

PINs: 08-08-106-009, 08-08-106-010

**ADDRESS:
5S275 AND 5S311 NAPERVILLE/WHEATON 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 #18-1-114

ORDINANCE NO. 19 -

**AN ORDINANCE AUTHORIZING THE EXECUTION OF AN
ANNEXATION AGREEMENT FOR THE PROPERTY LOCATED AT
5S275 AND 5S311 NAPERVILLE/WHEATON ROAD (LEIGH SUBDIVISION)**

WHEREAS, Naperville Wheaton LLC ("Owner") is the owner of the real property located on the east side of Naperville/Wheaton Road, south of Ogden Avenue (Leigh Subdivision) which is legally described on **Exhibit A** and depicted on **Exhibit B** ("Subject Property"), and has petitioned the City of Naperville ("City") for annexation of the subject property; and

WHEREAS, the Petitioner is ready, willing, and able to enter into an annexation agreement and to perform the obligations required herein and as set forth in the Naperville Municipal Code ("Code"), as amended from time to time; and

WHEREAS, in addition to seeking approval of the Annexation Agreement provided for herein, Petitioner has also requested City approval of ordinances approving annexation, rezoning, a preliminary plat of subdivision on the Subject Property; and

WHEREAS, the Petitioner and the City of Naperville have fully complied with the statutory and Code provisions required for the approval and execution of an annexation agreement; and

WHEREAS, the City Council of the City of Naperville has determined that it is in the best interests of the City of Naperville to enter into the Annexation Agreement attached hereto as **Exhibit C**.

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 authority, 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 Mayor is authorized and directed to execute, and the City Clerk is authorized and directed to attest, the Annexation Agreement for Leigh Subdivision attached hereto as **Exhibit C**.

SECTION 3: The City Clerk is authorized and directed to record this Ordinance and the Annexation Agreement for Leigh Subdivision, and its exhibits, with the DuPage County Recorder upon completed execution thereof.

SECTION 4: 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