

PINs:
See "Exhibit A"

ADDRESS:
29W771 79th STREET
NAPERVILLE, IL 60564

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 #17-1-094

ORDINANCE NO. 19 - _____

**AN ORDINANCE AMENDING ORDINANCE 18-087 BY APPROVING
AN AMENDED PRELIMINARY/FINAL PLAT OF SUBDIVISION FOR
CERTAIN PROPERTY LOCATED AT 29W771 79TH STREET
(WORLD MISSIONS SOCIETY CHURCH OF GOD)**

WHEREAS, World Missions Society Church of God is the owner ("Owner") of real property located on the east side of Route 59, south of 79th Street, commonly known as 29W771 79th Street, Naperville, Illinois, and legally described on **Exhibit A** and depicted on **Exhibit B** ("Subject Property"); and

WHEREAS, in 2017, the Owner petitioned for approval of PZC Case 17-1-094, including annexation, rezoning, variances, and subdivision of the Subject Property; and

WHEREAS, City Council passed Ordinance 18-087 approving the Preliminary/Final Plat of Subdivision for World Missions Society Church of God; and

WHEREAS, Ordinance 18-087 has not yet been recorded with the DuPage County Recorder; and

WHEREAS, the Illinois Department of Transportation has requested that the Preliminary/Final Plat of Subdivision for World Missions Society Church of God be amended to include a note regarding restriction of access from the Subject Property onto Illinois Route 59; and

WHEREAS, the Owner is therefore requesting approval of an amended Preliminary/Final Plat of Subdivision for World Missions Society Church of God which will include the requested note; and

WHEREAS, the City Council of the City of Naperville has determined that Ordinance 18-087 should be amended to replace the previously approved Preliminary/Final Plat of Subdivision for World Missions Society Church of God with the amended Preliminary/Final Plat of Subdivision for World Missions Society Church of God 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 amended Preliminary/Final Plat of Subdivision for World Missions Society Church of God attached to this Ordinance as **Exhibit B** is hereby approved. Except as otherwise provided herein, all other terms and provisions set forth in Ordinance 18-087 shall remain in full force and effect.

SECTION 3: This Ordinance is subject to all conditions and requirements set forth in the Naperville Municipal Code, as amended from time to time.

SECTION 4: The City Clerk is authorized and directed to record this Ordinance and the attached amended Preliminary/Final Plat of Subdivision for World Missions Society Church of God with the DuPage County Recorder upon its being fully executed and submitted to the City by the Owner.

SECTION 5: The Subject Property shall not be permitted to be connected to City utilities until the amended Preliminary/Final Plat of Subdivision for World Missions Society Church of God, in the form attached hereto as **Exhibit B**, has been recorded with the DuPage County Recorder.

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.

SECTION 7: This Ordinance shall be in full force and effect upon its passage and approval.

PASSED this _____ day of _____, 2019.

AYES:

NAYS:

ABSENT:

APPROVED this _____ day of _____, 2019.

Steve Chirico
Mayor

ATTEST:

Pam Gallahue, Ph. D.
City Clerk