

**PIN:  
08-28-301-009**

**ADDRESS:  
24W560 77<sup>TH</sup> STREET  
NAPERVILLE, IL 60565**

**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 #19-1-140**

**ORDINANCE NO. 20 -**

**AN ORDINANCE APPROVING THE FINAL PLAT OF SUBDIVISION AND THE  
OWNER'S ACKNOWLEDGEMENT AND ACCEPTANCE FOR  
FOR THE 77<sup>TH</sup> STREET PROJECT**

**RECITALS**

1. **WHEREAS**, Wehrl Place, LLC is the owner ("**Owner**") of real property located at 24W560 77<sup>th</sup> Street, Naperville as legally described on **Exhibit A** and depicted on **Exhibit B** ("**Subject Property**"); and
2. **WHEREAS**, Oak Creek Capital Partners, LLC ("**Petitioner**") has petitioned the City of Naperville ("**City**") for approval of a final plat of subdivision to allow for the development of ten (10) single-family homes on the Subject Property; and
3. **WHEREAS**, the Final Plat of Subdivision for 77<sup>th</sup> Street Project is in substantial conformance with the Preliminary Plat of Subdivision approved through Ordinance 19-145; and
4. **WHEREAS**, the City Council of the City of Naperville has determined that the Final Plat of Subdivision for 77<sup>th</sup> Street Project 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 Final Plat of Subdivision for the 77th Street Project, attached to this Ordinance as **Exhibit B**, is hereby approved.

**SECTION 3:** The Owner's Acknowledgement and Acceptance, 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 Final Plat of Subdivision for the 77<sup>th</sup> Street Project, and the Owners Acknowledgement and Acceptance, 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.

**SECTION 7:** This Ordinance shall be in full force and effect upon its recordation with the DuPage County Recorder.

PASSED this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

AYES:

NAYS:

ABSENT:

APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

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Steve Chirico  
Mayor

ATTEST:

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Pam Gallahue, Ph. D.  
City Clerk