

**PIN:
07-13-424-006**

**ADDRESS:
110 S. WASHINGTON STREET
NAPERVILLE, ILLINOIS 60540**

**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 #18-1-077

ORDINANCE NO. 21 -

**AN ORDINANCE APPROVING A THIRD AMENDMENT TO THE
FINAL CONDOMINIUM PLAT OF SURVEY
FOR CENTRAL PARK PLACE RESIDENTIAL CONDOMINIUM
(110 S. WASHINGTON – FORMERLY KNOWN AS NICHOLS PLACE)**

RECITALS

1. **WHEREAS**, pursuant to Chapter 11 (Condominium Regulations) of Title 5 (Building Regulations) of the Naperville Municipal Code, Great Central Properties III, LLC, ("**Owner**" or "**Petitioner**"), has petitioned for approval of an amended condominium plat of survey to reflect as-built measurements affecting certain residential condominiums which are part of the residential component of Central Park Place, the 0.569-acre property located on the east side of Washington Street at 110 S. Washington Street, legally described on **Exhibit A** and depicted on **Exhibit B** ("**Subject Property**"); and
2. **WHEREAS**, on March 19, 2019, City Council passed Ordinance 19-036 approving the Preliminary/Final Plat of Subdivision and the Owner's Acknowledgement and

Acceptance Agreement for Central Park Place (f/k/a Nichols Place) to allow for the development of a four-story mixed used building with 11,828 square feet of retail on the first floor, seventeen (17) condominium units on the second, third, and fourth floors of the building and including parking associated with the residential condominium units which will be located on the lower level ("Lower Level") and first floor of said building on the Subject Property; and

3. **WHEREAS**, on June 16, 2020, the City Council passed Ordinance 20-066 approving a Vertical Subdivision Plat for Central Park Place Commercial Subdivision to delineate the commercial property located on the first floor of the building located on the Subject Property from the residential components of the building; and
4. **WHEREAS**, on June 16, 2020, City Council passed Ordinance 20-065 approving the Final Condominium Plat of Survey for Central Park Place residential condominiums in order to delineate the following components of the building to be located on the Subject Property which will be subject to the Condominium Property Act [765 ILCS 605/1 et seq.]: (i) seventeen (17) condominium units located on the second, third, and fourth floors of the building, (ii) limited common area including two parking spaces per residential unit to be located on the first floor and in the Lower Level of the building; (iii) common area to be located on the first floor; (iv) common area comprised of four guest parking spaces and bicycle parking to be located in the Lower Level of the building; and (v) common area to be located on the roof of the building; and
5. **WHEREAS**, on January 5, 2021, City Council passed Ordinance 21-003 approving the first amendment of the Final Condominium Plat of Survey for Central Park Place

residential condominiums in order to delineate the as-built measurements for five (5) of the seventeen (17) residential condominium units; and

6. **WHEREAS**, on April 20, 2021, the City Council passed Ordinance 20-040 approving the second amendment of the Final Condominium Plat of Survey for Central Park Place residential condominiums in order to delineate the as-built measurements for two (2) of the seventeen (17) residential condominium units; and
7. **WHEREAS**, Petitioner requests a third amendment to the Final Condominium Plat of Survey for Central Park Place residential condominium as reflected on **Exhibit B** attached to this ordinance in order to delineate the as-built measurements for ten (10) additional residential condominium units on the Subject Property; and
8. **WHEREAS**, the City Council has determined that the third amendment to the Final Condominium Plat of Survey for Central Park Place residential condominium attached to this Ordinance as **Exhibit B** 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 third amendment to the Final Condominium Plat of Survey for Central Park Place residential condominium attached hereto as **Exhibit B** is hereby approved.

SECTION 3: This Ordinance is subject to all conditions and requirements set forth in the Naperville Municipal Code, as amended from time to time.

SECTION 4: The City Clerk is authorized and directed to record the third amendment to the Final Condominium Plat of Survey for Central Park Place residential condominium attached hereto as **Exhibit B** with the DuPage County Recorder.

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, resolution, or provision of the Naperville Municipal Code.

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