

PINS:
07-13-106-006
07-13-106-007

ADDRESSES:
231 & 241 N. WEST ST
NAPERVILLE, IL

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

RETURN TO:
CITY OF NAPERVILLE
CITY CLERK/COMMUNITY SERVICES DEPT.
400 SOUTH EAGLE STREET
NAPERVILLE, IL 60540

PZC Case #23-1-132

ORDINANCE NO. 24 - ____

**AN ORDINANCE APPROVING THE PRELIMINARY/FINAL PLAT OF SUBDIVISION
AND THE OWNER'S ACKNOWLEDGEMENT AND ACCEPTANCE AGREEMENT FOR
WEST STREET EXECUTIVE HOMES**

RECITALS

1. **WHEREAS**, C&M Land, LLC, an Illinois limited liability company, 159 Sea Hammock Way, Ponte Vedra Beach, FL 32082 ("**Petitioner**") has petitioned the City of Naperville for approval of a Preliminary/Final Plat of Subdivision for the West Street Executive Homes for the real property located at 231 and 241 N. West Street, Naperville, Illinois, legally described on **Exhibit A** and depicted on **Exhibit B** ("**Subject Property**").
2. **WHEREAS**, C & M Land L.L.C., an Illinois limited liability company, with an office at 231 N. West St., Lower Unit, Naperville, IL 60540 (as to 241 N. West Street); and Michael R. Jones, Trustee of the Michael R. Jones Declaration of Trust dated

December 29, 2005, and Cathy Henderson Jones, Trustee of the Cathy Henderson Jones Declaration of Trust dated December 29, 2005, of 159 Sea Hammock Way, Ponte Vedra Beach, FL 32082 (as to 231 N. West Street) (“**Owner**”), are the owners of the Subject Property.

3. **WHEREAS**, the Petitioner has petitioned the City of Naperville for approval of a Preliminary/Final Plat of Subdivision of West Street Executive Homes in order to resubdivide the Subject Property into two lots (“**Lot 1**” and “**Lot 2**”) and construct two duplexes on Lot 1.
4. **WHEREAS**, an Owner’s Acknowledgement and Acceptance Agreement between the City and Owner is included with the Ordinance.
5. **WHEREAS**, the City Council of the City of Naperville has determined that the Preliminary/Final Plat of Subdivision of West Street Executive Homes 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 of West Street Executive Homes, 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: 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, the Preliminary/Final Plat of Subdivision of West Street Executive Homes, and the Owners Acknowledgement and Acceptance Agreement, approved by this Ordinance, with the DuPage County Recorder.

SECTION 6: 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 7: This Ordinance shall be in full force and effect upon its passage and approval.

PASSED this _____ day of _____, 2024.

AYES:

NAYS:

ABSENT:

APPROVED this _____ day of _____, 2024.

Scott A. Wehrli
Mayor

ATTEST:

Dawn C. Portner
City Clerk