



WHEATON CITY HALL
303 W WESLEY STREET, WHEATON, IL, 60187
630.260.2000 | www.wheaton.il.us



FRED BUCHOLZ

DUPAGE COUNTY RECORDER

NOV. 29, 2018

OTHER

10:04 AM

\$49.00 05-16-132-003

023 PAGES R2018-110139

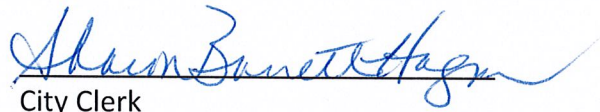
ORDINANCE NO. O-2018-67

AN ORDINANCE ESTABLISHING SPECIAL SERVICE AREA #8 IN THE CITY OF WHEATON, ILLINOIS

I HEREBY CERTIFY that I am the City Clerk of the City of Wheaton, DuPage County, Illinois, and that, as such City Clerk, I have the custody of the papers, entries, records and ordinances of said City.

I FURTHER CERTIFY that the attached is a true and correct copy of City of Wheaton Ordinance No. O-2018-67 which was adopted by the Wheaton City Council on Monday, November 19, 2018.

I have hereunto set my hand and affixed the seal of said City this 20th day of November 2018.


City Clerk

(PREPARED BY/RETURN TO)
Sharon Barrett-Hagen, City Clerk
City of Wheaton
303 W. Wesley Street
Wheaton, IL 60187



WHEATON MAYOR MICHAEL J. GRESK

CITY MANAGER MICHAEL DZUGAN

CITY COUNCIL: MICHAEL BARBIER | SUZANNE FITCH | JOHN PRENDIVILLE | JOHN RUTLEDGE | TODD SCALZO | PHILIP SUESS

ORDINANCE NO. O-2018-67
AN ORDINANCE ESTABLISHING
SPECIAL SERVICE AREA #8
IN THE CITY OF WHEATON, ILLINOIS

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, 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, 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, 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, residential rental properties, which will be included in Special Service Area No. 8, use their proximity to the City's Central Business District to promote the marketing of those properties to potential tenants; 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 No. 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 establishment 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; and

WHEREAS, on July 2, 2018, the Wheaton City Council passed Ordinance No. O-2018-37 proposing the establishment of Special Service Area No. 8 in the City of Wheaton and providing for a public hearing for its establishment to held on September 10, 2018; and

WHEREAS, on September 10, 2018, the Wheaton City Council conducted the public hearing regarding the proposed establishment of Special Service Area No. 8 and initiated a 60-day comment and objection period, during which no objection petition has been filed with the City Clerk's Office; and

WHEREAS, at the close of the public hearing on September 10, 2018, the Wheaton City Council concluded that Ordinance O-2018-37 should be amended to reduce the maximum tax rate from \$.52 to \$.45 with an initial levy amount of \$195,026 instead of \$225,000; and

WHEREAS, on September 17, 2018, the Wheaton City Council passed Ordinance No. O-2018-53 amending proposed Special Service Area No. 8's maximum tax rate to \$.45 and the initial levy to \$195,026.

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 under Article VII, Section 6(l) of the 1970 Constitution of the State of Illinois, and pursuant to 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 additional findings of fact:

- A. The question of the establishment of Special Service Area No. 8 was considered by the City Council pursuant to an Ordinance No. O-2018-37 entitled, "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," adopted July 2, 2018.
- B. A public hearing regarding the proposed establishment of Special Service Area No. 8 was held on September 10, 2018, by the Wheaton City Council pursuant to a notice published in the Daily Herald on August 7, 2018, a newspaper of general circulation in the City of Wheaton, at least fifteen (15) days prior to the hearing and pursuant to notice by 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 Special Service Area. Said notice was given by depositing said notice in the United States mail not less than ten (10) days prior to the time set for the public hearing. In the event the taxes for the last preceding year were not paid, the said notice was sent to the person last listed on the tax rolls prior to that year as the owner of said property. A Certificate of Publication of said Notice and an Affidavit of Mailing are attached to this Ordinance and made a part hereof as **Exhibits "A" and "B"** respectively. Said notices conform in all respects to the requirements of 35 ILCS 200/27-5, *et seq.*
- C. A public hearing concerning the proposed establishment of Special Service Area No. 8 was held on September 10, 2018. All interested persons were given an opportunity to be heard on the question of the creation of Special Service Area No. 8. General discussion

was heard at the public hearing concerning the boundaries of Special Service Area No. 8 and the amount of the tax to be levied against property in Special Service Area No. 8. No one attending the public hearing voiced objection to the creation of Special Service Area No. 8. The public hearing was adjourned at 7:38 p.m. on September 10, 2018.

- D. Following the aforesaid public hearing, a period of sixty (60) days has been provided for the filing of any petition opposing the creation of Special Service Area No. 8 pursuant to 35 ILCS 200/27-55, and that during such period of time, no such petition has been filed.
- E. After considering the data, as presented at the public hearing, the City Council finds that it is in the public interest and in the interest of Special Service Area No. 8 that said Special Service Area No. 8, as hereinafter described, be established.
- F. Special Service Area No. 8 is compact and contiguous, and no part of the area lies within any incorporated municipality other than the City of Wheaton, or within any unincorporated area, and that the Area meets the requirements of the Special Service Area Tax Law.
- G. The property owners and businesses in Special Service Area No. 8 will benefit specifically from the services proposed to be provided, and the proposed services are in addition to municipal services generally provided to the residents and businesses in the City of Wheaton as a whole.

SECTION 4: Establishment of Special Service Area No. 8. A Special Service Area to be known and designated as City of Wheaton Special Service Area No. 8 is hereby established and shall consist of the real property legally described on **Exhibit "C,"** as described by address and permanent index numbers on **Exhibit "D,"** and as shown on the map depicted on **Exhibit "E."** Exhibits C, D and E are attached hereto and made part hereof.

SECTION 5: Purpose of Area. Special Service Area No. 8 is established to provide special municipal services to the designated Area that include: efforts to promote business within the special service area which generally includes the provision of 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 landscaping and signage/banners.

SECTION 6: Tax Levied. A special tax shall be levied for a period not to exceed seven (7) years which shall not exceed an annual rate of forty-five hundredths of one-percent (.45% or \$.45) of the assessed value, as equalized, of the property included in Special Service Area No. 8. The proceeds of the Special Service Area tax shall be used to pay for the special services described in Section 5. The proposed amount of the tax levy for the special services for the initial year for which taxes will be levied within Special Service Area No. 8 shall not exceed \$195,026 for the entirety of said Special Service Area No. 8.

SECTION 7: Recording and Filing. The City Clerk is hereby authorized and directed to record a certified copy of this Ordinance establishing Special Service Area No. 8, including an accurate map of said Special Service Area, in the office of the DuPage County Recorder within sixty (60) days after its adoption and to file a certified copy of the same with the Office of the DuPage County Clerk.

SECTION 8: Conflicting Ordinances Repealed. That all ordinances or parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed.

SECTION 9: 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.

ATTEST


City Clerk


Mayor

Ayes:

Roll Call Vote:
Councilman Prendiville
Mayor Gresk
Councilman Rutledge
Councilman Scalzo
Councilman Suess
Councilman Barbier

Nays:

None

Absent:

Councilwoman Fitch

Passed: November 19, 2018
Published: November 20, 2018

Exhibit "A"

CERTIFICATE OF PUBLICATION

Paddock Publications, Inc.

DuPage County
Daily Herald

Corporation organized and existing under and by virtue of the laws of the State of Illinois, DOES HEREBY CERTIFY that it is the publisher of the **DuPage County DAILY HERALD**. That said **DuPage County DAILY HERALD** is a secular newspaper, published in Naperville and has been circulated daily in the Village(s) of:

Addison, Aurora, Bartlett, Bensenville, Bloomingdale, Carol Stream,
Darien, Downers Grove, Elmhurst, Glen Ellyn, Glendale Heights,
Hanover Park, Hinsdale, Itasca, Keeneyville, Lisle, Lombard, Medinah,
Naperville, Oakbrook, Oakbrook Terrace, Roselle, Villa Park,
Warrenville, West Chicago, Westmont, Wheaton, Willowbrook,
Winfield, Wood Dale, Woodridge

County(ies) of DuPage

and State of Illinois, continuously for more than one year prior to the date of the first publication of the notice hereinafter referred to and is of general circulation throughout said Village(s), County(ies) and State.

I further certify that the DuPage County DAILY HERALD is a newspaper as defined in "an Act to revise the law in relation to notices" as amended in 1992 Illinois Compiled Statutes, Chapter 715, Act 5, Section 1 and 5. That a notice of which the annexed printed slip is a true copy, was published August 7, 2018 in said DuPage County DAILY HERALD.

IN WITNESS WHEREOF, the undersigned, the said PADDOCK PUBLICATIONS, Inc., has caused this certificate to be signed by, this authorized agent, at Arlington Heights, Illinois.

PADDOCK PUBLICATIONS, INC.
DAILY HERALD NEWSPAPERS

BY *Danila Baitz*
Designee of the Publisher and Officer of the Daily Herald

Control # 4506463

NOTICE IS HEREBY GIVEN THAT THE KENNEDY JR. MANSION, 1000 BROAD STREET NEW YORK 10003

Memoandum A
CITY OF WASHINGTON
OFFICE OF THE ATTORNEY GENERAL
WASHINGTON, D.C.

THESE ARE THE FIRST TWO PAGES OF THE 1900 CENSUS FOR THE DISTRICT OF COLUMBIA. THE FIRST PAGE IS THE HOUSEHOLD SCHEDULE, AND THE SECOND PAGE IS THE INDIVIDUAL SCHEDULE. THE HOUSEHOLD SCHEDULE IS THE FIRST PAGE OF THE CENSUS, AND IT IS THE FIRST PAGE OF THE CENSUS FOR THE DISTRICT OF COLUMBIA. THE INDIVIDUAL SCHEDULE IS THE SECOND PAGE OF THE CENSUS, AND IT IS THE SECOND PAGE OF THE CENSUS FOR THE DISTRICT OF COLUMBIA. THE HOUSEHOLD SCHEDULE IS THE FIRST PAGE OF THE CENSUS, AND IT IS THE FIRST PAGE OF THE CENSUS FOR THE DISTRICT OF COLUMBIA. THE INDIVIDUAL SCHEDULE IS THE SECOND PAGE OF THE CENSUS, AND IT IS THE SECOND PAGE OF THE CENSUS FOR THE DISTRICT OF COLUMBIA.

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Exhibit "B"

AFFIDAVIT OF MAILING NOTICE

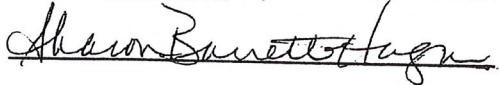
I, James P. Kozik, being first duly sworn upon oath, do state and depose as follows:

1. I am the director of Planning for the City of Wheaton, Illinois.
2. On August 7, 2018, I sent a copy of a Notice of Hearing by mail addressed to the owners of record for each parcel and/or to each 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 proposed Special Service Area Number 8 of the City of Wheaton, and that in the event taxes for the last preceding year were not paid, the Notice was sent to the person last listed on the tax rolls to that year as the owner of the property.
3. Said notice was given by depositing the Notice in the United States mail not less than ten (10) days prior to September 10, 2018, being the time set for the public hearing on proposed Special Services Area Number 8 of the City of Wheaton.

Further Affiant Sayeth Not.


JAMES P. KOZIK

SUBSCRIBED and SWORN to before
me this 15th day of November 2018.



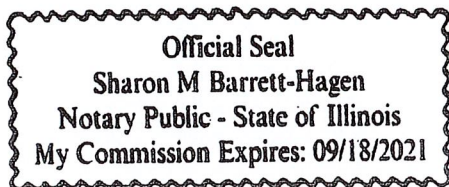


Exhibit "C"

**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 5 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 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.

05-16-303-027

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.

Exhibit "D"

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| 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 |

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| 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 |

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| 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 |
| 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 |

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| 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 |

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| 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 |

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| 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 |

Exhibit "E"

