

PIN: 08-18-207-003

ADDRESS:  
26W161 OLD PLANK ROAD  
NAPERVILLE, IL 60563

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 #16-1-174

**ORDINANCE NO. 17 -**

**AN ORDINANCE AUTHORIZING THE EXECUTION OF AN  
ANNEXATION AGREEMENT FOR THE PROPERTY LOCATED AT  
26W161 OLD PLANK ROAD**

**WHEREAS**, Weasel Enterprises, LLC. was the prior owner of real property located at 26W161 Old Plank Road legally described on **Exhibit A** and depicted on **Exhibit B** ("Subject Property"), and filed the petition with the City of Naperville ("City") for annexation of the Subject Property; and

**WHEREAS**, Pulte Home Company, LLC ("Petitioner") purchased the real property located at 26W161 Old Plank Road; and

**WHEREAS**, Petitioner has also filed a petition to rezone the Subject Property to R3A (Medium Density Multiple-Family Residence District); and

**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; and

**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; and

**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**.

**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 here. 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 the Subject Property attached hereto as **Exhibit C**.

**SECTION 3:** The City Clerk is authorized and directed to record this Ordinance and the Annexation Agreement for the Subject Property, and its exhibits, with the DuPage County Recorder upon completed execution thereof.

**SECTION 4:** This Ordinance shall be in full force and effect upon its passage and approval.

PASSED this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

AYES:

NAYS:

ABSENT:

APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

ATTEST:

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Steve Chirico  
Mayor

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Pam Gallahue, Ph.D.  
City Clerk