

**PINs: 08-08-106-009, 08-08-106-010**

**ADDRESS:  
5S275 AND 5S311 NAPERVILLE/WHEATON ROAD  
NAPERVILLE, IL 60563**

**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 #18-1-114**

**ORDINANCE NO. 19 -**

**ORDINANCE ANNEXING CERTAIN PROPERTY LOCATED AT  
5S275 AND 5S311 NAPERVILLE/WHEATON ROAD (LEIGH SUBDIVISION)**

**WHEREAS**, Naperville Wheaton LLC (“Owner”) is the owner of the real property located on the east side of Naperville/Wheaton Road, south of Ogden Avenue (Leigh Subdivision) which is legally described on **Exhibit A** and depicted on **Exhibit B** (“Subject Property”), and has petitioned the City of Naperville (“City”) for annexation of the Subject Property; and

**WHEREAS**, the Subject Property is not within the corporate limits of any municipality, but is contiguous to the City of Naperville and is eligible for annexation; and

**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, including but not limited to notification of the proposed annexation to the Naperville Fire Protection District, the Lisle Township Board of

Trustees, the Lisle Library Board of Trustees, and the Lisle Township Highway Commissioner; and

**WHEREAS**, annexation of the Subject Property is contingent upon approval and recordation of an annexation agreement pertaining to the Subject Property; and

**WHEREAS**, in addition to seeking approval of the annexation provided for herein, Petitioner has also requested City approval of ordinances approving an annexation agreement, rezoning, and a preliminary plat of subdivision for the Subject Property; and

**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 here. 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 the Subject Property, 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 Leigh

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

**SECTION 5:** This Ordinance shall be shall be in full force and effect after an annexation agreement for the Subject Property is executed and recorded with the DuPage County Recorder.

PASSED this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

AYES:

NAYS:

ABSENT:

APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

ATTEST:

\_\_\_\_\_  
Steve Chirico  
Mayor

\_\_\_\_\_  
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. 19 - \_\_\_\_\_, duly enacted by the City Council of the City of Naperville at a regular meeting thereof on the \_\_\_\_\_ day of \_\_\_\_\_, 2019, 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, the Lisle Township Board of Trustees, the Lisle Library Board of Trustees, and the Lisle Township Highway Commissioner 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 \_\_\_\_\_, 2019.

\_\_\_\_\_

City Clerk

The above and foregoing certificate was subscribed and sworn to before me this \_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_

Notary Public