

PIN: 07-13-426-009

ADDRESS:  
415 JACKSON AVE  
NAPERVILLE, IL 60540

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 #22-1-094

ORDINANCE NO. 23 - \_\_\_\_\_

AN ORDINANCE APPROVING THE PRELIMINARY/FINAL PLAT OF SUBDIVISION  
AND THE OWNER'S ACKNOWLEDGEMENT AND ACCEPTANCE FOR  
RIVERWALK PLACE

RECITALS

1. **WHEREAS**, Randy Mueller of Mikols Construction ("**Petitioner**") has petitioned the City of Naperville for approval of a preliminary/final plat of subdivision on the real property located at 415 Jackson Avenue, Naperville, Illinois, legally described on Exhibit A and depicted on Exhibit B ("**Subject Property**"); and
2. **WHEREAS**, Mandel and Associates, Inc. ("**Owner**") is the Owner of the Subject Property; and
3. **WHEREAS**, with the authorization of the Owner, Petitioner has petitioned the City of Naperville for approval of a preliminary/final plat of subdivision for the Riverwalk Place to consolidate two (2) lots into one (1) lot to allow for the development of a four (4) story multi-family residential building with six (6) condominium units on the Subject Property; and

4. **WHEREAS**, the City Council of the City of Naperville has determined that the preliminary/final plat of subdivision for Riverwalk Place 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 preliminary/final plat of subdivision for Riverwalk Place, attached to this Ordinance as **Exhibit B**, is hereby approved.

**SECTION 3:** The owner's acknowledgement and acceptance agreement, attached to this Ordinance as **Exhibit C**, is hereby approved.

**SECTION 4:** The landscape plan, attached to this Ordinance as **Exhibit D**, is hereby approved.

**SECTION 5:** The building elevations, attached to this Ordinance as **Exhibit E**, are hereby approved.

**SECTION 6:** This Ordinance is subject to all conditions and requirements set forth in the Naperville Municipal Code, as amended from time to time.

**SECTION 7:** The City Clerk is authorized and directed to record this Ordinance, the preliminary/final plat of subdivision for Riverwalk Place, and the owner's acknowledgement and acceptance agreement, approved by this Ordinance, with the DuPage County Recorder.

**SECTION 8:** If this Ordinance and preliminary/final plat of subdivision it approves are not recorded with the DuPage County Recorder within one (1) year of their approval and passage by the Naperville City Council, this Ordinance and the preliminary/final plat of subdivision shall be null and void without any further action by the City unless this Ordinance is amended by the City to extend such timeframe. The Petitioner shall defend, indemnify, and hold the City and its officers, agents and employees harmless if recordation does not occur within the original, or any extended, timeframe.

**SECTION 9:** 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 Recorder in which the Subject Property is located within.

**SECTION 10:** This Ordinance shall be in full force and effect upon its passage and approval.

PASSED this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

AYES:

NAYS:

ABSENT:

APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

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Steve Chirico  
Mayor

ATTEST:

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Pam Gallahue, Ph.D.  
City Clerk