

RESOLUTION NO. 20 - ____

**A RESOLUTION EXTENDING THE EFFECTIVE PERIOD OF THE
POLO CLUB DEVELOPMENT APPLICATION**

RECITALS

1. **WHEREAS**, D.R. Horton, Inc. – Midwest, a California corporation, f/k/a DRH Cambridge Homes, Inc., a California corporation, located at 750 E. Bunker Court, Suite 500, Vernon Hills, IL 60061 (hereinafter “Petitioner”), submitted a petition for the Naperville Polo Club legally described on **Exhibit A** with a common address of 23450 and 23700 West 119th Street, Plainfield, Illinois (hereinafter “Subject Property”) on March 28, 2018 (hereinafter “Petition”); and
2. **WHEREAS**, the owner of the Subject Property is Chicago Title Land Trust Company as Trustee for trust numbers 7-1816, 7-1817, 7-1818, 7-1819, 1067751 and 10890871, located at 2441 Warrenville Road, Suite 100, Lisle, IL 60532; and
3. **WHEREAS**, per Section 6-3-5:5 of the Naperville Municipal code (Procedures for Processing Petitions Under this Title: Effective Period of an Application), a petition shall be valid for a period of two (2) years from the date on which the petition is filed with the Transportation, Engineering, and Development Business Group (hereinafter “Effective Period”); and
4. **WHEREAS**, as provided in Section 6-3-5:5, any petition which is not processed completely in accordance with City ordinances and regulations within the Effective Period shall automatically lapse and become null and void without any further action by the City; and

5. **WHEREAS**, the Petitioner has submitted several iterations of the required development plans for the Subject Property; however, these plans have not yet been processed completely through the City Council in accordance with City ordinance and regulations and will therefore become null and void on March 28, 2020 unless the Effective Period of the Petition is extended; and
6. **WHEREAS**, the City Council, through this Resolution, agrees to extend the Effective Date of the Petition to March 28, 2021.

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: The Effective Period of the Petition for the Subject Property is hereby extended to March 28, 2021 (hereinafter “Extended Effective Period”). If the Petition for the Subject Property is not processed completely in accordance with City ordinances and regulations within the Extended Effective Period, it shall automatically lapse and become null and void without any further action by the City and all other provisions of Section 6-3-5:5 of the Naperville Municipal Code shall be applicable.

SECTION 3: If any section, paragraph, or provision of this Resolution 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

Resolution or any other City ordinance, resolution, or provision of the Naperville Municipal Code.

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

PASSED this _____ day of _____, 2020.

AYES:

NAYS:

ABSENT:

APPROVED this _____ day of _____, 2020.

Steve Chirico
Mayor

ATTEST:

Pam Gallahue, Ph.D.
City Clerk