

PIN: 08-29-104-014

ADDRESS:
25W462 75TH STREET
NAPERVILLE, IL 60565

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

RETURN TO:
CITY OF NAPERVILLE
COMMUNITY SERVICES OFFICE/
CITY CLERK'S OFFICE
400 SOUTH EAGLE STREET
NAPERVILLE, IL 60540

PZC Case #23-1-007

ORDINANCE NO. 23 - _____

**AN ORDINANCE ANNEXING CERTAIN PROPERTY LOCATED AT
25W462 75TH STREET AND COMMONLY KNOWN AS FOREST MEADOWS**

RECITALS

1. **WHEREAS**, Greene Valley 75, LLC, an Illinois limited liability company, 8S330 College Road, Naperville, Illinois, 60540 (referenced herein as "**Owner/Petitioner**") has petitioned the City of Naperville ("**City**") for annexation of an approximately 1.53 acre parcel of real property located at 25W462 75th Street in unincorporated DuPage County, legally described on **Exhibit A** and depicted on **Exhibit B** ("**Subject Property**") for a development comprised of thirty-eight (38) multi-family dwelling units to be known as Forest Meadows ("**Forest Meadows**").
2. **WHEREAS**, the Owner/Petitioner and the City have fully complied with the statutory and Naperville Municipal Code requirements required for approval of the requested annexation; and

3. **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.
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**, Owner/Petitioner has requested the City approve this ordinance annexing the Subject Property ("**Ordinance**"), along with ordinances approving an annexation agreement for the Subject Property, rezoning of the Subject Property to OCI (Office, Commercial and Institutional District) following annexation, and a conditional use for multi-family residential and variances to increase permissible building height and residential density for the Subject Property (hereinafter together referenced as the "**Forest Meadows Ordinances**").
6. **WHEREAS**, subject to the terms and conditions set forth and referenced herein, 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: Subject to approval, execution, and recordation of the Forest Meadows Ordinances, including but not limited to 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 Forest Meadows, attached to this Ordinance as **Exhibit B**, is hereby approved.

SECTION 4: 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 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: 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 DuPage County Recorder.

SECTION 6: This Ordinance shall be in full force and effect upon its recordation with the DuPage County Recorder.

SECTION 7: If this Ordinance is not recorded within one (1) year of the City Council approval of this Ordinance, this Ordinance shall be automatically null and void and all rights and obligations hereunder shall then terminate.

PASSED this _____ day of _____, 2023.

AYES:

NAYS:

ABSENT:

APPROVED this _____ day of _____, 2023.

Scott A. Wehrli
Mayor

ATTEST:

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. 23 - _____, duly enacted by the City Council of the City of Naperville at a regular meeting thereof on the _____ day of _____, 2023, 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 Library District Board of Trustees; the Lisle Township Board of Trustees, Clerk, Tax Assessor; the Lisle Township Highway Commissioner; and, 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 _____, 2023.

City Clerk

The above and foregoing certificate was subscribed and sworn to before me this ____ day of _____, 2023.

Notary Public