

**PINS:**

08-08-106-041  
08-08-106-042  
08-08-202-065  
08-08-202-066  
08-08-202-067  
08-08-202-068  
08-08-202-069  
08-08-400-003  
08-08-400-008  
08-08-400-009  
08-08-400-010  
08-08-202-032

**PROPERTY ADDRESSES:**

5S371 NAPERVILLE ROAD  
5S351 TUTHILL ROAD  
25W372 BURLINGTON AVE  
25W354 BURLINGTON AVE  
25W424 BURLINGTON AVE  
25W344 PLANK RD  
5S445 TUTHILL RD  
5S321 TUTHILL RD  
NAPERVILLE, IL 60563

**PREPARED BY:**

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

**RETURN TO:**

CITY OF NAPERVILLE  
CITY CLERK'S OFFICE  
400 SOUTH EAGLE STREET  
NAPERVILLE, IL 60540

PZC Case # DEV-0104-2025

**ORDINANCE NO. 25 - \_\_\_\_**

**AN ORDINANCE APPROVING THE FINAL PLAT OF SUBDIVISION  
AND THE OWNER'S ACKNOWLEDGEMENT AND ACCEPTANCE FOR  
THE RESIDENCES AT NAPER AND PLANK**

**[THE RESIDENCES AT NAPER AND PLANK]**

**RECITALS**

1. **WHEREAS**, Naper and Plank Owner LLC, 8111 Douglas Ave, Suite 600, Dallas, TX 75225 is the owner and developer (“**Owner**” and “**Developer**”) of various portions of the real property legally described on **Exhibit A** and depicted on **Exhibit B** (“**Subject Property**”).
2. **WHEREAS**, the Owner has authorized Gen-Land LLC, a Texas limited liability company and wholly owned subsidiary of Lincoln Property Company Commercial LLC, a Texas Corporation limited liability company, 120 N. LaSalle Street, Suite 2900, Chicago, Illinois 60602 (“**Petitioner**”), to seek entitlements to allow construction of a 90-unit townhome and rowhome community to be known as the Residences at Naper and Plank (“**The Residences at Naper and Plank**”).
3. **WHEREAS**, the Petitioner has petitioned the City of Naperville for approval of a Final Plat of Subdivision of The Residences at Naper and Plank to re-subdivide the Subject Property into three lots.
4. **WHEREAS**, on July 15, 2025, City Council approved the following ordinances relating The Residences at Naper and Plank: (i) Ordinance 25-069 annexing certain property into the City of Naperville for The Residences at Naper and Plank; (ii) Ordinance 25-070 approving an annexation agreement for The Residences at Naper and Plank; (iii) Ordinance 25-071 rezoning certain property located at the intersections of Naper Boulevard, Plank Road, Tuthill Road, Burlington Avenue, and Naperville-Wheaton Road for The Residences at Naper and Plank; (iv) Ordinance 25-072 approving a Preliminary Plat of Subdivision for The Residences at Naper and Plank; (v) Ordinance 25-073 granting a Conditional Use for a Planned Unit Development, a Preliminary Planned Unit Development Plat, and associated

deviations for The Residences at Naper and Plank; and, (vi) Ordinance 25-074 granting deviations from the City of Naperville Design Manual for Public Improvements for The Residences at Naper and Plank (together hereinafter referenced as the “**The Residences at Naper and Plank Preliminary Ordinances**”).

5. **WHEREAS**, the Final Plat of Subdivision of The Residences at Naper and Plank is in substantial conformance with the Preliminary Plat of Subdivision of The Residences at Naper and Plank approved through Ordinance 25-072.
6. **WHEREAS**, the City and the Owner and Developer have negotiated an Owner’s Acknowledgement and Acceptance Agreement for The Residences at Naper and Plank attached hereto as **Exhibit C**.
7. **WHEREAS**, subject to development of The Residences at Naper and Plank in the manner described in the Owner’s Acknowledgement and Acceptance Agreement, the City Council of the City of Naperville has determined that the Petitioner’s requests should be granted as provided herein.
8. **WHEREAS**, subject to development of the Subject Property in the manner described in the Owner’s Acknowledgement and Acceptance Agreement, the City Council of the City of Naperville has determined that the Final Plat of Subdivision of The Residences at Naper and Plank 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 Final Plat of Subdivision of The Residences at Naper and Plank, attached to this Ordinance as **Exhibit B**, is hereby approved.

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

**SECTION 4:** The approvals granted herein are subject to development of The Residences at Naper and Plank in the manner described in the Owner's Acknowledgement and Acceptance Agreement attached hereto as **Exhibit C**.

**SECTION 5:** This Ordinance is subject to all conditions and requirements set forth in the Naperville Municipal Code, as amended from time to time.

**SECTION 6:** The City Clerk is authorized and directed to record this Ordinance, the Final Plat of Subdivision of The Residences at Naper and Plank, and the Owner's Acknowledgement and Acceptance Agreement approved by this Ordinance with the DuPage County Recorder.

**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. 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 Recorder in which the Subject Property is located within.

**SECTION 8:** This Ordinance shall be in full force and effect upon its passage and approval.

PASSED this \_\_\_\_\_ day of \_\_\_\_\_, 2025.

AYES:

NAYS:

ABSENT:

APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 2025.

\_\_\_\_\_  
Scott A. Wehrli  
Mayor

ATTEST:

\_\_\_\_\_  
Dawn C. Portner  
City Clerk