

PIN:
07-01-20-200-006-0000

PROPERTY ADDRESS:
25013 & 20535 WEST 111TH STREET
NAPERVILLE, IL 60564

PREPARED BY:
CITY OF NAPERVILLE
LEGAL DEPARTMENT
630/420-4170
400 SOUTH EAGLE STREET
NAPERVILLE, IL 60540

RETURN TO:
CITY OF NAPERVILLE
CITY CLERK/COMMUNITY SERVICES DEPT.
400 SOUTH EAGLE STREET
NAPERVILLE, IL 60540

PZC Case # DEV-0010-2025

ORDINANCE NO. 25 - ____

**AN ORDINANCE APPROVING THE
PRELIMINARY PLAT OF SUBDIVISION FOR EVERLY TRACE SUBDIVISION**

RECITALS

1. **WHEREAS**, JMRV Naperville, LLC, an Illinois limited liability company, with a mailing address of 445 Jackson Avenue, Suite 200, Naperville, Illinois 60540 (“**Owner**” and “**Petitioner**”), owns real property located at 25013 & 20535 West 111th Street, Naperville, Illinois, 60564 and legally described on **Exhibit A** and depicted on **Exhibit B** (“**Subject Property**”), and has petitioned the City of Naperville (“**City**”) for approval of a Preliminary Plat of Subdivision.
2. **WHEREAS**, the City Council of the City Naperville has determined that the Preliminary Plat of Subdivision for Everly Trace should be approved as provided herein.

3. **WHEREAS**, the Petitioner has requested that the City approve this ordinance approving a Preliminary Plat of Subdivision for the Subject Property (“**Ordinance**”) along with ordinances approving an annexation agreement for the Subject Property, annexation of the subject property, rezoning of the Subject Property to Office, Commercial and Institutional District, and a conditional use for single-family attached dwellings and a variance to the corner side yard setback (hereinafter cumulatively referenced herein as the “**Everly Trace Ordinances**”).
4. **WHEREAS**, since the Subject Property is currently under lease to a tenant who uses the property as a landscape supply business, which is not a permitted use within the City’s OCI zoning district, the Petitioner has requested that the City delay recordation of the Everly Trace Ordinances with the Will County Recorder for a period of time not to exceed August 5, 2026 (the “**Recording Timeframe**”) in order to allow the tenant on the Subject Property to complete the duration of their lease period.
5. **WHEREAS**, subject to approval of the Everly Trace Ordinances, the City has agreed to the Recording Timeframe for their recordation with the Will County Recorder as set forth herein. In the event that all of the Everly Trace Ordinances are not recorded within the Recording Timeframe, the City and Petitioner agree that the Everly Trace Ordinances shall not become effective, shall not be recorded, and shall be deemed to be automatically void and of no force or effect with no further action being taken by the City or Petitioner.
6. **WHEREAS**, the City Council has determined that it is in the best interests of the City to approve the Preliminary Plat of Subdivision for Everly Trace 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: If recordation of the Everly Trace Ordinances, including but not limited to this Ordinance, does not occur within the Recording Timeframe as provided herein, then said Ordinances shall be deemed to be automatically null and void without any further action being required by the City or the Petitioner. Petitioner has acknowledged that in no event shall the City be liable or responsible in any manner or for any claim if the Everly Trace Ordinances are not recorded within the Recording Timeframe.

SECTION 3: Subject to approval, execution, and recordation of the Everly Trace Ordinances within the Recording Timeframe, the Preliminary Plat of Subdivision for Everly Trace, attached to this Ordinance as **Exhibit B** ("**Preliminary Plat of Subdivision**"), 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: Upon confirmation from the City Attorney that the terms and conditions set forth or referenced herein have been fulfilled, the City Clerk is authorized and directed to record this Ordinance, together with the exhibits attached hereto, with the Will County Recorder.

SECTION 6: 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. Technical and minor substantive revisions as deemed acceptable to the City Attorney may be made to this Ordinance and to the exhibits hereto prior to recordation with the office of the Will County Recorder.

SECTION 7: This Ordinance shall be in full force and effect upon its recordation with the Will County Recorder.

PASSED this _____ day of _____, 2025.

AYES:

NAYS:

ABSENT:

APPROVED this _____ day of _____, 2025.

Scott A. Wehrli
Mayor

ATTEST:

Dawn C. Portner
City Clerk