

PINs: see Exhibit A

ADDRESS:

**504 COMMONS ROAD
NAPERVILLE, IL 60563**

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 #17-1-150

ORDINANCE NO. 18 -

**AN ORDINANCE APPROVING THE FINAL PLAT OF SUBDIVISION AND THE
OWNER'S ACKNOWLEDGEMENT AND ACCEPTANCE (OAA) FOR
AVENIDA**

WHEREAS, BCT, LLC ("Owner") is the owner of the real property located at the southwest corner of Mill Street and Commons Road (504 Commons Road), legally described on **Exhibit "A"** and depicted on **Exhibit "B"** ("Subject Property"); and

WHEREAS, Avenida Senior Living, LLC ("Petitioner") is the contract purchaser of the Subject Property; and

WHEREAS, the Petitioner has petitioned the City of Naperville for approval of a final plat of subdivision for Avenida to consolidate the Subject Property from 38 single-family size lots and associated vacated right-of-way into one buildable lot in order to construct a 146 unit age-restricted residential building; and

WHEREAS, on September 19, 2017, the City Council adopted Ordinance No. 17-145 approving the preliminary plat of subdivision for Avenida; and

WHEREAS, the proposed final plat of subdivision for Avenida is in substantial conformance with the preliminary plat of subdivision approved by Ordinance No. 17-145; and

WHEREAS, the City Council of the City of Naperville has determined that the final plat of subdivision for Avenida 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 here. All Exhibits referenced in this Ordinance shall be deemed incorporated and made part hereof.

SECTION 2: The final plat of subdivision for Avenida, attached to this Ordinance as **Exhibit B**, is hereby approved.

SECTION 3: The Owner's Acknowledgement and Acceptance (OAA) for Avenida, attached to this Ordinance as **Exhibit C**, is hereby approved.

SECTION 4: This Ordinance is subject to all conditions and requirements set forth in the Naperville Municipal Code, as amended from time to time.

SECTION 5: The City Clerk is authorized and directed to record this Ordinance and its Exhibits with the DuPage County Recorder.

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

PASSED this _____ day of _____, 2018.

AYES:

NAYS:

ABSENT:

APPROVED this _____ day of _____, 2018.

Steve Chirico
Mayor

ATTEST:

Pam Gallahue, Ph. D.
City Clerk