

PIN: 08-19-401-001

ADDRESS:
806 SOUTH JULIAN STREET
NAPERVILLE, IL 60540

PREPARED BY:
CITY OF NAPERVILLE
LEGAL DEPARTMENT
630/420-4170

RETURN TO:
CITY OF NAPERVILLE
CITY CLERK'S OFFICE
400 SOUTH EAGLE STREET
NAPERVILLE, IL 60540

PZC Case #21-1-002

ORDINANCE NO. 21 -

**ORDINANCE ANNEXING CERTAIN PROPERTY
LOCATED AT 806 SOUTH JULIAN STREET (JULIAN WOODS)**

RECITALS

1. **WHEREAS**, Simon Frisch and Mona Gandhi, 440 North Halsted Street, Unit 3A, Chicago, Illinois 60642, are the owners and developers (hereinafter "**Owners**") of real property located at 806 South Julian Street, legally described on **Exhibit A** and depicted on **Exhibit B** ("**Subject Property**"); and
2. **WHEREAS**, Mathieson House, LLC d/b/a M House, 710 East Ogden Avenue, #250, Naperville, IL 60563, ("**Petitioner**") has petitioned the City of Naperville ("**City**") for approval of an annexation agreement and rezoning for the Subject Property and has been authorized by the Owners to submit the subject petition; 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 Owners and Petitioner have also sought approval of ordinances approving an annexation agreement and rezoning of the Subject Property which are the subject of separate ordinances and together with this ordinance are collectively referenced as the “**806 South Julian Street Ordinances**”; and
6. **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: The Plat of Annexation for 806 South Julian Street, attached to this Ordinance as **Exhibit B**, is hereby approved.

SECTION 3: 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 806 South Julian Street, attached to this Ordinance as **Exhibit B**, with the DuPage County Recorder and the DuPage County Clerk.

SECTION 4: The City Clerk is authorized and directed to record the 806 South Julian Street Ordinances, and their exhibits, with the DuPage County Recorder upon completed

execution thereof in the following order: (1) Annexation Ordinance; (2) Annexation Agreement Ordinance; and (3) Rezoning Ordinance.

SECTION 5: 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.

SECTION 6: This Ordinance shall be in full force and effect upon its passage and approval.

PASSED this _____ day of _____, 2021.

AYES:

NAYS:

ABSENT:

APPROVED this _____ day of _____, 2021.

Steve Chirico
Mayor

ATTEST:

Pam Gallahue, Ph.D.
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. 21 - _____, duly enacted by the City Council of the City of Naperville at a regular meeting thereof on the _____ day of _____, 2021, 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 Trustees of the Naperville Fire Protection District, the Trustees of Lisle Library District, the Lisle Township Highway Commissioner, the Lisle Township Board of Trustees, the Lisle Township Supervisor, the Lisle Township Assessor and the Lisle Township Clerk 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 _____, 2021.

City Clerk

The above and foregoing certificate was subscribed and sworn to before me this ____ day of _____, 2021.

Notary Public