



GROUP EXHIBIT A

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May 12, 2023

Mayor Wehrli and City Council
City of Naperville
400 S Eagle Street
Naperville, IL 60540

Re: Conveyance of Outlot H in Naper Commons – Phase 2
PIN 05-32-306-001

Dear Mayor Wehrli and Members of the City Council:

In accordance with Naperville's Land/Cash Dedication Ordinance, and in accordance with an agreement between Naperville Park District and Pulte Home Corporation, LLC that was previously accepted by the City of Naperville, Pulte is to dedicate 2.06 acres of parkland, known as "Outlot H," that will serve as a Neighborhood Park in the Naper Commons subdivision.

As part of the agreement between the Park District and Pulte (in order to serve the earliest new residents), Pulte granted the Park District easement rights to construct a playground and basketball court on approximately 1/3 of the site (with Pulte responsible to install the turf on the remaining 2/3). After working closely with Pulte, the Park District has determined that the Neighborhood Park site is now in satisfactory condition and the District is ready to have Pulte formally convey ownership of Outlot H to the Park District (through the City, as per Ordinance). (We note for the sake of transparency that Pulte has agreed to assist with any turf restoration that is required following this spring's growing season.) We have reviewed the title report and the draft deed and both are acceptable.

In accordance with the City's dedication procedures, the Park District has duly adopted an ordinance declaring the need for the Park (copy attached). The Naperville Park District requests the City of Naperville accept the deed from Pulte and thereafter convey the property to the Park District.

Thank you for your assistance and continued commitment to this Ordinance.

Sincerely yours,



Derke J. Price

cc: Board of Park District Commissioners
Executive Director Brad Wilson\

Enclosure

ORDINANCE NO. 1034

**DECLARING NECESSITY OF USE AND AUTHORIZING
THE TRANSFER OF PROPERTIES FOR
THE BENEFIT OF THE NAPERVILLE PARK DISTRICT**

WHEREAS, the City of Naperville (“City”) is a constitutional unit of local government that owns certain property commonly known as Outlot H (a Neighborhood Park in Naper Commons Subdivision); and

WHEREAS, the Naperville Park District (“District”) is an Illinois Park District and unit of local government that owns various properties throughout City of Naperville that it uses for various park and recreation purposes; and

WHEREAS, the City has previously approved that real estate development commonly known as the Naper Commons Subdivision (“Naper Commons”); and

WHEREAS, as part of the development of Naper Commons, the City, pursuant to the City’s Code of Ordinances, required the developer dedicate certain land within the subdivision for park and recreation purposes and convey title to the same to the City in anticipation of conveyance by the City to the District; and

WHEREAS, in furtherance of its obligations to the City, the developer has transferred to the City the fee simple title to that parcel of land commonly known as Outlot H, 2323 Weatherbee Drive, Naperville, Illinois, 60563 and legally described as follows:

OUTLOT H IN NAPER COMMONS – PHASE 2 SUBDIVISION, BEING A PART OF SOUTH HALF OF SECTION 32, TOWNSHIP 39 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED AUGUST 26, 2021 AS DOCUMENT NO. R2021-128708 IN DUPAGE COUNTY, ILLINOIS

Permanent Index Number of Real Estate: 05-32-306-001 (“Outlot H”); and

WHEREAS, the City and the District are municipalities as defined in Section 1 (c) of “An Act in Relation To The Transfer Of Interests In Real Estate By Units Of Local Governments Or School Districts,” 50 ILCS 605/1(c) (hereinafter the “Transfer Act”); and

WHEREAS, Section 2 of the Transfer Act authorizes the conveyance of real property from one municipality to another municipality upon a two-thirds vote of the corporate authorities of the transferor municipality (in this case, the City); and

WHEREAS, as a condition precedent to a conveyance under Section 2 of the Transfer Act, the transferee municipality (in this case, the District) must first declare by ordinance “that it is necessary or convenient for it to use, occupy or improve” the real estate held by the transferor municipality; and

WHEREAS, in accordance with the requirements of Section 2 of the Transfer Act, the District, as transferee municipality, hereby declares that it is necessary or convenient for the District to use, occupy, or improve Outlot H.

NOW, THEREFORE, BE IT ORDAINED BY THE NAPERVILLE PARK DISTRICT BOARD OF PARK COMMISSIONERS, DUPAGE AND WILL COUNTIES, ILLINOIS, as follows:

1. Incorporation of Recitals. All recitals set forth in the preamble above are hereby fully incorporated in this resolution as if set forth in their entirety in this Section 1.
2. Declaration of Necessity or Convenience. The District hereby declares that it is necessary or convenient for the District to use, occupy or improve Outlot H.
3. Approval of Documents. The President and Board Secretary of the Naperville Park District are hereby authorized and directed to execute such documents as necessary to accomplish the transfer of title to Outlot H to the District.
4. Effective Date. This Ordinance shall take full effect immediately upon its passage. All previous ordinances, resolutions, motions, and orders of the Naperville Park District Board of Park Commissioners in conflict herewith are hereby repealed to the extent of such conflict.
5. Severability. If any portion of this Ordinance shall be determined to be invalid by a court of competent jurisdiction in the State of Illinois, the remaining portions of this Ordinance shall remain full force and affect.

PASSES this 11th day of May, 2023.

AYES: 5
NAYS: 0
ABSENT: 1

APPROVED this 11th day of May, 2023.



President

ATTEST:


Secretary

STATE OF ILLINOIS)
) SS
COUNTY OF DUPAGE)

As secretary to the Board of Park Commissioners, Naperville Park District, in DuPage and Will Counties, Illinois, and keeper of the records and files thereof, I do hereby certify the foregoing to be a true and correct copy of Ordinance No. 1034, Declaring Necessity of Use and Authorizing the Transfer of Properties for the Benefit of the Naperville Park District, adopted by the Board of Park Commissioners at their Regular Meeting held at the Fort Hill Activity Center building in Naperville, Illinois on the 11th day of May, 2023, with 5 () in favor and 0 (), and 0 () abstentions and 1 () absent.

All of which appears from the records and the proceedings of said Board of Park Commissioners now in my office remaining. Given under my hand and official seal in Naperville, Illinois, this 11th day of May, 2023.

(SEAL)



By: _____

[Signature]
Secretary
Naperville Board of Park Commissioners
Naperville Park District
DuPage and Will Counties
320 West Jackson Avenue
Naperville, Illinois 60540