

PIN:
08-19-212-007

PROPERTY ADDRESS:
870 PRAIRIE AVENUE
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

DEV-0088-2025

ORDINANCE NO. 25 - ____

**AN ORDINANCE APPROVING THE PRELIMINARY/FINAL PLAT OF SUBDIVISION
AND THE OWNER'S ACKNOWLEDGEMENT AND ACCEPTANCE AGREEMENT FOR
THE RIZZO SUBDIVISION**

RECITALS

1. **WHEREAS**, Anthony F. Rizzo and Kim L. Rizzo ("**Petitioners**" and "**Owners**") are the owners of real property located at 870 Prairie Avenue, Naperville, Illinois, legally described on **Exhibit A** and depicted on **Exhibit B** ("**Subject Property**").
2. **WHEREAS**, on December 16, 2025, the City Council of the City of Naperville approved Ordinance 25-_____, Vacating a Portion of the White Oak Drive Right-of-Way between Prairie Avenue and Hillside Road ("**Vacated ROW**"). A portion of said Vacated ROW is adjacent to the Subject Property.

3. **WHEREAS**, the Petitioners have petitioned the City of Naperville for approval of a Preliminary/Final Plat of Subdivision for the Rizzo Subdivision in order to consolidate a portion of the Vacated ROW into the Subject Property.
4. **WHEREAS**, the Preliminary/Final Plat of Subdivision for the Rizzo Subdivision will not result in the creation of any new buildable lots on the Subject Property.
5. **WHEREAS**, the Preliminary/Final Plat of Subdivision for the Rizzo Subdivision, attached to this Ordinance as **Exhibit B**, complies with the requirements set forth in Title 7 (Subdivision Regulations) of the Naperville Municipal Code.
6. **WHEREAS**, an Owner's Acknowledgement and Acceptance Agreement containing provisions including but not limited to requirements related to park and school donation fees, right-of-way vacation compensation, and shared engineering improvements is attached to this Ordinance as **Exhibit C**.
7. **WHEREAS**, the City Council of the City of Naperville has determined that the Preliminary/Final Plat of Subdivision for the Rizzo Subdivision and the Owner's Acknowledgement and Acceptance Agreement 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 for the Rizzo Subdivision, attached to this Ordinance as **Exhibit B**, is hereby approved but shall take effect only upon its recordation with the Office of the DuPage County Recorder as provided herein.

SECTION 3: The Owner's Acknowledgement and Acceptance Agreement, attached to this Ordinance as **Exhibit C**, is hereby approved but shall take effect only upon its recordation with the Office of the DuPage County Recorder.

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

SECTION 5: Upon direction from the City Attorney the City Clerk is authorized and directed to record this Ordinance, the Preliminary/Final Plat of Subdivision for the Rizzo Subdivision, and the Owner's 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 recordation with the Office of the DuPage County Recorder.

PASSED this _____ day of _____, 2025.

AYES:

NAYS:

ABSENT:

APPROVED this _____ day of _____, 2025.

Scott A. Wehrli
Mayor

ATTEST:

Dawn C. Portner
City Clerk