

ORDINANCE NO. F-1094

AN ORDINANCE AUTHORIZING THE SIGNING OF AN
ANNEXATION AGREEMENT –
MCKENZIE PLACE/PHASE 2 – AIRHART CONSTRUCTION

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 legally described in Exhibit 'A' which is 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 October 10, 2005, to consider the terms and conditions of the proposed annexation agreement; and

WHEREAS, an annexation agreement dated October 17, 2005, among the City and Airhart Construction ("Owner") ("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 Mayor of the City is authorized and directed to sign, on behalf of the City, the Annexation Agreement, and the City Clerk is authorized and directed to attest to the signature of the Mayor and affix the corporate seal of the City thereon. A copy of the Annexation Agreement is on file in the Office of the City Clerk and is incorporated into this ordinance by this reference as though fully set forth herein.

Section 2: The Annexation Agreement shall be recorded in the Office of the Recorder of Deeds, DuPage County, Illinois, at the expense of the Owners.

Section 3: All ordinances or parts of ordinances in conflict with these provisions are repealed.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

Mayor



ATTEST:


City Clerk

Ayes: Roll Call Vote
Councilman Mouhelis
Councilman Suess
Councilwoman Corry
Councilman Johnson
Mayor Carr
Councilman Levine

Nays: None

Absent: Councilman Bolds

Motion Carried Unanimously

Passed: October 17, 2005

Published: October 18, 2005