

**PIN:**  
**07-13-423-009**

**ADDRESS:**  
**41 W. JEFFERSON AVE.**  
**NAPERVILLE, IL 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 #18-1-004**

**ORDINANCE NO. 18 - \_\_\_\_\_**

**AN ORDINANCE AUTHORIZING EXECUTION OF THE COST SHARING AGREEMENT  
BETWEEN THE CITY OF NAPERVILLE AND JEFFERSON & MAIN LLC  
FOR THE R. R. BREITWIESER CORNER SUBDIVISION**

**WHEREAS**, Jefferson & Main LLC (“Owner and Developer”) is the owner and developer of the property located at 41 W. Jefferson Avenue, commonly known as the R. R. Breitwieser Corner Subdivision (“Subject Property”).

**WHEREAS**, the Owner and Developer proposes to develop the SUBJECT PROPERTY with a 3,290 square-foot commercial building.

**WHEREAS**, in addition to streetscape improvements required to be performed in conjunction with the redevelopment of the SUBJECT PROPERTY pursuant to the provisions of the Naperville Municipal Code, including but not limited to the Naperville Downtown 2030 Plan, as well as enhanced streetscape improvements not currently required by the City’s Code, the OWNER AND DEVELOPER has agreed, at the CITY’S request, to install and construct certain other improvements adjacent to the SUBJECT PROPERTY

subject to reimbursement therefor by the City of Naperville as provided in the Cost Sharing Agreement Between the City Of Naperville and Jefferson & Main LLC For the R. R. Breitwieser Corner Subdivision, attached hereto as Exhibit A (“Cost Sharing Agreement”).

**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 here in this Section 1. All exhibits referenced in this Ordinance shall be deemed incorporated and made part hereof.

**SECTION 2:** The Cost Sharing Agreement attached to this Ordinance as **Exhibit A** is hereby approved.

**SECTION 3:** The City Manager and City Clerk are directed to execute the Cost Sharing Agreement on behalf of the City.

**SECTION 4:** The City Clerk is directed to record the Cost Sharing Agreement with the DuPage County Recorder as provided herein.

**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 \_\_\_\_\_, 2018.

AYES:

NAYS:

ABSENT:

APPROVED this \_\_\_\_ day of \_\_\_\_\_, 2018.

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Steve Chirico  
Mayor

ATTEST:

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Pam Gallahue, Ph. D.  
City Clerk