

PIN: 08-18-207-003

ADDRESS:
26W161 OLD PLANK ROAD
NAPERVILLE, IL 60563

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 #16-1-174

ORDINANCE NO. 17 - ____

ORDINANCE ANNEXING CERTAIN PROPERTY LOCATED AT
26W161 OLD PLANK ROAD

WHEREAS, Weasel Enterprises, LLC. was the prior owner of real property located at 26W161 Old Plank Road legally described on Exhibit A and depicted on Exhibit B ("Subject Property"), and filed the petition with the City of Naperville ("City") for annexation of the Subject Property; and

WHEREAS, Pulte Home Company, LLC. ("Petitioner") purchased the real property located at 26W161 Old Plank Road; and

WHEREAS, the Subject Property is not within the corporate limits of any municipality, but is contiguous to the City of Naperville and eligible for annexation; and

WHEREAS, all notices provided for by the Naperville Municipal Code, and all legal requirements for annexation pursuant to the provisions of 65 Illinois Compiled Statutes 5/7-1-1 *et seq.*, have been fully complied with, including but not limited to notification of the proposed annexation to the Naperville Fire Protection District, Lisle Fire Protection District,

the Lisle Library District, the Lisle Township Board of Trustees, the Lisle Township Tax Assessor, and the Lisle Township Highway Commissioner; and

WHEREAS, annexation of the Subject Property is contingent upon approval and recordation of an annexation agreement pertaining to the Subject Property; and

WHEREAS, the City Council of the City of Naperville has determined that annexation of the Subject Property 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: Subject to approval, execution, and recordation of an annexation agreement pertaining to the Subject Property, the Subject Property described on **Exhibit A** and depicted on **Exhibit B** is hereby annexed by the City of Naperville.

SECTION 3: The Plat of Annexation for the Subject Property, attached to this Ordinance as **Exhibit B**, is hereby approved.

SECTION 4: Subsequent to recordation of an annexation agreement as referenced herein, the City Clerk is authorized and directed to record this Ordinance, together with an accurate map of the territory annexed as depicted on the Plat of Annexation for the Subject Property, attached to this Ordinance as **Exhibit B**, with the DuPage County Recorder and the DuPage County Clerk.

SECTION 5: This Ordinance shall be in full force and effect after an annexation agreement for the Subject Property is executed and recorded.

PASSED this _____ day of _____, 2017.

AYES:

NAYS:

ABSENT:

APPROVED this _____ day of _____, 2017.

ATTEST:

Steve Chirico
Mayor

Pam Gallahue, Ph.D.
City Clerk

STATE OF ILLINOIS)
) SS
DUPAGE COUNTY)

The undersigned hereby certifies that she is the City Clerk of the City of Naperville, and that, as such, she is the custodian of the records of the municipality and keeper of the journal of proceedings of the City Council; and she further certifies that the foregoing is a true and correct copy of Ordinance No. 17 - _____, duly enacted by the City Council of the City of Naperville at a regular meeting thereof on the _____ day of _____, 2016, and passed on roll call vote as shown on the foregoing; that she further certifies that due notice, as provided by law, of the consideration of ordinance was given to the Naperville Fire Protection District, Lisle Fire Protection District, the Lisle Library District, the Lisle Township Board of Trustees, the Lisle Township Tax Assessor, and the Lisle Township Highway Commissioner on _____, and she further certifies that there is no other public library district to which any notice is required to be given under the provisions of Section 5/7-1-8 of Chapter 65 of the Illinois Compiled Statutes.

DATED this _____ day of _____, 2017.

City Clerk

The above and foregoing certificate was subscribed and sworn to before me this ____ day of _____, 2017.

Notary Public