

PIN: 08-19-218-022

ADDRESS:  
1081 PARKSIDE ROAD  
NAPERVILLE, IL 60540

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 #24-1-047

ORDINANCE NO. 24 - \_\_\_\_\_

ORDINANCE ANNEXING CERTAIN PROPERTY  
LOCATED AT 1081 PARKSIDE ROAD

RECITALS

1. **WHEREAS**, Daniel Popiela and Rachel Popiela, 2 Carr 459 KM 12.4 Bo Jobos, Isabela, PR 00662, are the owners (referenced herein as “**Owners/Petitioners**”) of real property located at 1081 Parkside Road, Naperville, Illinois 60540, legally described on **Exhibit A** and depicted on **Exhibit B** (“**Subject Property**”); and
2. **WHEREAS**, the Owners/Petitioners have petitioned the City of Naperville (“City”) for annexation of the Subject Property; and
3. **WHEREAS**, the Subject Property is not within the corporate limits of any municipality, but is contiguous to the City of Naperville and eligible for annexation; and
4. **WHEREAS**, all notices provided for by the Naperville Municipal Code, and all legal requirements for annexation pursuant to the provisions of 65 Illinois Compiled Statutes 5/7-1-1 *et seq.*, have been fully complied with; and

5. **WHEREAS**, the Owners/Petitioners have requested that the City approve this ordinance (“**Ordinance**”) along with ordinances approving an annexation agreement for the Subject Property, and rezoning of the Subject Property to R1A Low Density Single-Family Residence District (hereinafter cumulatively referenced herein as the “**1081 Parkside Road Ordinances**”); and
6. **WHEREAS**, annexation of the Subject Property is contingent upon approval and recordation of an annexation agreement pertaining to the Subject Property; and
7. **WHEREAS**, the City Council of the City of Naperville has determined that annexation of the Subject Property 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:** Subject to approval, execution, and recordation of an annexation agreement pertaining to the Subject Property, the Subject Property described on **Exhibit A** and depicted on **Exhibit B** is hereby annexed by the City of Naperville.

**SECTION 3:** The Plat of Annexation for 1081 Parkside Road, attached to this Ordinance as **Exhibit B**, is hereby approved.

**SECTION 4:** Subsequent to recordation of an annexation agreement as referenced herein, the City Clerk is authorized and directed to record this Ordinance, together with an accurate map of the territory annexed as depicted on the Plat of Annexation for 1081

Parkside Road, attached to this Ordinance as **Exhibit B**, with the DuPage County Recorder and the DuPage County Clerk.

**SECTION 5:** If this Ordinance and the Annexation it approves are not recorded with the office of the Recorder in which the Subject Property is located within one (1) year of their approval and their passage by the Naperville City Council, this Ordinance and the Annexation 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 Petitioners/Owners 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 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 office of the Recorder in which the Subject Property is located within.

**SECTION 7:** This Ordinance shall be in full force and effect after an annexation agreement for the Subject Property is executed and recorded.

PASSED this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

AYES:

NAYS:

ABSENT:

APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

---

Scott A. Wehrli  
Mayor

ATTEST:

---

Dawn C. Portner  
City Clerk

STATE OF ILLINOIS    )  
                                  ) SS  
DUPAGE COUNTY        )

The undersigned hereby certifies that she is the City Clerk of the City of Naperville, and that, as such, she is the custodian of the records of the municipality and keeper of the journal of proceedings of the City Council; and she further certifies that the foregoing is a true and correct copy of Ordinance No. 24 - \_\_\_\_\_, duly enacted by the City Council of the City of Naperville at a regular meeting thereof on the \_\_\_\_\_ day of \_\_\_\_\_, 2024, and passed on roll call vote as shown on the foregoing; that she further certifies that due notice, as provided by law, of the consideration of ordinance was given to the Naperville Fire Protection District Trustees, the Naperville Library District Board of Trustees, the Lisle Township Board of Trustees, the Lisle Township Clerk, the Lisle Township Tax Assessor, the Lisle Township Highway Commissioner, and the Illinois Department of Transportation (IDOT) on \_\_\_\_\_, and she further certifies that there is no other public library district to which any notice is required to be given under the provisions of Section 5/7-1-8 of Chapter 65 of the Illinois Compiled Statutes.

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

\_\_\_\_\_  
City Clerk

The above and foregoing certificate was subscribed and sworn to before me this \_\_\_\_ day of \_\_\_\_\_, 2024 .

\_\_\_\_\_  
Notary Public