the construction of a subdivision identification sign; and

WHEREAS, the City has determined that the requested amendment is a minor amendment, and may be implemented without public hearing, pursuant to the provisions of Section 18-8(2) of the Wheaton City Code.

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:

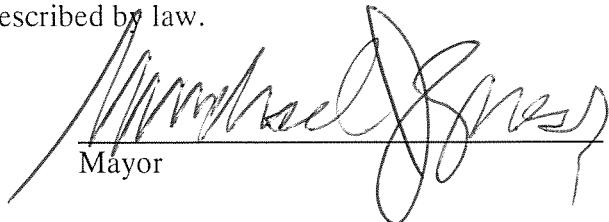
Section 1: The Annexation Agreement is amended by deleting paragraph 19 in its entirety and substituting in its place the following:

“19. SIGNAGE. The Developer shall be permitted to construct and install one monument sign identifying the development pursuant to the location and design set forth in the Landscape Plan entitled “NORTHWOODS OF WHEATON” prepared by Gary R. Weber and Associates, Inc. dated 1/16/15 and revised 1/20/15, 2/11/15, 2/20/15, and 4/14/15. The ownership of the sign and all maintenance responsibilities shall be the requirement and obligation of the Home Owner’s Association (HOA), as detailed in the recorded HOA Declaration.

Section 2: This Amendment to the Annexation Agreement shall be recorded in the Office of the Recorder of Deeds, DuPage County, Illinois, at the expense of M/I Homes.

Section 3: All Ordinances or parts of Ordinances in conflict with these provisions are repealed.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.



Michael Gresk

Mayor

ATTEST:



Sharon Bennett Hagn

City Clerk

Roll Call Vote

Ayes: Councilman Scalzo
Councilwoman Fitch
Councilman Prendiville
Councilman Rutledge
Mayor Gresk
Councilman Saline

Nays: None

Absent: Councilman Suess

Motion Carried Unanimously

Passed: November 2, 2015

Published: November 3, 2015

EXHIBIT A

Legal Description:
0N675 Morse Street
Wheaton, IL 60187

Northwoods of Wheaton

PARCEL 1:

THE NORTH 200.0 FEET OF THE WEST 326.0 FEET OF THE EAST 1330.0 FEET AS
MEASURED ON THE NORTH LINE OF THAT PART OF THE NORTHEAST QUARTER
OF SECTION 8, TOWNSHIP 39 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL
MERIDIAN, LYING NORTH OF THE NORTH LINE OF MUEHLFELT'S FIRST
SUBDIVISION ACCORDING TO THE PLAT THEREOF RECORDED NOVEMBER 12,
1947, AS DOCUMENT 533909, EXCEPT THE NORTH 668.16 FEET THEREOF AS
MEASURED SOUTH FROM THE NORTH LINE OF SECTION 8, IN MILTON TOWNSHIP,
DUPAGE COUNTY, ILLINOIS.

PARCEL 2:

THE WEST 326.00 FEET OF THE EAST 1330.0 FEET AS MEASURED ON THE NORTH
LINE OF THAT PART OF THE NORTHEAST QUARTER OF SECTION 8, TOWNSHIP 39
NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, LYING NORTH OF
THE NORTH LINE OF MUEHLFELT'S FIRST SUBDIVISION, ACCORDING TO THE
PLAT THEREOF RECORDED NOVEMBER 12, 1947 AS DOCUMENT 533909, EXCEPT
THE NORTH 868.16 FEET THEREOF, AS MEASURED SOUTH FROM THE NORTH LINE
OF SECTION 8, IN MILTON TOWNSHIP, DUPAGE COUNTY, ILLINOIS.

SUBDIVIDED PROPERTY CONTAINS 4.463 ACRES, MORE OR LESS AND ALL
DISTANCES ARE SHOWN IN FEET AND DECIMAL PARTS THEREOF.

PIN# 05-08-205-001 and 05-08-205-002

NORTH WOODS OF WHEATON

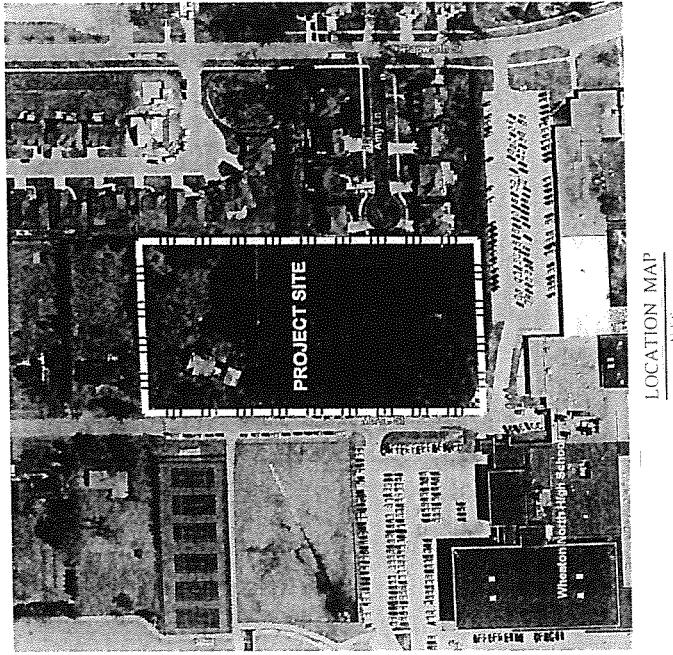
Landscape Plan

Wheaton, Illinois

1/16/15

CONSULTANTS:

LANDSCAPE ARCHITECT
GARY R. WHEATON ASSOCIATES, INC. 312 SOUTH MAIN STREET WHEATON, ILLINOIS 60187
CIVIL ENGINEER
MANHARD CONSULTING LTD. 700 SCHAFFNER DRIVE Lombard, IL 60148



INDEX OF SHEETS

SHEET #	DESCRIPTION
0	COVER SHEET
1	LANDSCAPE PLAN
2	EXISTING TREE SURVEY AND PRESERVATION PLAN
3	LANDSCAPE DETAILS
4	LANDSCAPE SPECIFICATIONS

OAK CREEK DEVELOPMENT PARTNERS

Revision #4 4/14/15
Revision #3 2/20/15
Revision #2 2/11/15
Revision #1 1/20/15
20150120144200014.CDR REFILE

