

PINS:
07-12-214-013
07-12-209-024

PROPERTY ADDRESSES:
27W240 AND 27W280 BAUER ROAD
NAPERVILLE, IL 60563

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-0162-2025

ORDINANCE NO. 26 - ____

**ORDINANCE ANNEXING CERTAIN PROPERTY LOCATED AT
27W240 AND 27W280 BAUER ROAD (BAUER ROAD DUPLEXES)**

RECITALS

1. **WHEREAS**, Hawkeye Property Holdings LLC, with offices at 522 N Washington Street, Naperville, IL 60563 ("**Owner**" and "**Petitioner**"), owns real property located at 27W240 and 27W280 Bauer Road, Naperville, IL 60563 which is legally described on **Exhibit A** and depicted on **Exhibit B** ("**Subject Property**"), and has petitioned the City of Naperville ("**City**") for annexation of the Subject Property.
2. **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.
3. **WHEREAS**, upon annexation Petitioner intends to construct three duplex buildings for a total of six dwelling units, a driveway, and surface parking on the Subject Property.

4. **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.
5. **WHEREAS**, the Petitioner has requested that the City approve this ordinance approving annexation for the Subject Property (“**Ordinance**”) along with ordinances approving an annexation agreement for the Subject Property, rezoning of the Subject Property to TU (Transitional Use District) upon annexation, a preliminary/final plat of subdivision, and a variance to permit a maximum rear yard coverage of 45% (together hereinafter referenced herein as the “**Bauer Road Duplexes Ordinances**”).
6. **WHEREAS**, the Petitioner and the City have fully complied with the statutory and Naperville Municipal Code requirements required for approval of the requested annexation.
7. **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 in this Section 1. All exhibits referenced in this Ordinance shall be deemed incorporated and made part hereof.

SECTION 2: The Plat of Annexation for the Subject Property, attached to this Ordinance as **Exhibit B**, is hereby approved.

SECTION 3: The City Clerk is authorized and directed to record a certified copy of 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 and to thereafter record with the DuPage County Recorder certified copies of the remainder of the Bauer Road Duplexes Ordinances, with their exhibits, in the following order: Annexation Agreement, Rezoning, Preliminary/Final Plat of Subdivision and Variance.

SECTION 4: If certified copies of the Bauer Road Duplexes Ordinances, and their exhibits, are not recorded with the DuPage County Recorder within one (1) year of their passage and approval by the Naperville City Council, this Ordinance and the Annexation shall be null and void without any further action by the City.

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. 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 DuPage County Recorder.

SECTION 6: This Ordinance shall be in full force and effect upon its passage and approval.

PASSED this _____ day of _____, 2026.

AYES:

NAYS:

ABSENT:

APPROVED this _____ day of _____, 2026.

Scott A. Wehrli
Mayor

ATTEST:

Dawn C. Portner
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. 26 - _____, duly enacted by the City Council of the City of Naperville at a regular meeting thereof on the _____ day of _____, 2026, 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 Trustees, the Naperville Township Board of Trustees, the Naperville Township Clerk, the Naperville Township Supervisors, the Naperville Township Tax Assessor, the Naperville Township Highway Commissioner, the Naperville Library District Board of Trustees, and the Illinois Department of Transportation (IDOT) 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 _____, 2026.

City Clerk

The above and foregoing certificate
was subscribed and sworn to before
me this ____ day of _____, 2026.

Notary Public