

ORDINANCE NO. O-2018-46

**AN ORDINANCE ANNEXING A CERTAIN PROPERTY TO THE CITY OF WHEATON,
ILLINOIS - VACANT PROPERTY LOCATED ON THE EAST SIDE OF HAWTHORNE LANE
BETWEEN 1561 AND 1671 HAWTHORNE LANE - CLINE**

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 July 23, 2018 to consider the terms and conditions of the proposed Annexation Agreement; and

WHEREAS, an Annexation Agreement dated August 20, 2018, between the City and Rebecca S. Cline as Trustee of the Rebecca S. Cline Revocable Trust dated September 16, 2008 ("Owner"), is the direct result of deliberations on the proposed annexation 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:

PARCEL 1: THE WESTERLY 275.0 FEET (AS MEASURED FROM THE EAST LINE OF HAWTHORNE LANE) OF THE FOLLOWING DESCRIBED TRACT: LOTS 5, 4 AND 3, AND THE NORTHERLY 22.5 FEET OF LOT 2 OF OWNER'S PLAT OF PART OF THE WEST ½ OF THE SOUTHWEST ¼ OF SECTION 21, TOWNSHIP 39 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED FEBRUARY 26, 1921 AS DOCUMENT 146698 (EXCEPT FROM SAID LOTS 2, 3, 4 AND 5 THE WESTERLY 49.5 FEET KNOWN AND USED AS HAWTHORNE LANE), TOGETHER WITH THAT PART OF SAID WEST ½ OF THE SOUTHWEST ¼ DESCRIBED BY BEGINNING AT THE NORTHEAST CORNER OF SAID LOT 2 AND RUNNING THENCE EASTERLY ALONG THE SOUTH LINE OF SAID LOT 3 A DISTANCE OF 42 FEET TO A LINE DRAWN PARALLEL WITH AND 275.0 FEET EAST OF THE EAST LINE OF HAWTHORNE LANE; THENCE SOUTHERLY ALONG SAID PARALLEL LINE, 22.5 FEET; THENCE WESTERLY PARALLEL WITH SAID SOUTH LINE OF LOT 3, 42 FEET TO THE EAST LINE OF SAID LOT 2; THENCE NORTHERLY ALONG SAID EAST LINE 22.5 FEET TO THE POINT OF BEGINNING, (EXCEPT THE SOUTH 440.06 FEET THEREOF), IN DUPAGE COUNTY, ILLINOIS.

PARCEL 2: EASEMENT FOR THE BENEFIT OF PARCEL 1 AS CREATED BY EASEMENT MADE BY HORACE ORTON WETMORE AND EWING W. GRAHAM AND MARGARET P. GRAHAM, HIS WIFE, CLARIS BRICKER (CLARICE A. BRICKER), THE LIVE STOCK NATIONAL BANK OF CHICAGO, AS TRUSTEE UNDER TRUST AGREEMENT NO. 13312 DATED NOVEMBER 5, 1952, CHICAGO CITY BANK AND TRUST COMPANY, AS TRUSTEE UNDER TRUST AGREEMENT KNOWN AS TRUST NO. 5832 OF WHICH JAMES W. WATT AND DOROTHY E. WATT, HIS WIFE, ARE BENEFICIARIES, ARTHUR T. HELLVER AND MARY A. TABER DATED JUNE 11, 1960 AND RECORDED ON JUNE 13, 1960 AS DOCUMENT 968048 FOR INGRESS AND EGRESS OVER THE FOLLOWING DESCRIBED LAND:

THAT PART OF SECTION 21, TOWNSHIP 39 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED BY COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 21; THENCE NORTH ALONG THE SECTION LINE TO A POINT OF THE WEST LINE OF SECTION 21, 1,135 FEET SOUTH OF THE NORTHWEST CORNER OF THE SOUTHWEST $\frac{1}{4}$ OF SAID SECTION 21; THENCE EAST 75 LINKS, THENCE SOUTH PARALLEL TO THE WEST LINE OF SECTION 21, TO THE SOUTH LINE OF SAID SECTION 21; THENCE WEST 75 LINKS TO THE POINT OF BEGINNING, IN DUPAGE COUNTY, ILLINOIS.

P.I.N. 05-21-302-033

The subject property is commonly known as certain vacant property located on the east side of Hawthorne Lane between 1561 and 1671 Hawthorne Lane, Wheaton, IL 60189.

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.

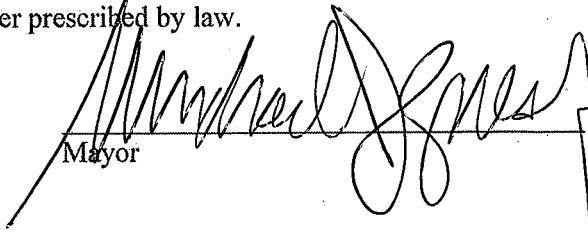
Section 4: All ordinances or parts of ordinances in conflict with these provisions are repealed.

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.

ATTEST:


Sean Bennett Hagan

City Clerk


Mayor

Roll Call Vote

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

Nays: None

Absent: Councilwoman Fitch

Motion Carried Unanimously

Passed: August 20, 2018
Published: August 21, 2018