

**PIN:
07-13-430-044**

**ADDRESS:
41 W. JEFFERSON AVE. #109
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**

ORDINANCE NO. 19 -

**AN ORDINANCE APPROVING A RIGHT-OF-WAY
ENCROACHMENT AGREEMENT TO PERMIT A BLADE SIGN FOR
CINNAHOLICS AT 41 W. JEFFERSON AV.**

WHEREAS, Karen Dodge with Municipal Resolutions on behalf of Cinnaholics, ("Petitioner"), has submitted an application to permit the installation of a blade sign at the real property located at 41 W. Jefferson Avenue, Suite 109, Naperville, Illinois, legally described on **Exhibit A** ("Subject Property"); and

WHEREAS, the Owner of the Subject Property, Jefferson & Main LLC, 510 White Oak Drive, Naperville, IL 60540, has consented to the current petition; and

WHEREAS, the blade sign, as proposed, will overhang the public right-of-way adjacent to the Subject Property, as generally depicted on **Exhibit B**; and

WHEREAS, the City Council of the City of Naperville has determined that the requested encroachment into the public right-of-way 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 herein. All exhibits referenced in this Ordinance shall be deemed incorporated and made part hereof.

SECTION 2: The encroachments into the public rights-of-way, as generally depicted on **Exhibit B**, are hereby approved, subject to the following conditions:

1. The Petitioner shall enter into a Right-of-Way Encroachment Agreement with the City, to be executed by the City Manager, with 60 days of approval of this Ordinance by the City Council.
2. The Director of Transportation, Engineering, and Development and Public Utilities – Electric shall have the authority to approve the final location of the blade sign provided that it is within the general vicinity shown on **Exhibit B**.

SECTION 3: This Ordinance is subject to all conditions and requirements set forth in the Naperville Municipal Code, as amended from time to time.

SECTION 4: The City Clerk is authorized and directed to record this Ordinance with the DuPage County Recorder.

SECTION 5: This Ordinance shall be in full force and effect upon its passage and approval.

PASSED this _____ day of _____, 2019.

AYES:

NAYS:

ABSENT:

APPROVED this ____ day of _____, 2019.

Steve Chirico
Mayor

ATTEST:

Pam Gallahue, Ph. D.
City Clerk