

PIN: 07-12-403-025

ADDRESS:  
1107 N. EAGLE 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 #21-1-074

ORDINANCE NO. 21 - \_\_\_\_\_

AN ORDINANCE APPROVING THE PRELIMINARY/FINAL PLAT OF SUBDIVISION  
AND THE OWNER'S ACKNOWLEDGEMENT AND ACCEPTANCE FOR  
JELINEK SUBDIVISION

RECITALS

1. **WHEREAS**, Lisle Ventures LLC ("**Petitioner**") has petitioned the City of Naperville ("**City**") for approval of a preliminary/final plat of subdivision of real property located at 1107 N. Eagle Street, legally described on Exhibit A and depicted on Exhibit B ("**Subject Property**"); and
2. **WHEREAS**, Susan Jelinek as Trustee of the Susan Jelinek Trust dated June 10, 2019 is the owner ("**Owner**") of the Subject Property; and
3. **WHEREAS**, the Owner has authorized the Petitioner to submit the above referenced petition on the Subject Property; and

4. **WHEREAS**, the Subject Property is currently zoned R1B (Medium Density Single-Family Residence District) and is improved with a single-family residence and associated driveway; and
5. **WHEREAS**, the Petitioner has petitioned the City of Naperville for approval of a Preliminary/Final Plat of Subdivision and the Owner's Acknowledgement and Acceptance for Jelinek Subdivision to allow for subdivision of the existing lot into two lots; and
6. **WHEREAS**, the City Council of the City of Naperville has determined that the Preliminary/Final Plat of Subdivision for Jelinek Subdivision 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 Preliminary/Final Plat of Subdivision for Jelinek Subdivision, attached to this Ordinance as **Exhibit B**, is hereby approved.

**SECTION 3:** The Owner's Acknowledgement and Acceptance (OAA), attached to this Ordinance as **Exhibit C**, is hereby approved.

**SECTION 4:** This Ordinance is subject to all conditions and requirements set forth in the Naperville Municipal Code, as amended from time to time.

**SECTION 5:** The City Clerk is authorized and directed to record this Ordinance, the Preliminary/Final Plat of Subdivision for the Jelinek Subdivision, and the Owner's

Acknowledgement and Acceptance (OAA) agreement approved by this Ordinance with the DuPage County Recorder upon confirmation from the City Engineer that the driveway reconfiguration and removal on Subject Property as set forth in Section 6 of the OAA have been completed and approved by the City.

**SECTION 6:** If this Ordinance, the preliminary/final plat of subdivision it approves, and the OAA are not recorded with the office of the Recorder in which the Subject Property is located within one (1) year of their approval by the Naperville City Council, this Ordinance, the preliminary/final plat of subdivision, and the OAA 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 Owner and Developer 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 7:** 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 8:** This Ordinance shall be in full force and effect upon its recordation with the DuPage County Recorder's Office.

PASSED this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

AYES:

NAYS:

ABSENT:

APPROVED this \_\_\_\_ day of \_\_\_\_\_, 2021.

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Steve Chirico  
Mayor

ATTEST:

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Pam Gallahue, Ph.D.  
City Clerk