

PINs: 01-14-300-005, 01-14-300-013

**ADDRESS:
11007 S. BOOK ROAD
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 #18-1-001

ORDINANCE NO. 18 -

**ORDINANCE ANNEXING CERTAIN PROPERTY LOCATED AT
11007 S. BOOK ROAD (ENCLAVE ON BOOK)**

WHEREAS, Zion Evangelical Lutheran Church ("Owner") is the owner of the real property located on the east side of Book Road, north of Hassert Boulevard (Enclave on Book) legally described as Parcel A on **Exhibit A** and JHL Developments LLC ("Owner") is the owner of the real property legally described as Parcel B on **Exhibit A**, collectively referred to as the subject property depicted on **Exhibit B** ("Subject Property");

WHEREAS, JHL Developments LLC ("Petitioner") has filed a petition for annexation of the Subject Property into the City of Naperville ("City"); 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 Naperville Library District, the Wheatland Township Board of Trustees, the Wheatland Township Tax Assessor, and the Wheatland 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, a preliminary/final plat of subdivision, and a variance to the interior side yard setback requirements on 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 the Enclave on Book Ordinances, 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 Enclave on Book, attached to this Ordinance as **Exhibit B**, with the Will County Recorder and the Will County Clerk.

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 or resolution.

SECTION 6: This Ordinance shall be deemed passed upon approval of the City Council and shall be in full force and effect upon its recordation with the Will County Recorder.

PASSED this _____ day of _____, 2018.

AYES:

NAYS:

ABSENT:

APPROVED this _____ day of _____, 2018.

ATTEST:

Steve Chirico
Mayor

Pam Gallahue, Ph.D.
City Clerk

STATE OF ILLINOIS)
) SS
WILL 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. 18 - _____, duly enacted by the City Council of the City of Naperville at a regular meeting thereof on the _____ day of _____, 2018, 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 Naperville Library District, the Wheatland Township Board of Trustees, the Wheatland Township Tax Assessor, and the Wheatland 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 _____, 2018.

City Clerk

The above and foregoing certificate was subscribed and sworn to before me this ____ day of _____, 2018.

Notary Public