

PIN: 08-28-200-022

ADDRESS:  
8S201 COLLEGE ROAD  
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 #21-1-101

**ORDINANCE NO. 22 -**

**ORDINANCE ANNEXING CERTAIN PROPERTY  
LOCATED AT 8S201 COLLEGE ROAD (TIMEC RESUBDIVISION)**

**RECITALS**

1. **WHEREAS**, Christopher B. Burke and Susan Burke, 8S201 College Road, Naperville, IL 60540, are the owners and developers (hereinafter "**Owners**") of real property located at 8S201 College Road, Naperville, Illinois, legally described on **Exhibit A** and depicted on **Exhibit B** ("**Subject Property**"); and
2. **WHEREAS**, Edmund Burke, 8S201 College Road, Naperville, IL 60540, ("**Petitioner**") has petitioned the City of Naperville ("**City**") for annexation, approval of an annexation agreement, rezoning, a preliminary/final plat of subdivision, and a subdivision deviation for the Subject Property and has been authorized by the Owners to submit the subject petition; 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 and Petitioner have also sought an annexation agreement, rezoning, a preliminary/final plat of subdivision, and subdivision deviation for the Subject Property which are the subject of separate ordinances and together with this ordinance are collectively referenced as the “**8S201 College 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 8S201 College Road, attached to this Ordinance as **Exhibit B**, is hereby approved.

**SECTION 4:** 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 8S201 College Road, attached to this Ordinance as **Exhibit B**, with the DuPage County Recorder and the DuPage County Clerk.

**SECTION 5:** The City Clerk is authorized and directed to record the 8S201 College Road Ordinances, and their exhibits, with the DuPage County Recorder upon completed execution thereof in the following order: (1) Annexation Ordinance; (2) Annexation Agreement Ordinance; (3) Rezoning Ordinance; (4) Subdivision Deviation and Preliminary/Final Plat Ordinance.

**SECTION 6:** If recordation of the 8S201 College Road Ordinances, including but not limited to this Ordinance, does not occur within one (1) year of their approval by the Naperville City Council, then said Ordinances shall be deemed to be automatically null and void and of no force and effect without any further action being required by the City unless this Ordinance is amended by the City to extend such timeframe. The Owners and Developers 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 7:** 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 8:** This Ordinance shall be in full force and effect upon its passage and approval.

PASSED this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

AYES:

NAYS:

ABSENT:

APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

\_\_\_\_\_  
Steve Chirico  
Mayor

ATTEST:

\_\_\_\_\_  
Pam Gallahue, Ph.D.  
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. 22 - \_\_\_\_\_, duly enacted by the City Council of the City of Naperville at a regular meeting thereof on the \_\_\_\_\_ day of \_\_\_\_\_,

2022, 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 Trustees of the Lisle-Woodridge Fire Protection District, the Trustees of Lisle Library District, the Lisle Township Highway Commissioner, the Lisle Township Board of Trustees, the Lisle Township Supervisor, the Lisle Township Assessor and the Lisle Township Clerk on January 10, 2022, 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 \_\_\_\_\_, 2022.

City Clerk

The above and foregoing certificate was subscribed and sworn to before me this \_\_\_\_ day of \_\_\_\_\_, 2022.

Notary Public