

ORDINANCE NO. 22 –

**AN ORDINANCE AUTHORIZING EXECUTION OF AN AGREEMENT FOR
PURCHASE AND SALE OF REAL PROPERTY AND TEMPORARY CONSTRUCTION
EASEMENT FOR A PORTION OF THE PROPERTY
LOCATED AT 430 S. WASHINGTON STREET, NAPERVILLE, ILLINOIS**

1. **WHEREAS**, the City of Naperville (“**City**”) is undertaking reconstruction of the Washington Street Bridge located in the City’s downtown (the “**Project**”).
2. **WHEREAS**, North Central College (the “**Property Owner**”), owns certain real property located at 430 S. Washington Street depicted on **Exhibit A** and legally described on **Exhibit B** (the “**Property**”).
3. **WHEREAS**, to undertake the Project, it has been determined that it is necessary for the City to purchase a portion of the Property and acquire a temporary construction easement for the purposes and subject to the terms and conditions generally set forth in the Agreement for Purchase and Sale of Real Property and Grant of Temporary Construction Easement attached hereto as **Exhibit C**;
4. **WHEREAS**, pursuant to its home rule powers under the laws and Constitution of the State of Illinois, and pursuant to 65 ILCS 5/2-2-12 of the Illinois Municipal Code, the City is authorized to acquire and own real property for corporate purposes.
5. **WHEREAS**, the City Council has determined that it is necessary and appropriate in furtherance of the Project for the City to enter in the Agreement with the Property Owner as set forth herein.

NOW, THEREFORE, BE IT ORDAINED BY CITY COUNCIL OF THE CITY OF NAPERVILLE, DUPAGE AND WILL COUNTIES, ILLINOIS, in exercise of its home rule authority, as follows:

SECTION 1: The Recitals above are incorporated herein and made part hereof of this Section 1 as though fully set forth herein.

SECTION 2: The City Manager and the City Clerk of the City of Naperville are hereby authorized and directed to execute the Agreement attached hereto as **Exhibit C** subject to such technical and minor substantive revisions thereto as may be deemed acceptable to the City Attorney, and to execute all other documents necessary to complete the acquisition and grant of the property interests described in Recital 3 hereof.

SECTION 3: 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 4: This Ordinance shall be in full force and effect upon its passage and approval.

PASSED this _____ day of _____, 2022.

AYES:

NAYS:

ABSENT:

APPROVED this _____ day of _____, 2022.

Steve Chirico
Mayor

ATTEST:

Pam Gallahue, Ph.D.
City Clerk