

ORDINANCE NO. O-2018-37

**AN ORDINANCE PROPOSING
THE ESTABLISHMENT OF A SPECIAL SERVICE AREA #8
IN THE CITY OF WHEATON, ILLINOIS
AND PROVIDING FOR A PUBLIC HEARING
AND OTHER PROCEDURES IN CONNECTION THEREWITH**

WHEREAS, the City of Wheaton ("City") has a history of providing special services to the Central Business District and paying for those services with revenue collected from the property owners in the Central Business District area through a special service area tax; and

WHEREAS, Wheaton's Central Business District poses unique challenges for the City in part because of its age, the widths of its rights of ways, its deficient parking immediately adjacent to retail business, ageing infrastructure, ownership patterns, changing retail markets, the fact that vehicular and pedestrian traffic is impeded by a very active railroad right of way and changing residential rental markets; and

WHEREAS, residential rental properties, which will be included in Special Service Area 8, use their proximity to the City's Central Business District to promote the marketing of those properties to potential tenants; and

WHEREAS, Special Service Area 8 contains a substantial portion of the City's Central Business District; and

WHEREAS, Special Service Area No. 7, approved on December 19, 2011 by Ordinance No. F-1614, generated revenue to pay for the promotion of business within the special service area which generally included the provision of advertising and other marketing activities as well as the hosting and support of community events within the City's Central Business District aimed at creating a positive business environment, and the management of the special service area through providing of funds directly to the Downtown Wheaton Association ("DWA"); and

WHEREAS, Special Service Area No. 7 expired on December 31, 2017 and it is the City's intent to replace it with a new special service area to be known as Special Service Area No. 8 ("Area"); and

WHEREAS, the City has concluded that Special Service Area No. 7 benefited the properties within Special Service Area No. 7 by helping to stabilize and enhance the area's unique and challenging retail and residential rental qualities and the overall vitality and quality of the area; and

WHEREAS, the City has concluded that the special services provided in conformance with this ordinance will benefit the properties within Special Service Area No. 8 by helping to stabilize and enhance the area's unique and challenging retail and residential rental's qualities and the overall vitality of the Area; and

WHEREAS, some or all of the revenue generated from Special Service Area 8 will be collected to directly fund activities of the DWA in furtherance of the purposes of the Area as set forth herein; and

WHEREAS, the approval of Special Service Area No. 8 is reasonably expected to assist in meeting the unique retail and residential rental challenges by making the Area a better place.

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

SECTION 1: *Incorporation of Recitals.* The foregoing Recitals are a material part of this Ordinance and constitute legislative findings and are incorporated in this Section 1 as though fully set forth.

SECTION 2: *Authority to Establish Special Service Areas.* The City of Wheaton has the authority pursuant to its home rule powers pursuant to Article VII, Section 6(l) of the 1970 Constitution of the State of Illinois, and pursuant to the Special Service Area Tax Law, 35 ILCS 200/27-5 *et. seq.*, to provide special services to contiguous areas within its corporate boundaries and to provide the manner of levying and imposing additional taxes to pay for the cost of such special services.

SECTION 3: *Findings of the City Council.* The City Council of the City of Wheaton makes the following findings of fact:

A. It is in the public interest that a special service area be proposed and considered for the area and purposes described herein, and that the City Council conduct a public hearing as required by law to consider the establishment of the special service area for the property legally described on, identified by permanent index numbers and common address on, and shown on the map depicted on Notice Exhibit A, which is attached to Exhibit 1 (Notice of Hearing) which is attached hereto and incorporated herein as if fully set forth.

B. The special service area is compact and contiguous, and located within the corporate limits of the City of Wheaton.

C. The proposed special service area is zoned for commercial and residential uses and the property owners in the special service area will benefit from the services proposed to be provided, and the proposed services are unique and in addition to the municipal services generally provided to the City as a whole. Therefore, it is in the best interest of the City to consider the levy of special taxes against the special service area for the services to be provided.

SECTION 4: *Public Hearing—Tax Rates.* A public hearing shall be held on the 10th day of September, 2018, at 7:00 p.m., or as soon thereafter as possible, in the City Council Chambers of the City, 303 West Wesley Street, Wheaton, Illinois, to consider the establishment of the special service area described herein, to be titled "Special Services Area No. 8" of the City of Wheaton, in the territory legally described on, identified by permanent index numbers and common addresses on, and shown on the map depicted on Notice Exhibit A to Exhibit 1 attached to this Ordinance. At the public hearing the City Council will consider:

A. The establishment of Special Service Area No. 8 to provide: enhanced marketing and education promoting benefits and activities in the Area; managing special community events and activities including set up and tear down for those events; parking operations and maintenance; maintenance of streetscapes; holiday and event decorations; together with aesthetic enhancements including landscape and signage/banners.

B. The levy of a special annual tax in an amount not to exceed an annual rate of fifty-two hundredths of one-percent (.52%) of the assessed value, as equalized, of the property included in the proposed Special Service Area No. 8; the tax to be levied for a maximum of seven (7) years from the date

of the establishing Ordinance. The proposed amount of the tax levy for special services for the initial year for which taxes will be levied within Special Service Area No. 8 is \$225,000.

SECTION 5: Notice of Hearing. Notice of the public hearing ("Notice") shall be published not less than fifteen (15) days prior to the public hearing in one or more newspapers in general circulation in the City of Wheaton. In addition, notice by mailing shall be given by depositing the Notice in the U.S. mail addressed to the person or persons in whose name the general taxes for the last preceding year were paid on each lot, block, tract or parcel of land lying within the proposed special service area. The Notice shall be mailed not less than ten (10) days prior to the time set for the public hearing. In the event taxes for the preceding year were not paid, the Notice shall be sent to the person last listed on the tax rolls prior to that year as the owner of the property. The Notice shall be in substantially the same form as Exhibit 1 attached hereto to this Ordinance.

SECTION 6: Conflicting Ordinances Repealed. That all ordinances or parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed.

SECTION 7: Full Force and Effect. That this Ordinance shall be in full force and effect from and after its passage and publication as provided by law.


Mayor

ATTEST


City Clerk

Ayes:

Roll Call Vote

Councilman Scalzo
Councilman Suess
Councilman Barbier
Councilwoman Fitch
Councilman Prendiville
Mayor Gresk
Councilman Rutledge

Nays:

None

Absent:

None

Motion Carried Unanimously

Passed: July 2, 2018

Published: July 3, 2018

Exhibit 1
NOTICE OF HEARING
CITY OF WHEATON
SPECIAL SERVICE AREA NO. 8

NOTICE IS HEREBY GIVEN, that on the 10th day of September 2018, at 7:00 p.m., in the Council Chambers of the City of Wheaton, Illinois, 303 West Wesley Street, Wheaton, Illinois, a hearing will be held by the Mayor and the City Council of the City of Wheaton to consider establishing a special service area consisting of the described territory as attached hereto and incorporated herein as if fully set forth as Notice Exhibit A.

All interested parties, including all persons owning taxable real property located within the proposed special service area, will be given an opportunity to file written objections and to be orally heard regarding the formation of and the boundaries of the special service area and may object to the formation of the special service area, the boundaries of the special service area, and the levy of taxes affecting said area.

The purpose for the formation of Wheaton Special Service Area No. 8 in general is to provide special services to the area, including: enhanced marketing and education promoting benefits and activities in the Area; managing special community events and activities including set up and tear down for those events; parking operations and maintenance; maintenance of streetscapes; holiday and event decorations; together with aesthetic enhancements including landscape and signage/banners.

A special tax will be considered at the hearing to be levied against the real property included in the special service area for a period not to exceed seven (7) years and in an amount not to exceed an annual rate of fifty-two hundredths of one percent (.52%) of the assessed value, as equalized. Said tax would be levied upon all taxable property within the proposed special service area and said tax would be in addition to the annual real estate tax and all other taxes provided by law and shall be levied pursuant to the provisions of the Revenue Act of 1939, as amended. The proposed amount of the tax levy for the initial year for which taxes will be levied within the special service area is \$225,000. The hearing may be adjourned by the Council to another date without further notice other than a motion to be entered upon the minutes of its meeting fixing the time and place of its adjournment. At the public hearing, or the first regular meeting of the corporate authorities thereafter, the City may delete area from the special service area.

If a petition signed by at least fifty-one percent (51%) of the electors residing within the special service area and by at least fifty-one percent (51%) of the owners of record of land included within the boundaries of the special service area is filed with the municipal clerk within 60 days following the final adjournment of the public hearing objecting to the creation of the special service area, the enlargement thereof, the levy or imposition of a tax for the provision of special services to the area, or to the proposed increase in the tax rate, no such district shall be created or enlarged, or tax may be levied or imposed nor the rate increased, except as otherwise permitted by law.

Dated this _____ day of _____, 2018.

Sharon Barrett-Hagen
City Clerk

Notice Exhibit A**CITY OF WHEATON
SPECIAL SERVICE AREA NUMBER EIGHT
LEGAL DESCRIPTION**

DESCRIBED BY BEGINNING AT THE NORTHWEST CORNER OF LOT 8 IN BLOCK 1 IN J.C. WHEATON'S ADDITION TO WHEATON, SAID POINT BEING ON THE SOUTH SIDE OF A PUBLIC ALLEY IN SAID BLOCK 1, THENCE EAST ALONG THE SOUTH LINE OF SAID ALLEY TO THE EAST LINE OF WHEATON AVENUE,

THENCE SOUTH ALONG THE EAST LINE OF WHEATON AVENUE TO THE NORTHWEST CORNER OF LOT 3 IN THE FIRST RESUBDIVISION OF WHEATON PLACE RESUBDIVISION,

THENCE EAST ALONG THE NORTH LINES OF LOTS 3 AND 4 IN SAID FIRST RESUBDIVISION TO THE WEST LINE OF THE PUBLIC ALLEY DEDICATED AS PART OF THE WHEATON PLACE RESUBDIVISION,

THENCE NORTH ALONG THE WEST LINE OF SAID ALLEY TO THE NORTH LINE OF WESLEY STREET,

THENCE WEST ALONG THE NORTH LINE OF WESLEY STREET TO THE EAST LINE OF WHEATON AVENUE,

THENCE NORTH ALONG THE EAST LINE OF WHEATON AVENUE TO THE SOUTH LINE OF KARLSKOGA AVENUE (SEMINARY AVENUE),

THENCE EAST ALONG THE SOUTH LINE OF KARLSKOGA AVENUE (SEMINARY AVENUE) TO THE WEST LINE OF HALE STREET,

THENCE, SOUTH, ALONG THE WEST LINE OF HALE STREET TO THE SOUTH LINE OF GARY MEMORIAL CONSOLIDATION PLAT EXTENDED WEST, SAID LINE LYING 165 FEET NORTH OF AND PARALLEL WITH THE NORTH RIGHT-OF-WAY LINE OF WESLEY STREET,

THENCE, EAST, ALONG SAID LINE AND EXTENSION WEST OF SAID LINE OF GARY MEMORIAL CONSOLIDATION PLAT 233.56 FEET,

THENCE, SOUTH, 35.0 FEET, FOLLOWING THE BOUNDARY OF GARY MEMORIAL CONSOLIDATION PLAT TO A LINE 130 FEET NORTH OF AND PARALLEL WITH THE NORTH RIGHT-OF-WAY LINE OF WESLEY STREET,

THENCE, EAST, ALONG THE MOST SOUTHERLY LINE OF GARY MEMORIAL CONSOLIDATION PLAT, SAID LINE LYING 130 FEET NORTH OF AND PARALLEL WITH THE NORTH RIGHT-OF-WAY LINE OF WESLEY STREET, 198.0 FEET, TO THE WEST LINE OF MAIN STREET,

THENCE SOUTH ALONG THE WEST LINE OF MAIN STREET TO THE SOUTH LINE OF WESLEY STREET,

THENCE EAST ALONG THE SOUTH LINE OF WESLEY STREET TO THE EAST LINE OF MAIN STREET,

THENCE SOUTH ALONG THE EAST LINE OF MAIN STREET, 76.74 FEET, TO THE NORTH LINE OF LOT 5 IN BLOCK 6 IN THE OWNERS ASSESSMENT OF LOTS 13 AND 14 IN BLOCK 6 OF THE ORIGINAL TOWN OF WHEATON,

THENCE EAST ALONG THE NORTH LINE OF SAID LOT 5 IN BLOCK 6 OF SAID OWNERS ASSESSMENT PLAT, 99.77 FEET TO THE EAST LINE OF LOT 4 IN SAID BLOCK 6 OF OWNERS ASSESSMENT PLAT,

THENCE NORTH, 76.87 FEET, ALONG THE EAST LINE OF SAID LOT 4 IN BLOCK 6 OF OWNERS ASSESSMENT PLAT TO THE SOUTH LINE OF WESLEY STREET,

THENCE EAST ALONG THE SOUTH LINE OF WESLEY STREET, TO THE NORTHEAST CORNER OF TOM'S PRICE CONSOLIDATION,

THENCE SOUTH ALONG THE EAST LINE OF TOM'S PRICE CONSOLIDATION EXTENDED TO THE SOUTH LINE OF THE UNION PACIFIC RAILROAD,

THENCE WEST ALONG THE SOUTH LINE OF SAID UNION PACIFIC RAILROAD RIGHT OF WAY TO THE WEST LINE OF REBER STREET EXTENDED NORTH,

THENCE SOUTH ALONG THE WEST LINE OF REBER STREET EXTENDED NORTH AND WEST LINE OF REBER STREET TO THE SOUTH LINE OF LIBERTY DRIVE,

THENCE WEST ALONG THE SOUTH LINE OF LIBERTY DRIVE TO THE EAST LINE OF CROSS STREET,

THENCE SOUTH ALONG THE EAST LINE OF CROSS STREET TO THE NORTH LINE OF LOT 2 IN WHEATON PROPERTY PARTNERS RESUBDIVISION EXTENDED EAST,

THENCE WEST ALONG THE EXTENSION OF AND ALONG THE NORTH LINE OF SAID LOT 2 IN WHEATON PROPERTY PARTNERS RESUBDIVISION TO THE NORTH WEST CORNER OF SAID LOT 2,

THENCE SOUTH ALONG THE WEST LINE OF SAID LOT 2, 30.0 FEET,

THENCE WEST 11.53 FEET TO THE WEST LINE OF SAID LOT 2,

THENCE SOUTH ALONG THE WEST LINE OF SAID LOT 2 TO THE NORTH LINE OF WILLOW AVENUE,

THENCE EAST ALONG THE NORTH LINE OF WILLOW AVENUE TO THE EAST LINE OF REBER STREET,

THENCE NORTH TO THE NORTH LINE OF LOT 10 OF THE COURTHOUSE SQUARE SUBDIVISION EXTENDED WEST TO THE EAST LINE OF REBER STREET,

THENCE EAST ALONG THE NORTH LINE OF LOT 10 OF THE COURTHOUSE SQUARE SUBDIVISION TO THE WEST LINE OF LOT 9 OF THE COURTHOUSE SQUARE SUBDIVISION,

THENCE NORTH ALONG SAID WEST LINE OF SAID LOT 9 TO THE NORTH LINE OF SAID LOT 9,

THENCE EAST ALONG SAID LOT 9 TO THE WEST LINE OF NAPERVILLE STREET EXTENDED,

THENCE SOUTH ALONG THE WEST LINE OF NAPERVILLE STREET TO THE NORTH LINE OF ILLINOIS STREET,

THENCE WEST ALONG THE NORTH LINE OF ILLINOIS STREET TO THE EAST LINE OF LOT 1 IN DU PAGE COUNTY CONSOLIDATION PLAT NO 1,

THENCE NORTH ALONG THE EAST LINE AND EXTENSION OF SAID EAST LINE OF SAID LOT 1 IN DU PAGE COUNTY CONSOLIDATION PLAT NO 1 TO THE NORTH LINE OF THE EAST WEST ALLEY, SAID LINE ALSO BEING THE SOUTH LINE OF LOT 1 IN METROPOLITAN FAMILY SERVICES SUBDIVISION,

THENCE EAST ALONG THE SOUTH LINE OF SAID LOT 1 IN METROPOLITAN FAMILY SERVICES SUBDIVISION TO THE SOUTH EAST CORNER OF SAID LOT 1,

THENCE NORTH ALONG THE EAST LINE OF SAID LOT 1, TO THE SOUTH LINE OF WILLOW AVENUE,

THENCE WEST ALONG THE SOUTH LINE OF WILLOW AVENUE TO THE EAST LINE OF REBER STREET,

THENCE SOUTH ALONG THE EAST LINE OF REBER STREET TO THE SOUTHWEST CORNER OF SAID LOT 1 IN METROPOLITAN FAMILY SERVICES SUBDIVISION,

THENCE EAST ALONG THE SOUTH LINE OF SAID LOT 1 IN METROPOLITAN FAMILY SERVICES SUBDIVISION TO THE WEST LINE AND EXTENSION OF SAID WEST LINE NORTH OF LOT 1 IN SAID DU PAGE COUNTY CONSOLIDATION PLAT NO. 1,

THENCE SOUTH ALONG THE EXTENSION OF AND ALONG SAID WEST LINE OF LOT 1 IN DU PAGE COUNTY CONSOLIDATION PLAT NO. 1, TO THE NORTH LINE OF ILLINOIS STREET,

THENCE WEST ALONG THE NORTH LINE OF ILLINOIS STREET TO THE WEST LINE OF MAIN STREET,

THENCE SOUTH ALONG THE WEST LINE OF MAIN STREET TO THE NORTH LINE OF INDIANA STREET,

THENCE WEST ALONG THE NORTH LINE OF INDIANA STREET, 66.0 FEET TO THE WEST LINE EXTENDED SOUTH, OF THE EAST 66 FEET, OF LOTS 3 AND 4 AND PART OF LOT 2 IN BLOCK 1 W.I. & F.E. WHEATON'S RESUBDIVISION,

THENCE NORTH 143.7 FEET ALONG THE WEST LINE OF SAID EAST 66 FEET OF SAID LOTS 3 AND 4 AND PART OF LOT 2 TO AN EAST WEST LINE THAT IS 143.7 FEET NORTH OF THE NORTH LINE OF INDIANA STREET,

THENCE WEST 66 FEET ALONG SAID LINE THAT IS 143.7 FEET NORTH OF THE NORTH LINE OF INDIANA STREET TO THE EAST LINE OF LOT 5 IN SAID BLOCK 1,

THENCE NORTH 85 FEET ALONG THE EAST LINE OF SAID LOT 5 IN BLOCK 1, TO THE NORTH LINE OF LOT 1 IN BLOCK 1 OF W.I. AND F.E. WHEATON'S RESUBDIVISION,

THENCE EAST 74 FEET MORE OF LESS TO A NORTH/SOUTH LINE THAT IS 58 FEET WEST OF THE WEST LINE OF MAIN STREET,

THENCE NORTH ON SAID NORTH/SOUTH LINE THAT IS 58 FEET WEST OF THE WEST LINE OF MAIN STREET TO THE SOUTH LINE OF ILLINOIS STREET,

THENCE NORTHWESTERLY ACROSS ILLINOIS STREET TO THE SOUTHEAST CORNER OF LOT 4 IN MAIN STREET SQUARE RESUBDIVISION,

THENCE NORTH ALONG THE EAST LINE OF SAID LOT 4 IN SAID MAIN STREET SQUARE RESUBDIVISION TO THE SOUTH LINE OF LOT 1 IN SAID MAIN STREET SQUARE SUBDIVISION,

THENCE WEST ALONG THE SOUTH LINE OF LOT 1 IN SAID MAIN STREET SQUARE SUBDIVISION TO THE SOUTHWEST CORNER OF SAID LOT 1 IN MAIN STREET SQUARE SUBDIVISION,

THENCE NORTH ALONG THE WEST LINE OF SAID LOT 1 IN MAIN STREET SQUARE SUBDIVISION AND EXTENSION THEREOF TO THE NORTH LINE OF THE PUBLIC ALLEY IN BLOCK 8 OF J. C. WHEATON'S ADDITION,

THENCE WEST ALONG THE NORTH LINE OF SAID ALLEY IN BLOCK 8 OF J.C. WHEATON'S ADDITION TO THE SOUTHWEST CORNER OF LOT 2 IN SAID BLOCK 8 OF J.C. WHEATON'S ADDITION,

THENCE NORTH ALONG THE WEST LINE OF SAID LOT 2 IN BLOCK 8, 58.3 FEET,

THENCE WEST PARALLEL WITH THE AFORESAID EAST/WEST ALLEY IN BLOCK 8 OF J.C. WHEATON'S ADDITION, 132 FEET, TO THE EAST LINE OF HALE STREET,

THENCE SOUTH ALONG THE EAST LINE OF HALE STREET TO THE NORTH LINE OF SAID EAST/WEST ALLEY IN BLOCK 8 OF J.C. WHEATON'S ADDITION,

THENCE WEST ACROSS HALE STREET TO THE NORTH LINE OF THE EAST/WEST ALLEY IN BLOCK 7 OF J.C. WHEATON'S ADDITION,

THENCE WEST ALONG THE NORTH LINE OF SAID EAST/WEST ALLEY IN SAID BLOCK 7 OF J.C. WHEATON'S ADDITION TO THE SOUTHEAST CORNER OF LOT 6 IN BLOCK 7 OF J.C. WHEATON'S ADDITION,

THENCE NORTH ALONG THE EAST LINE OF SAID LOT 5 IN BLOCK 7 OF J.C. WHEATON'S ADDITION TO THE SOUTH LINE OF WILLOW AVENUE,

THENCE WEST ALONG THE SOUTH LINE OF WILLOW AVENUE TO THE WEST LINE OF WEST STREET,

THENCE, SOUTH ALONG THE WEST LINE OF WEST STREET TO THE NORTH LINE OF LOT 9 IN THE COUNTY CLERK'S ASSESSMENT DIVISION OF THE SOUTH HALF OF THE NORTHEAST QUARTER AND SOUTHEAST QUARTER OF SAID SECTION 17,

THENCE WEST 165.0 FEET ALONG THE NORTH LINE OF SAID LOT 9, IN SAID COUNTY CLERK'S ASSESSMENT DIVISION, TO THE WEST LINE OF LOTS 7 AND 8 IN SAID COUNTY CLERK'S ASSESSMENT DIVISION EXTENDED SOUTH,

THENCE, SOUTH ALONG THE WEST LINE OF WEST STREET TO THE NORTH LINE OF LOT 9 IN THE COUNTY CLERK'S ASSESSMENT DIVISION OF THE SOUTH HALF OF THE NORTHEAST QUARTER AND SOUTHEAST QUARTER OF SAID SECTION 17,

THENCE WEST 178.2 FEET ALONG THE NORTH LINE OF SAID LOT 9, IN SAID COUNTY CLERK'S ASSESSMENT DIVISION, TO THE WEST LINE OF LOTS 7 AND 8 IN SAID COUNTY CLERK'S ASSESSMENT DIVISION EXTENDED SOUTH,

THENCE SOUTH ALONG THE EXTENSION OF SAID LOT 9, IN SAID COUNTY CLERK'S ASSESSMENT DIVISION TO THE NORTH LINE OF CHILDS STREET,

THENCE WEST ALONG THE NORTH LINE OF CHILDS STREET, TO THE EAST LINE OF CARLTON AVENUE,

THENCE NORTH ALONG THE EAST LINE OF CARLTON AVENUE TO THE NORTHWEST CORNER OF SAID COUNTY CLERK'S ASSESSMENT DIVISION,

THENCE EAST ALONG THE NORTH LINE OF SAID COUNTY CLERK'S ASSESSMENT DIVISION TO THE WEST LINE EXTENDED OF LOT 4 OF THE WEST LIBERTY SUBDIVISION,

THENCE NORTH TO THE NORTHWEST CORNER OF LOT 4 OF THE WEST LIBERTY SUBDIVISION,

THENCE EAST THE NORTHEAST CORNER OF LOT 4 OF THE WEST LIBERTY SUBDIVISION,

THENCE SOUTH TO THE NORTH LINE EXTENDED OF SAID COUNTY CLERK'S ASSESSMENT DIVISION,

THENCE EAST AND SOUTHEASTERLY ALONG THE NORTH LINE OF SAID COUNTY CLERK'S ASSESSMENT DIVISION TO THE EAST LINE OF WEST STREET,

THENCE NORTH ALONG THE WEST LINE OF WEST STREET TO THE NORTH LINE OF FRONT STREET,

THENCE EAST ALONG THE NORTH LINE OF FRONT STREET TO THE EAST LINE OF WEST STREET,

THENCE NORTH ALONG THE EAST LINE OF WEST STREET TO A POINT THAT IS 90 FEET NORTH OF FRONT STREET ON THE EAST LINE OF WEST STREET,

THENCE EAST 132 FEET TO THE WEST LINE OF LOT 8 IN BLOCK 1 IN J.C. WHEATON'S ADDITION,

THENCE NORTH ALONG THE WEST LINE OF SAID LOT 8 IN BLOCK 1 OF J.C. WHEATON'S ADDITION TO THE POINT OF BEGINNING.

EXCEPT

FOUR PARCELS LYING SOUTH OF THE UNION PACIFIC RAILROAD, NORTH OF LIBERTY DRIVE, EAST OF WEST STREET AND WEST OF CROSS STREET,
05-16-309-001, 05-16-310-001 & 002, 05-16-311-001

EXCEPT

THE WEST 50.0 FEET OF THE SOUTH 66.0 FEET OF LOT 7 IN BLOCK 4 OF J.C. WHEATON'S ADDITION,
05-16-314-012 & 011

EXCEPT

LOT 8 IN BLOCK 5 OF J.C. WHEATON'S ADDITION
05-16-313-009

EXCEPT

THE EAST 56 FEET OF THE WEST 132.0 OF THE NORTH 149 FEET MORE OR LESS OF BLOCK 3 IN J.C. WHEATON'S ADDITION
05-16-315-002

EXCEPT

THAT PART OF BLOCK 7 IN THE ORIGINAL TOWN OF WHEATON, COMMONLY KNOWN AS PARKING LOT 2 AND THE PUBLIC ALLEY DESCRIBED BY BEGINNING AT THE NORTH EAST CORNER OF LOT 3 IN BLOCK 7, THENCE WEST ALONG THE NORTH LINE OF LOT 3 AND 4 IN SAID BLOCK 7, 115.06 FEET MORE OR LESS, THENCE SOUTH 132 FEET, THENCE EAST 49.06 FEET MORE OR LESS TO THE WEST LINE OF THE PUBLIC ALLEY, THENCE SOUTH 58.28 FEET ALONG THE WEST LINE OF THE PUBLIC ALLEY, THENCE SOUTHWEST FOLLOWING THE LINE OF THE PUBLIC ALLEY 16.01 FEET, THENCE WEST FOLLOWING THE LINE OF THE PUBLIC ALLEY 6.0 FEET, THENCE SOUTH FOLLOWING THE LINE OF THE PUBLIC ALLEY, 61.34 FEET

THENCE WEST 0.42 FEET, THENCE SOUTH 26.10 FEET TO THE SOUTH LINE OF THE ALLEY, THENCE EAST 84.73 FEET ALONG THE SOUTH LINE OF THE ALLEY, THENCE NORTHEAST FOLLOWING THE SOUTH LINE OF THE ALLEY TO A POINT THAT IS 114 FEET MORE OR

LESS NORTH OF THE NORTH LINE OF THE SOUTH LINE OF BLOCK 7, THENCE EAST ALONG THE SOUTH LINE OF THE ALLEY THIS IS 114 FEET MORE OR LESS NORTH OF THE SOUTH LINE OF BLOCK 7, THENCE EAST ALONG THE SOUTH LINE OF THE ALLEY TO THE WEST LINE OF MAIN STREET, THENCE NORTH 14 FEET MORE OR LESS ALONG THE WEST LINE OF MAIN STREET, THENCE WEST 75 FEET MORE OR LESS TO AN ANGLE POINT ALONG THE NORTH LINE OF THE ALLEY, THENCE SOUTHWEST ALONG THE NORTH LINE OF THE ALLEY AND WEST FOLLOWING THE NORTH LINE OF THE ALLEY TO A POINT THAT IS 8.2 FEET SOUTH OF THE NORTHWEST CORNER OF LOT 12 IN SAID BLOCK 7, THENCE NORTH FOLLOWING THE EAST LINE OF THE ALLEY 53.09 FEET MORE OR LESS TO AN ANGLE POINT, THENCE NORTHEAST 26.72 FEET ALONG THE EAST LINE OF THE ALLEY TO A POINT ON THE SOUTH LINE OF LOT 6 IN SAID BLOCK 7, THENCE EAST ALONG THE SOUTH LINE OF LOT 6 AND 7 IN BLOCK 7, 63.90 FEET MORE OR LESS, THENCE NORTH 21.0 FEET, THENCE EAST 30.0 FEET, THENCE NORTH 45.0 FEET TO THE SOUTH LINE OF LOT 2 IN BLOCK 7, THENCE EAST ALONG THE SOUTH LINE OF LOT 2 IN BLOCK 7 TO THE SOUTHEAST CORNER OF LOT 3 IN SAID BLOCK 7, THENCE NORTH ALONG THE EAST LINE OF LOT 3 IN BLOCK 7 TO THE POINT OF BEGINNING OF SAID EXCEPTION.

05-16-302-038, 05-16-302-039, 05-16-302-065, 05-16-302-069, 05-16-305-041

EXCEPT

THAT PART OF LOTS, 8, 9, 12 AND 13 IN BLOCK 7 IN THE TOWN OF WHEATON DESCRIBED BY BEGINNING AT POINT ON THE NORTH LINE OF SAID LOT 9 THAT IS 17.25 FEET WEST OF THE NORTHEAST CORNER THEREOF, THENCE EAST 13.74 FEET ALONG THE NORTH LINE OF SAID LOT 9, THENCE SOUTH 66.0 FEET MORE OR LESS TO THE SOUTH LINE OF LOT 8 AND THE NORTH LINE OF SAID LOT 9, THENCE EAST 65.02 FEET MORE OR LESS ALONG THE SOUTH LINE OF LOT 8 TO THE WEST FACE OF AN EXISTING BUILDING, THENCE SOUTH ALONG THE WEST FACE OF SAID BUILDING AND EXTENSION THEREOF TO THE NORTH LINE OF THE ALLEY DEDICATED PER DOCUMENT 284409, THENCE SOUTHWEST ALONG THE NORTH LINE OF SAID ALLEY 13.87 FEET, THENCE SOUTH 4.47 FEET ALONG THE ALLEY, THENCE WEST 15.53 FEET, ALONG THE ALLEY TO THE EAST LINE OF LOT 12, THENCE NORTH 1.47 FEET TO A POINT THAT IS 9.6 FEET SOUTH OF THE NORTHEAST CORNER OF LOT 12, THENCE WEST 66.73 FEET ALONG THE NORTH LINE OF SAID ALLEY, THENCE NORTH 8.1 FEET TO THE NORTHWEST CORNER OF LOT 12, THENCE EAST 0.42 FEET ALONG THE NORTH LINE OF LOT 12, THENCE NORTH 44.99 FEET, THENCE NORTHEASTERLY 26.72 FEET ALONG THE EAST LINE OF THE ALLEY TO THE POINT OF BEGINNING OF SAID EXCEPTION.

05-16-302-067

EXCEPT LOT 2 OF 111-113 SUBDIVISION IN SECTION 16, TOWNSHIP 39 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN.

05-16-302-027

EXCEPT LOT 1 (EXCEPT THAT PART THEREOF LYING NORTH AND EAST OF A LINE DESCRIBED AS FOLLOWS: COMMENCING AT A POINT ON THE WEST LINE OF SAID LOT, 27.4 FEET SOUTH OF THE NORTHWEST CORNER OF SAID LOT, SAID POINT BEING THE POINT OF INTERSECTION OF SAID WEST LOT LINE WITH A LINE WHICH IS THE EXTERIOR OF THE NORTH WALL OF THE BUILDING NOW SITUATED ON SAID LOT, EXTENDED WEST TO SAID WEST LOT LINE; THENCE EAST ALONG SAID EXTERIOR BUILDING WALL

LINE EXTENDED AND ALONG SAID EXTERIOR BUILDING WALL LINE 97.725 FEET, MORE OR LESS, TO THE MID POINT, MEASURED FROM EAST TO WEST OF AN EXISTING NORTH AND SOUTH BUILDING WALL; THENCE SOUTH ALONG THE MIDDLE LINE OF SAID NORTH AND SOUTH BUILDING WALL AND ALONG SAID LINE EXTENDED SOUTH TO THE POINT OF INTERSECTION OF SAID LINE WITH THE SOUTH LINE OF THE NORTHEAST PORTION OF SAID LOT 1, EXTENDED WEST) OF REYNOLDS PLAT OF SURVEY OF PARTS OF LOTS 4, 5, 6 AND 7, TOGETHER WITH A PORTION OF VACATED ALLEY, ALL IN BLOCK 5 OF WARREN L. WHEATON'S ADDITION TO THE TOWN OF WHEATON, IN THE EAST HALF OF THE SOUTHWEST QUARTER OF SECTION 16, TOWNSHIP 39 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, REFERENCE BEING HAD TO SAID REYNOLDS PLAT OF SURVEY FILED FOR RECORD ON DECEMBER 10, 1948 AS DOCUMENT 559801, IN DUPAGE COUNTY, ILLINOIS;

AND

THAT PART OF LOT I OF REYNOLDS PLAT OF SURVEY LYING NORTH AND EAST OF A LINE DESCRIBED AS FOLLOWS: COMMENCING AT A POINT ON THE WEST LINE OF SAID LOT, 27.4 FEET SOUTH OF THE NORTHWEST CORNER OF SAID LOT, SAID POINT BEING THE POINT OF INTERSECTION OF SAID WEST LOT LINE WITH A LINE WHICH IS THE EXTERIOR OF THE NORTH WALL OF THE BUILDING NOW SITUATED ON SAID LOT, EXTENDED WEST TO SAID WEST LOT LINE; THENCE EAST ALONG SAID EXTERIOR BUILDING WALL LINE EXTENDED AND ALONG SAID EXTERIOR BUILDING WALL LINE 97.725 FEET, MORE OR LESS, TO THE MID POINT, MEASURED FROM EAST TO WEST OF AN EXISTING NORTH AND SOUTH BUILDING WALL; THENCE SOUTH ALONG THE MIDDLE LINE OF SAID NORTH AND SOUTH BUILDING WALL AND ALONG SAID LINE EXTENDED SOUTH TO THE POINT OF INTERSECTION OF SAID LINE WITH THE SOUTH LINE OF THE NORTHEAST PORTION OF SAID LOT 1, EXTENDED WEST, SAID REYNOLDS PLAT OF SURVEY BEING A PLAT OF PARTS OF LOTS 4, 5, 6 AND 7, TOGETHER WITH A PORTION OF VACATED ALLEY, ALL IN BLOCK 5 OF WARREN L. WHEATON'S ADDITION TO THE TOWN OF WHEATON, IN THE EAST HALF OF THE SOUTHWEST QUARTER OF SECTION 16, TOWNSHIP 39 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, REFERENCE BEING HAD TO SAID REYNOLDS PLAT OF SURVEY FILED FOR RECORD ON DECEMBER 10, 1948 AS DOCUMENT 559801, IN DUPAGE COUNTY, ILLINOIS.

05-16-324-004 AND 05-16-324-005

ALL IN THE NORTHWEST QUARTER SOUTHWEST QUARTER AND SOUTHEAST QUARTER OF SECTION 16, AND THE SOUTHEAST QUARTER OF SECTION 17, TOWNSHIP 39 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN THE CITY OF WHEATON, DUPAGE COUNTY, ILLINOIS.

0516132003	214 N. Hale Street
0516132004	210 N. Hale Street
0516132005	209-213 W. Wesley Street
0516132006	201 W. Wesley Street
0516132007	225 W. Wesley Street

0516133006	209 N. Hale Street
0516133007	123-131 W. Wesley Street
0516133008	121 W. Wesley Street
0516133009	117 W. Wesley Street
0516133010	115 W. Wesley Street
0516133011	111 W. Wesley Street
0516133012	210 N. Main Street
0516133013	206 N. Main Street
0516300012	319 W. Front Street
0516300016	309 W. Front Street
0516300017	100 N. Wheaton Avenue
0516300018	100 N. Wheaton Avenue
0516300019	325 W. Front Street
0516300020	315 W. Front Street
0516301025	209 W. Front Street
0516301026	207 W. Front Street
0516301027	200-212 W. Wesley Street
0516301028	122-126 N. Hale Street
0516301029	120 N. Hale Street
0516301031	112-114 N. Hale Street
0516301032	108 N. Hale Street
0516301033	106 N. Hale Street
0516301034	104 N. Hale Street
0516301035	100-102 N. Hale Street
0516301041	108 N. Hale Street
0516301042	106 N. Hale Street
0516301043	211 W. Front Street
0516301056	225 W. Front Street
0516301057	221 W. Front Street

0516302001	129-145 N. Hale Street
0516302002	120 W. Wesley Street
0516302007	130-140 N. Main Street
0516302008	128 N. Main Street
0516302009	124 N. Main Street
0516302014	122 N. Main Street
0516302027	129 W. Front Street
0516302036	107 W. Front Street
0516302037	102-110 N. Main Street
0516302040	123 N. Hale Street
0516302048	131-133 W. Front Street
0516302058	113 W. Front Street
0516302059	111 W. Front Street
0516302060	109 W. Front Street
0516302061	121-127 W. Front Street
0516302062	119 W. Front Street
0516302064	109 N. Hale Street
0516302068	109 N. Hale Street
0516302070	111 N. Hale Street
0516302071	112-120 N. Main Street
0516303002	131-133 N. Main Street
0516303003	127-129 N. Main Street
0516303004	108-110 E. Wesley Street
0516303005	131-133 N. Main Street
0516303007	115-123 N. Main Street
0516303009	109 N. Main Street
0516303010	101-101.5 E. Front Street
0516303011	103 E. Front Street
0516303013	105 E. Front Street

0516303014	107 E. Front Street
0516303015	109 E. Front Street
0516303016	111 E. Front Street
0516303017	115 E. Front Street
0516303018	117 E. Front Street
0516303019	119 E. Front Street
0516303020	121 E. Front Street
0516303021	123 E. Front Street
0516303022	102 N. Cross Street
0516303023	125 E. Front Street
0516303024	120 E. Wesley Street
0516303025	120 E. Wesley Street
0516303026	111-113 N. Main Street
0516303027	111-113 N. Main Street
0516306003	312 W. Front Street
0516306004	302 W. Front Street
0516306005	340-390 W. Front Street
0516307001	222-230 W. Front Street
0516307002	218 W. Front Street
0516307003	214-216 W. Front Street
0516307004	210-212 W. Front Street
0516307005	200 W. Front Street
0516308003	102-134 W. Front Street
0516312001	101 S. Cross Street
0516312002	209 E. Liberty Drive
0516313001	322-326 W. Liberty Drive
0516313005	204 S. Wheaton Avenue
0516313010	216 S. Wheaton Avenue
0516313011	222 S. Wheaton Avenue

0516313013	221 S. West Street
0516313015	210 S. Wheaton Avenue
0516313016	310 W. Liberty Drive
0516314008	204 W. Liberty Drive
0516314009	208 S. Hale Street
0516314010	213 S. Wheaton Avenue
0516314014	219 W. Willow Avenue
0516314015	213 W. Willow Avenue
0516314018	207 W. Willow Avenue
0516314019	201-203 W. Willow Avenue
0516314020	208 S. Hale Street
0516314021	207 W. Willow Avenue
0516314023	211 S. Wheaton Avenue
0516314024	227 W. Willow Avenue
0516315001	126-130 W. Liberty Drive
0516315003	118 W. Liberty Drive
0516315004	112 W. Liberty Drive
0516315005	108 W. Liberty Drive
0516315006	102 W. Liberty Drive
0516315007	208 S. Hale Street
0516315010	117 W. Willow Avenue
0516315008	129 W. Willow Avenue
0516315009	127 W. Willow Avenue
0516315011	111 W. Willow Avenue
0516315012	107 W. Willow Avenue
0516315013	102 W. Liberty Drive
0516315014	212 S. Main Street
0516315018	224 S. Main Street
0516316005	213-231 S. Main Street

0516316012 205 S. Main Street
0516316013 106 E. Liberty Drive
0516316014 120 E. Liberty Drive
0516322004 218 W. Willow Avenue
0516322005 214 W. Willow Avenue
0516322006 210 W. Willow Avenue
0516322007 202 W. Willow Avenue
0516322008 310 S. Hale Street
0516322009 312 S. Hale Street
0516323001 128-130 W. Willow Avenue
0516323002 305 S. Hale Street
0516323004 116 W. Willow Avenue
0516323005 112 W. Willow Avenue
0516323006 108 W. Willow Avenue
0516323007 104 W. Willow Avenue
0516323008 300 S. Main Street
0516323009 310 S. Main Street
0516323020 314 S. Main Street
0516323021 324 S. Main Street
0516323022 326 S. Main Street
0516324001 303 S. Main Street
0516324002 309 S. Main Street
0516324003 106 E. Willow Avenue
0516324006 325 S. Main Street
0516324009 200 E. Willow Avenue
0516324010 211 E. Illinois Street
0516324013 150 E. Willow Avenue
0516324014 111 E. Illinois Street
0516324015 111 E. Illinois Street

0516325012	330 S. Naperville Road
0516325013	221 E. Illinois Street
0516325019	240 E. Willow Avenue
0516329007	404-406 S. Main Street
0516329015	412 S. Main Street
0516329019	420 S. Main Street
0516329020	412-420 S. Main Street
0517407005	535-571 W. Liberty Drive
0517411002	400-402 W. Liberty Drive
0517411003	400 W. Liberty Drive
0517411006	214 S. West Street
0517411018	212 S. West Street
0517411019	300 S. West Street
0517411020	300 S. West Street
0516305014	303 E. Front Street
05-16-304-028	121 N. Cross Street
05-17-411-013	1 Wheaton Center
05-16-318-007	245 E. Willow Avenue
05-16-318-015	245 E. Willow Avenue
05-16-318-027	250 S. Naperville Road
05-16-318-028	250 S. Naperville Road

