

ORDINANCE NO. F-1128

**AN ORDINANCE ANNEXING CERTAIN TERRITORY
TO THE CITY OF WHEATON, ILLINOIS
26W575 EMBDEN LANE - SMITH**

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 January 9, 2006, to consider the terms and conditions of the proposed annexation agreement; and

WHEREAS, an annexation agreement dated February 6, 2006, among the City and Catherine A. Smith ("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 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:

Lot #28 in Wiesbrook's Subdivision, being a Subdivision in Section 30, Township 39 North, Range 10 East of the Third Principal Meridian according to the plat thereof, recorded as Document # 793559 on March 21, 1956, in DuPage County, Illinois. P.I.N. 05-30-302-009

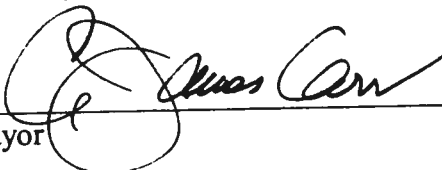
The subject property is commonly known 26W575 Embden Lane, Wheaton, IL 60187.

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.

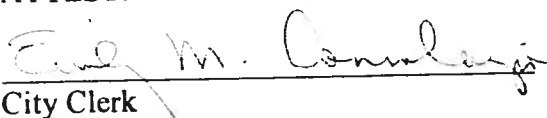
Section 5: All ordinances or parts of ordinances in conflict with these provisions are repealed.

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

Nays: None

Absent: None

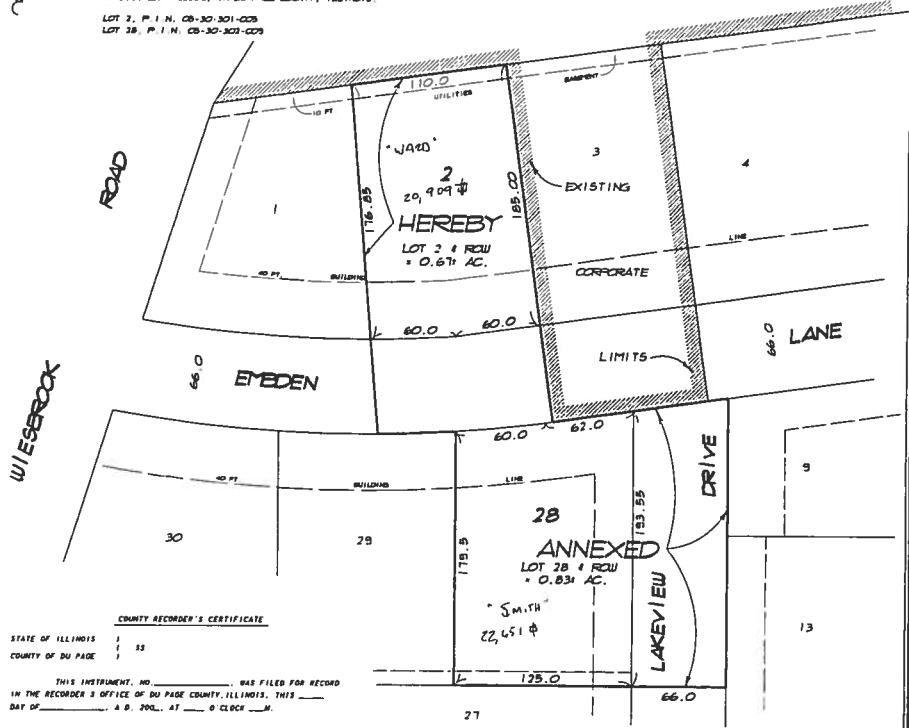
Motion Carried Unanimously

Passed: January 6, 2006
Published: January 7, 2006

PLAT OF ANNEXATION TO THE CITY OF WHEATON

LOT 3 AND THAT PORTION OF EMBDEN LANE LYING EAST OF THE WESTERLY LINE OF SAID LOT 2 AND EXTENDED SOUTH AND LYING WEST OF THE EASTERLY LINE OF SAID LOT 3 AS EXTENDED SOUTH AND ALSO LOT 28 AND THAT PORTION OF LAKEVIEW DRIVE LYING NORTH OF THE SOUTH LINE OF SAID LOT 28 AS EXTENDED EAST, ALL IN WEISBROCK'S SUBDIVISION, BEING A SUBDIVISION IN THE SOUTHWEST QUARTER OF SECTION 28, TOWNSHIP 33 NORTH, RANGE 9 EAST OF THE THIRD PRINCIPAL MERIDIAN, AND IN THE SOUTHWEST QUARTER OF SECTION 30, TOWNSHIP 33 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED PAREN 27, 1996 AS DOCUMENT 193593, IN DU PAGE COUNTY, ILLINOIS.

LOT 2, P. 1 N. CO-30-301-028
LOT 28, P. 1 N. CO-30-302-029



COUNTY RECORDER'S CERTIFICATE
STATE OF ILLINOIS)
COUNTY OF DU PAGE) SS

THIS INSTRUMENT, NO. _____, WAS FILED FOR RECORD IN THE RECORDER'S OFFICE OF DU PAGE COUNTY, ILLINOIS, THIS _____ DAY OF _____, A.D., 200__, AT _____ O'CLOCK _____.

COUNTY RECORDER

CITY OF WHEATON CERTIFICATE
STATE OF ILLINOIS)
COUNTY OF DU PAGE) SS

THE ANNEXED PLAT IS IDENTIFIED AS REPRESENTATIVE OF THE PROPERTY INCORPORATED INTO AND MADE A PART OF THE CITY OF WHEATON, AS PER ORDINANCE NO. _____, ADOPTED BY THE MAYOR AND CITY COUNCIL, DATED THIS _____ DAY OF _____, A.D., 200__.

CITY OF WHEATON

ATTEST _____ CITY CLERK

MAYOR

LOT 2 PROPERTY ADDRESS - 26806 EMBDEN LANE, WHEATON, ILLINOIS.
LOT 28 PROPERTY ADDRESS - 26815 EMBDEN LANE, WHEATON, ILLINOIS.

SUBMITTED BY & RETURN TO
CITY OF WHEATON
305 W. BEELEY AVE.
WHEATON, IL. 60187

STATE OF ILLINOIS)
COUNTY OF DU PAGE) SS

THIS IS TO CERTIFY THAT WE, STEINBRECHER LAND SURVEYORS, INC., PROFESSIONAL ENGINEERING AND LAND SURVEYING DESIGN FIRM NO. 184-00326, HAVE PREPARED THE PLAT DRAWN HEREON FOR THE PURPOSE OF ANNEXATION TO THE CITY OF WHEATON WEST CHICAGO, ILLINOIS, NOVEMBER 23, 2005.



Steinbrecher Land Surveyors, Inc.
Professional Engineering and Professional Land Surveying
Design Firm Corporation No. 184-00326
141 S. Neilson Blvd., West Chicago, IL 60057-2844
6301 293-8900 Fax 293-8902

STEINBRECHER LAND SURVEYORS, INC. By:
Richard S. Miller
PROFESSIONAL LAND SURVEYOR 3523
NY LICENSE EXPIRES NOVEMBER 30, 2006.