

PIN:
07-01-15-400-002-0000

PROPERTY ADDRESS:
10826-10846 S. BOOK 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 # DEV-0033-2025

ORDINANCE NO. 25 - ____

**ORDINANCE ANNEXING CERTAIN PROPERTY
LOCATED AT 10826-10846 S. BOOK ROAD
(THE RESERVES OF SADDLE CREEK)**

RECITALS

1. **WHEREAS**, Doug Overstreet, with a mailing address of 7245 Regal Oak Court, Yorkville, IL 60560 ("**Petitioner**"), has petitioned the City of Naperville ("**City**") for annexation of the real property located at 10826-10846 S. Book Road, Naperville, Illinois, 60564 and legally described on **Exhibit A** and depicted on **Exhibit B** ("**Subject Property**").
2. **WHEREAS**, Book Road 1006600 LLC, with offices at 7245 Regal Oak Court, Yorkville, IL 60560 ("**Owner**"), is the owner of the Subject Property and has authorized the Petitioner to submit the request.
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.

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.
5. **WHEREAS**, the Petitioner has requested that the City approve this ordinance approving annexation for the Subject Property ("**Ordinance**") along with ordinances approving an annexation agreement for the Subject Property, rezoning of the Subject Property to R1A (Low Density Single Family Residence District), a preliminary/final plat of subdivision with a subdivision deviation from the ninety-percent rule, a variance to the rear yard setback, and a deviation from the City's Design Manual for Public Improvements (hereinafter cumulatively referenced herein as the "**The Reserves of Saddle Creek Ordinances**").
6. **WHEREAS**, annexation of the Subject Property is contingent upon approval and recordation of an annexation agreement pertaining to the Subject Property.
7. **WHEREAS**, the Petitioners and the City have fully complied with the statutory and Naperville Municipal Code requirements required for approval of the requested annexation.
8. **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 10826-10846 S. Book 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 a certified copy of this Ordinance, together with an accurate map of the territory annexed as depicted on the Plat of Annexation for the Subject Property, attached to this Ordinance as **Exhibit B**, with the Will County Recorder and the Will 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 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 Will County Recorder.

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 _____, 2025.

AYES:

NAYS:

ABSENT:

APPROVED this _____ day of _____, 2025.

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. 25 - _____, duly enacted by the City Council of the City of Naperville at a regular meeting thereof on the _____ day of _____, 2025, 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 Plainfield Public Library District, the Plainfield Fire Protection District, the Wheatland Township Board of Trustees, the Wheatland Township Tax Assessor, the Wheatland Township Tax Collector, the Wheatland 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 _____, 2025.

City Clerk

The above and foregoing certificate
was subscribed and sworn to before
me this ____ day of _____, 2025.

Notary Public