



## Legislation Text

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File #: 18-987, Version: 1

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### **CITY COUNCIL AGENDA ITEM**

#### **ACTION REQUESTED:**

Adopt the resolution accepting land cash property known as Outlot E in Atwater subdivision phase 1A and authorizing conveyance of said property to the Naperville Park District (requires six positive votes).

**DEPARTMENT:** Transportation, Engineering and Development

**SUBMITTED BY:** William Novack, Director of Transportation, Engineering and Development, and Pat Lord, Senior Assistant City Attorney

**BOARD/COMMISSION REVIEW:**  
N/A

#### **BACKGROUND:**

City Council approved the Owner's Acknowledgement and Acceptance Agreement (OAA) for Atwater Subdivision Phase 1/Phase 1A on January 19, 2016, by Ordinance 16-010. According to the OAA, and pursuant to the provisions of Section 7-3-5 of the Naperville Municipal Code, the developer of Atwater Subdivision Phase 1/Phase 1A (Pulte Home Corporation) was required to make a park donation of Outlot I in Atwater Subdivision Phase 1 and Outlot E in Atwater Subdivision Phase 1A. Outlot I has previously been conveyed to the Park District. At this time Outlot E, which is approximately 5.72 acres and is adjacent to Country Lakes Park (depicted on [Attachment #1](#) hereto), is being accepted by the City and will be immediately conveyed to the Park District.

#### **DISCUSSION:**

On October 25, 2018, the Naperville Park District passed Ordinance No. 944 declaring that it is necessary or convenient for the Park District to use, occupy, or improve the Subject Property/Outlot E. In turn, as required by City Code, state statute, and pursuant to its home rule authority, the City now needs to adopt a resolution authorizing the acceptance of the deed for the Subject Property from the developer and then authorizing conveyance of the Subject Property to the Naperville Park District. A 2/3 vote (6 votes) of the City Council is required.

Attached is the resolution accepting land cash property known as Outlot E in Atwater subdivision phase 1A and authorizing conveyance of said property to the Naperville Park District.

**FISCAL IMPACT:**  
N/A