

PINs:
08-07-313-010; 011; 012

ADDRESS:
815 CENTER ST.
35 E. 8TH AVE.

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 #18-1-014

ORDINANCE NO. 18 - _____

**AN ORDINANCE APPROVING
THE PRELIMINARY/FINAL PLAT OF SUBDIVISION AND
OWNER'S ACKNOWLEDGEMENT AND ACCEPTANCE (OAA)
FOR CENTER PLACE SUBDIVISION**

WHEREAS, Oak Creek Capital Partners, LLC ("Petitioner"), has petitioned the City of Naperville for approval of a Preliminary/Final Plat of Subdivision for the 0.431 acre property located at 815 Center Street, and 35 E. 8th Avenue, legally described on **Exhibit A** and depicted on **Exhibit B** ("Subject Property"); and

WHEREAS, the Subject Property is currently comprised of 2 lots; and

WHEREAS, the Preliminary/Final Plat of Subdivision for Center Place Subdivision seeks to reconfigure the original two lots at the Subject Property resulting in no net increase in buildable lots for the purpose of developing two duplex dwelling units on the Subject Property; and

WHEREAS, the City Council of the City of Naperville has determined that the Preliminary/Final Plat of Subdivision for Center Place Subdivision 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 here. All exhibits referenced in this Ordinance shall be deemed incorporated and made part hereof.

SECTION 2: The Preliminary/Final Plat of Subdivision for Center Place Subdivision , attached to this Ordinance as **Exhibit B**, is hereby approved.

SECTION 3: Subject to the terms and conditions set forth and referenced herein, and upon confirmation by the City Attorney that Petitioner has acquired the Subject Property as provided herein and that all other parties thereto have fully executed the same, the City Manager is directed to execute, and the City Clerk is directed to attest, the Owner's Acknowledgement and Acceptance Agreement for Center Place Subdivision, attached to this Ordinance as **Exhibit C**.

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 DuPage 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.

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

PASSED this _____ day of _____, 2018.

AYES:

NAYS:

ABSENT:

APPROVED this _____ day of _____, 2018.

Steve Chirico
Mayor

ATTEST:

Pam Gallahue, Ph. D.
City Clerk