

PIN: 08-19-401-005

**ADDRESS:
836 SOUTH JULIAN STREET
NAPERVILLE, IL 60540**

**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 #21-1-029

ORDINANCE NO. 21 -

**AN ORDINANCE REVOKING ORDINANCES 21-052, 21-053, 21-054, and 21-055
PERTAINING TO REAL PROPERTY LOCATED AT
836 SOUTH JULIAN STREET**

RECITALS

1. **WHEREAS**, on May 18, 2021 the following ordinances were approved by the Naperville City Council pertaining to certain real property located at 836 Julian Street in unincorporated Naperville which property is legally described on **Exhibit A** and depicted on **Exhibit B** ("**Subject Property**"): Ordinance 21-052 Authorizing an Annexation Agreement; Ordinance 21-053 Annexing the Subject Property; Ordinance 21-054 Rezoning the Subject Property; and Ordinance 21-055 Approving the Preliminary/Final Plat of Subdivision for the Subject Property (hereinafter also referenced as the "**May 18, 2021 Ordinances**"); and

2. **WHEREAS**, notice of the proposed annexation of the Subject Property was published as required by law, however individual notices to other districts was not completed as required by law.
3. **WHEREAS**, it is necessary to republish and provide notice of the proposed annexation of the Subject Property, in addition to ordinances approving an annexation agreement (and scheduling a public hearing thereon), rezoning, and a preliminary/final plat of subdivision for the Subject Property all of which will be noticed for the City Council meeting scheduled for June 15, 2021; and
4. **WHEREAS**, the May 18, 2021 Ordinances did not take effect upon passage, but were to become effective upon their recordation; and
5. **WHEREAS**, the City Council has determined that it is in the best interests of the City and owners of the Subject Property that it is made clear that the May 18, 2021 Ordinances will never take effect and should therefore be revoked.

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 May 18, 2021 Ordinances pertaining to the Subject property are hereby revoked in their entirety: Ordinance 21-052 Authorizing an Annexation Agreement; Ordinance 21-053 Annexing the Subject Property; Ordinance 21-054 Rezoning the Subject Property; and Ordinance 21-055 Approving the Preliminary/Final Plat of Subdivision for the Subject Property.

SECTION 3: 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 4: The City Clerk is authorized and directed to record this Ordinance, or to allow recordation of this Ordinance, as directed by the City Attorney.

SECTION 5: This Ordinance shall be in full force and effect upon its passage and approval.

PASSED this _____ day of _____, 2021.

AYES:

NAYS:

ABSENT:

APPROVED this _____ day of _____, 2021.

Steve Chirico
Mayor

ATTEST:

Pam Gallahue, Ph.D.
City Clerk