

PINS:
07-12-214-013
07-12-209-024

PROPERTY ADDRESSES:
27W240 AND 27W280 BAUER ROAD
NAPERVILLE, IL 60563

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-0162-2025

ORDINANCE NO. 26 -

AN ORDINANCE AUTHORIZING THE EXECUTION OF AN ANNEXATION AGREEMENT FOR THE PROPERTY LOCATED AT 27W240 AND 27W280 BAUER ROAD (BAUER ROAD DUPLEXES)

RECITALS

1. **WHEREAS**, Hawkeye Property Holdings LLC, with offices at 522 N Washington Street, Naperville, IL 60563 ("**Owner**" and "**Petitioner**"), owns real property located at 27W240 and 27W280 Bauer Road, Naperville, IL 60563 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.
2. **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 TU (Transitional Use District) upon annexation, a preliminary/final plat of subdivision, and a variance to permit a maximum rear yard coverage of 45%

(together hereinafter referenced herein as the “**Bauer Road Duplexes Ordinances**”).

3. **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 and referenced in the Annexation Agreement attached hereto as **Exhibit C**, and the Naperville Municipal Code (“**Code**”), as amended from time to time.
4. **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.
5. **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 27W240 and 27W280 Bauer Road attached hereto as **Exhibit C**.

SECTION 3: The City Clerk is authorized and directed to record certified copies of the Bauer Road Duplexes Ordinances, including their exhibits, with the DuPage County

Recorder in the following order: (1) Annexation; (2) Annexation Agreement; (3) Rezoning; (4) Preliminary/Final Plat of Subdivision; (5) Variance.

SECTION 4: If certified copies of this Ordinance and its exhibits, including but not limited to the Annexation Agreement it approves, and certified copies of the remainder of the Bauer Road Duplexes Ordinances with their exhibits, are not recorded with the DuPage County Recorder within one (1) year of their passage and approval by the Naperville City Council, said Bauer Road Duplexes Ordinances shall be null and void without any further action by the City.

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 DuPage County Recorder.

SECTION 6: This Ordinance shall be in full force and effect upon its passage and approval.

PASSED this _____ day of _____, 2026.

AYES:

NAYS:

ABSENT:

APPROVED this _____ day of _____, 2026.

Scott A. Wehrli
Mayor

ATTEST:

Dawn C. Portner
City Clerk