

**PINs:**  
See "Exhibit A" & "C"

**ADDRESS:**  
29W771 79<sup>TH</sup> STREET  
9S065, 9S080 AND 9S081 ROUTE 59  
NAPERVILLE, IL 60564

**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 #17-1-093 & 17-1-094

**ORDINANCE NO. 18 -**

**AN ORDINANCE AUTHORIZING THE EXECUTION OF AN  
ANNEXATION AGREEMENT FOR PROPERTY LOCATED AT  
29W771 79<sup>TH</sup> STREET AND 9S065, 9S080 AND 9S081 ROUTE 59**

**WHEREAS**, Cristina Martinez ("Petitioner") is the owner of real property located on the east side of Route 59, south of 79<sup>th</sup> Street, commonly known as 9S065, 9S080 and 9S081 Route 59, Naperville, Illinois, which is legally described on **Exhibit A** and depicted on **Exhibit B** ("Martinez Property"); and

**WHEREAS**, World Missions Society Church of God is the owner of real property located on the east side of Route 59, south of 79<sup>th</sup> Street, commonly known as 29W771 79<sup>th</sup> Street, Naperville, Illinois, which is legally described on **Exhibit C** and depicted on **Exhibit D** ("Church Property"); and

**WHEREAS**, the owners of the Martinez Property and the Owner of the Church Property have petitioned the City of Naperville ("City") for annexation and rezoning of the Best Buy Property and the Church Property (herein referenced together as the "Subject Properties"); and

**WHEREAS**, the Owners of the Subject Properties are 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 statutory and Code provisions required for the approval and execution of an annexation agreement have been fully complied with; 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 E**.

**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:** Upon passage of the annexation and related ordinances pertaining to the Subject Properties, the Mayor is authorized and directed to execute, and the City Clerk is authorized and directed to attest, the Annexation Agreement for the Subject Properties attached hereto as **Exhibit E**.

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

**SECTION 4:** 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 5:** This Ordinance shall be deemed passed upon approval of the City Council and shall be in full force and effect upon its recordation with the DuPage County Recorder.

PASSED this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

AYES:

NAYS:

ABSENT:

APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

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

ATTEST:

\_\_\_\_\_  
Pam Gallahue, Ph.D.  
City Clerk