

PIN: 08-19-218-023

ADDRESS:
26W028 PARKSIDE ROAD
NAPERVILLE, IL 60540

PREPARED BY:
CITY OF NAPERVILLE
LEGAL DEPARTMENT
630/420-4170
400 SOUTH EAGLE STREET
NAPERVILLE, IL 60540

RETURN TO:
CITY OF NAPERVILLE
CITY CLERK/COMMUNITY SERVICES DEPT.
400 SOUTH EAGLE STREET
NAPERVILLE, IL 60540

PZC Case #24-1-046

ORDINANCE NO. 24 - _____

ORDINANCE ANNEXING CERTAIN PROPERTY
LOCATED AT 26W028 PARKSIDE ROAD

RECITALS

1. **WHEREAS**, Dong Hua Investment Company, LLC, 840 Equity Drive, Saint Charles, Illinois 60174, is the owner (referenced herein as “**Owner/Petitioner**”) of real property located at 26W028 Parkside Road, Naperville, Illinois 60540, legally described on Exhibit A and depicted on Exhibit B (“**Subject Property**”); and
2. **WHEREAS**, the Owner/Petitioner has petitioned the City of Naperville (“City”) for annexation of the Subject Property; and
3. **WHEREAS**, the Subject Property is not within the corporate limits of any municipality, but is contiguous to the City of Naperville and eligible for annexation; and
4. **WHEREAS**, all notices provided for by the Naperville Municipal Code, and all legal requirements for annexation pursuant to the provisions of 65 Illinois Compiled Statutes 5/7-1-1 *et seq.*, have been fully complied with; and

5. **WHEREAS**, the Owner/Petitioner has requested that the City approve this ordinance (“**Ordinance**”) along with ordinances approving an annexation agreement for the Subject Property, and rezoning of the Subject Property to R1A Low Density Single-Family Residence District (hereinafter cumulatively referenced herein as the “**26W028 Parkside Road Ordinances**”); and
6. **WHEREAS**, annexation of the Subject Property is contingent upon approval and recordation of an annexation agreement pertaining to the Subject Property; and
7. **WHEREAS**, the City Council of the City of Naperville has determined that annexation of the Subject Property should be approved as provided herein.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NAPERVILLE, DUPAGE AND WILL COUNTIES, ILLINOIS, in exercise of its home rule powers, as follows:

SECTION 1: The foregoing Recitals are incorporated as though fully set forth in this Section 1. All exhibits referenced in this Ordinance shall be deemed incorporated and made part hereof.

SECTION 2: Subject to approval, execution, and recordation of an annexation agreement pertaining to the Subject Property, the Subject Property described on **Exhibit A** and depicted on **Exhibit B** is hereby annexed by the City of Naperville.

SECTION 3: The Plat of Annexation for 26W028 Parkside Road, attached to this Ordinance as **Exhibit B**, is hereby approved.

SECTION 4: Subsequent to recordation of an annexation agreement as referenced herein, the City Clerk is authorized and directed to record this Ordinance, together with an accurate map of the territory annexed as depicted on the Plat of Annexation for 26W028

Parkside Road, attached to this Ordinance as **Exhibit B**, with the DuPage County Recorder and the DuPage County Clerk.

SECTION 5: If this Ordinance and the Annexation it approves are not recorded with the office of the Recorder in which the Subject Property is located within one (1) year of their approval and their passage by the Naperville City Council, this Ordinance and the Annexation shall be null and void without any further action by the City unless this Ordinance is amended by the City to extend such timeframe. The Petitioner/Owner shall defend, indemnify, and hold the City and its officers, agents and employees harmless if recordation does not occur within the original, or any extended, timeframe.

SECTION 6: If any section, paragraph, or provision of this Ordinance shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph, or provision, shall not affect any of the remaining provisions of this Ordinance or any other City ordinance, resolution, or provision of the Naperville Municipal Code. Technical and minor substantive revisions as deemed acceptable to the City Attorney may be made to this Ordinance and to the exhibits hereto prior to recordation with the office of the Recorder in which the Subject Property is located within.

SECTION 7: This Ordinance shall be in full force and effect after an annexation agreement for the Subject Property is executed and recorded.

PASSED this _____ day of _____, 2024.

AYES:

NAYS:

ABSENT:

APPROVED this _____ day of _____, 2024.

Scott A. Wehrli
Mayor

ATTEST:

Dawn C. Portner
City Clerk

STATE OF ILLINOIS)
) SS
DUPAGE COUNTY)

The undersigned hereby certifies that she is the City Clerk of the City of Naperville, and that, as such, she is the custodian of the records of the municipality and keeper of the journal of proceedings of the City Council; and she further certifies that the foregoing is a true and correct copy of Ordinance No. 24 - _____, duly enacted by the City Council of the City of Naperville at a regular meeting thereof on the _____ day of _____, 2024, and passed on roll call vote as shown on the foregoing; that she further certifies that due notice, as provided by law, of the consideration of ordinance was given to the Naperville Fire Protection District Trustees, the Naperville Library District Board of Trustees, the Lisle Township Board of Trustees, the Lisle Township Clerk, the Lisle Township Tax Assessor, the Lisle Township Highway Commissioner, and the Illinois Department of Transportation (IDOT) on _____, and she further certifies that there is no other public library district to which any notice is required to be given under the provisions of Section 5/7-1-8 of Chapter 65 of the Illinois Compiled Statutes.

DATED this _____ day of _____, 2024.

City Clerk

The above and foregoing certificate was subscribed and sworn to before me this ____ day of _____, 2024 .

Notary Public