

**ORDINANCE NO. 21 -**

**AN ORDINANCE APPROVING AN AGREEMENT TO RELEASE A COVENANT AND  
TO IMPOSE A REPLACEMENT COVENANT  
[1720 Quincy Avenue, Naperville, IL]**

**RECITALS**

1. **WHEREAS**, the owner of real property located at 1720 Quincy Avenue, Naperville, IL (“**Subject Property**”) and City of Naperville have agreed that the covenant contained in the “Assignment and Covenant Agreement” recorded with the DuPage County Recorder as Document No. R2016-108072 should be released and that a replacement covenant as set forth in the “Agreement to Release a Covenant and to Impose a Replacement Covenant” attached hereto should be recorded against the Subject Property; and
2. **WHEREAS**, the City of Naperville is a home rule unit of local government under the laws and Constitution of the State of Illinois and is exercising said authority 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.

**SECTION 2:** The “Agreement to Release a Covenant and to Impose a Replacement Covenant” attached hereto (hereinafter “**Agreement**”) is hereby approved.

**SECTION 3:** The City Manager is authorized and directed to execute the Agreement and the City Clerk is authorized to attest the same.

**SECTION 4:** 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 5:** The City Clerk is authorized and directed to record this Ordinance and the fully executed Agreement with the DuPage County Recorder.

**SECTION 6:** This Ordinance shall be in full force and effect upon its passage and approval.

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

AYES:

NAYS:

ABSENT:

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

\_\_\_\_\_  
Steve Chirico  
Mayor

ATTEST:

\_\_\_\_\_  
Pam Gallahue, Ph.D.  
City Clerk

**PIN:**