

PIN:  
07-01-15-400-002-0000

PROPERTY ADDRESS:  
10826-10846 S. BOOK ROAD  
NAPERVILLE, IL 60564

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 # DEV-0033-2025

## ORDINANCE NO. 25 -

### AN ORDINANCE AUTHORIZING THE EXECUTION OF AN ANNEXATION AGREEMENT FOR THE PROPERTY LOCATED AT 10826-10846 S. BOOK ROAD (THE RESERVES OF SADDLE CREEK)

#### RECITALS

1. **WHEREAS**, Doug Overstreet, with a mailing address of 7245 Regal Oak Court, Yorkville, IL 60560 ("**Petitioner**"), has petitioned the City of Naperville ("**City**") for annexation of the real property located at 10826-10846 S. Book Road, Naperville, Illinois, 60564 and legally described on **Exhibit A** and depicted on **Exhibit B** ("**Subject Property**").
2. **WHEREAS**, Book Road 1006600 LLC, with offices at 7245 Regal Oak Court, Yorkville, IL 60560 ("**Owner**"), is the owner of the Subject Property and has authorized the Petitioner to submit the request.
3. **WHEREAS**, the Petitioner has requested that the City approve this ordinance approving an annexation agreement for the Subject Property ("**Ordinance**") along

with ordinances approving annexation of the Subject Property, rezoning of the Subject Property to R1A (Low Density Single Family Residence District), a preliminary/final plat of subdivision with a subdivision deviation from the ninety-percent rule, a variance to the rear yard setback, and a deviation from the City's Design Manual for Public Improvements ("hereinafter cumulatively referenced herein as **"The Reserves of Saddle Creek Ordinances"**).

4. **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.
5. **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.
6. **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** ("**Annexation Agreement**") 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 authority, 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 Mayor is authorized and directed to execute, and the City Clerk is authorized and directed to attest, the Annexation Agreement for 10826-10846 S. Book Road attached hereto as **Exhibit C**.

**SECTION 3:** The City Clerk is authorized and directed to record The Reserves of Saddle Creek Ordinances, including their Exhibits, with the Will County Recorder in the following order: (1) Annexation Agreement; (2) Annexation; (3) Rezoning; (4) Preliminary/Final Plat of Subdivision with Subdivision Deviation; (5) Variance; and (6) Deviation to the City's Design Manual for Public Improvements.

**SECTION 4:** If this Ordinance and the Annexation Agreement 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 passage by the Naperville City Council, this Ordinance and the Annexation Agreement 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 Petitioner 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 5:** 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 Will County Recorder.

**SECTION 6:** This Ordinance shall be in full force and effect upon its recordation with the Will County Recorder.

PASSED this \_\_\_\_\_ day of \_\_\_\_\_, 2025.

AYES:

NAYS:

ABSENT:

APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 2025.

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Scott A. Wehrli  
Mayor

ATTEST:

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Dawn C. Portner  
City Clerk