

ORDINANCE NO. F-1059

**AN ORDINANCE ANNEXING CERTAIN TERRITORY
TO THE CITY OF WHEATON, ILLINOIS -
PAPWORTH STREET BETWEEN GENEVA ROAD & AMY LANE
S&K DEVELOPMENT, 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 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 May 23, 2005, to consider the terms and conditions of the proposed Annexation Agreement; and

WHEREAS, an Annexation Agreement dated June 20, 2005 among the City and S&K Development, LLC ("Developer") ("Annexation Agreement"), 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.

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. THAT PART OF THE NORTH EAST QUARTER OF SECTION 8, TOWNSHIP 39 NORTH RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED BY COMMENCING AT THE NORTH EAST CORNER OF SAID SECTION 8 AND RUNNING THENCE WESTERLY ALONG THE NORTH LINE OF SAID SECTION 8, A DISTANCE OF 678 FEET FOR A POINT OF BEGINNING; THENCE SOUTH PARALLEL WITH THE EAST LINE OF SAID SECTION 8, A DISTANCE OF 267.26 FEET; THENCE PARALLEL WITH THE NORTH LINE OF SAID SECTION 8, A DISTANCE OF 326.0 FEET; THENCE NORTH PARALLEL WITH THE EAST LINE OF SAID SECTION 8, A DISTANCE OF 267.26 FEET TO THE NORTH LINE OF SAID SECTION 8; THENCE EAST ALONG SAID NORTH LINE, 326.0 FEET TO THE POINT OF BEGINNING, IN DUPAGE COUNTY, ILLINOIS, EXCEPT THAT PART THEREOF DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTH EAST CORNER OF SAID SECTION 8 AND RUNNING THENCE WESTERLY ALONG THE NORTH LINE OF SAID SECTION 8, A DISTANCE OF 678 FEET FOR A POINT OF

BEGINNING; THENCE SOUTH PARALLEL WITH THE EAST LINE OF SAID SECTION 8, A DISTANCE OF 40.00 FEET; THENCE WESTERLY PARALLEL WITH THE NORTH LINE OF SAID SECTION 8, A DISTANCE OF 33.00 FEET; THENCE SOUTHERLY PARALLEL WITH THE EAST LINE OF SECTION 8, A DISTANCE OF 152.00 FEET; THENCE WESTERLY PARALLEL WITH THE NORTH LINE OF SAID SECTION 8, A DISTANCE OF 143.00 FEET; THENCE SOUTHERLY PARALLEL WITH THE EAST LINE OF SAID SECTION 8, A DISTANCE OF 9.0 FEET; THENCE WESTERLY PARALLEL WITH THE NORTH LINE OF SAID SECTION 8, A DISTANCE OF 150.02 FEET; THENCE NORTHERLY PARALLEL WITH THE EAST LINE OF SAID SECTION 8, A DISTANCE OF 201.0 FEET TO THE NORTH LINE OF SAID SECTION 8; THENCE EAST ALONG SAID NORTH LINE, 326.02 FEET TO THE POINT OF BEGINNING, IN DUPAGE COUNTY, ILLINOIS.

PARCEL 2 THAT PART OF THE NORTHEAST QUARTER OF SECTION 8, TOWNSHIP 39 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED BY COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 8 AND RUNNING THENCE WEST ALONG THE NORTH LINE OF SAID SECTION 678.0 FEET TO THE NORTHWEST CORNER OF THE VETERANS OF FOREIGN WARS PROPERTY; THENCE SOUTH PARALLEL WITH THE EAST LINE OF SAID SECTION 8, 267.26 FEET FOR A PLACE OF BEGINNING; THENCE CONTINUING SOUTH ON SAID LINE PARALLEL WITH THE EAST LINE OF SAID SECTION 8, 180 FEET; THENCE WEST PARALLEL WITH THE NORTH LINE OF SAID SECTION 8, 326 FEET; THENCE NORTH, PARALLEL WITH THE EAST LINE OF SAID SECTION 8, 180 FEET; THENCE EAST PARALLEL WITH THE NORTH LINE OF SECTION 8, 326 FEET TO THE PLACE OF BEGINNING, IN MILTON TOWNSHIP, DUPAGE COUNTY, ILLINOIS.

PARCEL 3 THAT PART OF THE NORTHWEST QUARTER OF SECTION 8, TOWNSHIP 39 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED BY COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 8 AND RUNNING THENCE WEST ALONG THE NORTH LINE OF SAID SECTION 678 FEET TO THE NORTHWEST CORNER OF VETERANS OF FOREIGN WARS PROPERTY; THENCE SOUTH PARALLEL WITH THE EAST LINE OF SAID SECTION 8, 447.26 FEET FOR A PLACE OF BEGINNING; THEN CONTINUING SOUTH ON SAID LINE PARALLEL WITH THE EAST LINE OF SAID SECTION 8, 218.34 FEET; THENCE WEST PARALLEL WITH THE NORTH LINE OF SAID SECTION 8, 326 FEET; THENCE NORTH PARALLEL WITH THE EAST LINE OF SAID SECTION 8, 218.34 FEET; THENCE EAST PARALLEL WITH THE NORTH LINE OF SAID SECTION 8, 326 FEET TO THE PLACE OF BEGINNING, IN DUPAGE COUNTY, ILLINOIS.

PARCEL 4 THAT PART OF THE NORTHEAST QUARTER OF SECTION 8, TOWNSHIP 39 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED BY COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION AND RUNNING THENCE WESTERLY ALONG THE NORTH LINE OF SAID SECTION, 678 FEET TO THE NORTHWEST CORNER OF A TRACT OF LAND NOW OWNED BY V.F.W.; THENCE

SOUTH PARALLEL WITH THE EAST LINE OF SAID SECTION AND ALONG THE WEST LINE OF SAID V.F.W. TRACT, 665.6 FEET FOR A POINT OF BEGINNING; THENCE SOUTH PARALLEL WITH THE EAST LINE OF SAID SECTION, 267.27 FEET; THENCE WESTERLY PARALLEL WITH THE NORTH LINE OF SAID SECTION, 326 FEET; THENCE NORTH PARALLEL WITH THE EAST LINE OF SAID SECTION, 267.27 FEET; THENCE EASTERLY PARALLEL WITH THE NORTH LINE OF SAID SECTION, 326 FEET, TO THE POINT OF BEGINNING, IN DUPAGE COUNTY, ILLINOIS.

P.I.N. 05-08-202-001, 05-08-202-002, 05-08-202-003, 05-08-202-004,
05-08-206-001, 05-08-206-002

The subject property is commonly known as 25W133 Geneva Road, 25W111 Geneva Road, 0N750 Papworth Street, 0N720 Papworth Street, and 0N674 Papworth Street, Wheaton, IL 60187.

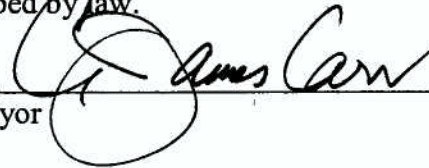
Section 3: The City Clerk is authorized and directed to record with the Office of the Recorder of Deeds, DuPage County, Illinois, and to file with the Office of the County Clerk, DuPage County, Illinois, a certified copy of this ordinance together with the accurate map of the subject property appended to this ordinance.

Section 4: The annexation approved in this ordinance shall be null and void and of no further effect, without further action by the City Council, if the Owner and Developer do not execute and return the Annexation Agreement to the City Clerk within sixty (60) days of the date this Ordinance was passed.

Section 5: All ordinances or parts of ordinances in conflict with these provisions are repealed.

Section 6: This ordinance shall become effective from and after its passage, approval, and publication in pamphlet form in the manner prescribed by law.

Mayor



ATTEST:


City Clerk

Ayes:

Roll Call Vote

Councilman Mouhelis
Councilman Bolds
Councilwoman Corry
Councilman Johnson
Mayor Carr
Councilman Levine

Nays: Councilman Seuss

Absent: None

Motion Carried

Passed: June 20, 2005
Published: June 21, 2005