



Legislation Details (With Text)

File #: 20-1454 **Version:** 1
Type: Ordinance **Status:** Agenda Ready
File created: 12/3/2020 **In control:** City Council
On agenda: 12/15/2020 **Final action:**
Title: Pass the ordinance releasing obligations and covenants in an agreement affecting the property located at 850 E. Ogden

Sponsors:

Indexes:

Code sections:

Attachments: 1. Ordinance Releasing Owner's Obligations

Date	Ver.	Action By	Action	Result
12/15/2020	1	City Council	passed	Pass

CITY COUNCIL AGENDA ITEM

ACTION REQUESTED:

Pass the ordinance releasing obligations and covenants in an agreement affecting the property located at 850 E. Ogden

DEPARTMENT: Transportation, Engineering and Development

SUBMITTED BY: Allison Laff, AICP, Deputy Director

BOARD/COMMISSION REVIEW:

N/A

BACKGROUND:

On March 31, 1975, in conjunction with a construction project approved for the property located at 850 E. Ogden Avenue, the City of Naperville and then owner, Pillsbury Realty Holding Company, entered into an agreement recorded as Document No. R76-20287.

Per this agreement, certain obligations were imposed upon the owner of the property, and upon successors in title, including but not limited to construction of an approved parking lot; paving of Ogden Avenue along the north line of the property; and installing sidewalk, curb and gutter, street lighting, and storm sewer along the north line of the property. These obligations constituted covenants running with the land.

DISCUSSION:

The current owner of the property has requested that the City release the property located at 850 E. Ogden from the obligations and covenants as set forth in Document No. R76-20287. Upon review of the agreement and the subject property, staff has determined that all obligations have been met and concurs with the property owner's requested release.

Staff recommends the City Council approve the request as provided in the attached ordinance.

FISCAL IMPACT:

N/A