

P.I.N: 07-04-401-024
07-04-401-046
07-04-401-047
07-04-401-048
07-04-401-051

PREPARED BY:

**CITY OF NAPERVILLE
LEGAL DEPARTMENT
630/420-4170**

RETURN TO:

**CITY OF NAPERVILLE
CITY CLERK'S OFFICE
P.O. BOX 3020
400 SOUTH EAGLE STREET
NAPERVILLE, IL 60566-7020**

P.C. Case #1594

ORDINANCE NO. 07 - 33

**AN ORDINANCE AMENDING THE ZONING MAP
OF THE CITY OF NAPERVILLE, ILLINOIS, FOR
THE PROPERTY LOCATED AT THE NORTHEAST CORNER
OF COUNTRY CLUB BOULEVARD AND DIEHL ROAD**

WHEREAS, Pacific Midwest Partners, Inc., have petitioned for rezoning of the real property located at the northeast corner of Country Club Boulevard and Diehl Road, legally described in Exhibit A and depicted on Exhibit B ("Subject Property") in the City of Naperville; and

WHEREAS, the unimproved 9.46-acre Subject Property is currently zoned I (Industrial District) in the City of Naperville; and

WHEREAS, the petitioner is requesting that the property be rezoned B3 (General Business District) in order to develop the Subject Property with a limited service hotel and accessory commercial facilities; and

WHEREAS, on October 18, 2006, the Plan Commission recommended approval of the requested rezoning from the current I (Industrial) to B3 (General Business District); and

WHEREAS, the City Council has determined that the request for rezoning should be granted subject to the conditions and restrictions set forth in this Ordinance.

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 Subject Property legally described in Exhibit A and depicted on Exhibit B, is rezoned to B3 (General Business District).

SECTION 2: The Zoning Map of the City of Naperville is hereby amended in accordance with this Ordinance.

SECTION 3: This Ordinance shall be in full force and effect upon its passage and approval.

PASSED this 20th day of February, 2007.

AYES: MILLER, ROSANOVA, SENGER, WEHRLI, PRADEL, BOYAJIAN,
ELLINGSON, FURSTENAU, KRAUSE

NAYS: NONE

ABSENT: NONE

APPROVED this 21st day of February, 2007.

A. George Pradel

A. George Pradel
Mayor

ATTEST:

Suzanne L. Gagner
Suzanne L. Gagner
City Clerk



LEGAL DESCRIPTION
PMP – DIEHL ROAD SUBDIVISION

LOTS 14, 15, 16 AND 17 IN THE EAST-WEST TECHNOLOGICAL CENTER UNIT 2, BEING A SUBDIVISION OF PART OF THE EAST ½ OF SECTION 4, TOWNSHIP 38 NORTH, RANGE 9, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MARCH 13, 1989 AS DOCUMENT R89-027345

EXCEPT THAT PART OF SAID LOTS 14 AND 15 CONVEYED TO THE CITY OF NAPERVILLE BY WARRANTY DEED RECORDED OCTOBER 17, 2003 AS DOCUMENT R2003-399412, AND DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF LOT 15 AFORESAID; THENCE ON AN ASSUMED BEARING OF NORTH 01 DEGREE 19 MINUTES 19 SECONDS EAST ALONG WEST LINE OF SAID LOT 15, A DISTANCE OF 5.0 FEET TO A LINE BEING 5.0 FEET NORTH OF AND PARALLEL WITH THE SOUTH LINE OF SAID LOT 15; THENCE NORTH 89 DEGREES 30 MINUTES 59 SECONDS EAST ALONG SAID PARALLEL LINE, 200.10 FEET TO EAST LINE OF SAID LOT 15; THENCE NORTH 85 DEGREES 19 MINUTES 25 SECONDS EAST TO EAST LINE OF SAID LOT 14, A DISTANCE OF 136.77 FEET; THENCE SOUTH 01 DEGREE 19 MINUTES 19 SECONDS WEST ALONG SAID EAST LINE OF LOT 14, A DISTANCE OF 15.01 FEET TO THE SOUTHEAST CORNER OF SAID LOT 14; THENCE SOUTH 89 DEGREES 30 MINUTES 59 SECONDS WEST ALONG SOUTH LINE OF LOTS 14 AND 15, A DISTANCE OF 336.19 FEET TO THE POINT OF BEGINNING, IN DUPAGE COUNTY, ILLINOIS.

TOGETHER WITH:

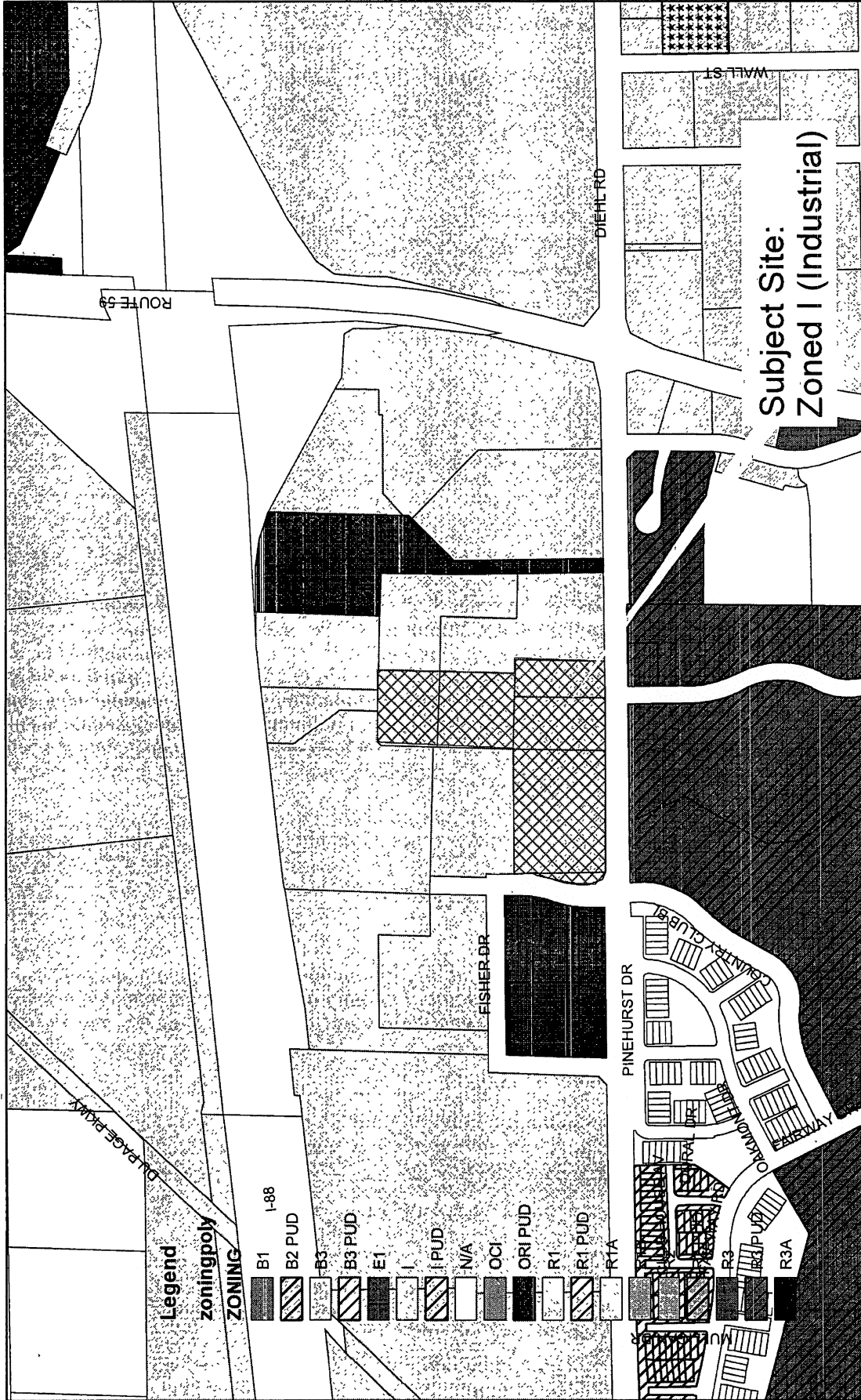
THE EASTERLY 457 FEET OF THE WESTERLY 1419 FEET OF THE SOUTHERLY 400 FEET OF LOT 2 (EXCEPT THE SOUTH 50 FEET, MEASURED AT RIGHT ANGLES TO THE CENTER LINE OF DIEHL ROAD) OF ALEXANDER FERGUSON FARM IN THE SOUTHEAST QUARTER OF SECTION 4, TOWNSHIP 38 NORTH, RANGE 9 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED DECEMBER 16, 1943, AD DOCUMENT 456920 IN DUPAGE COUNTY, ILLINOIS.

TOGETHER WITH:

THAT PART OF THE EASTERLY 632.0 FEET OF THE WESTERLY 962.0 FEET OF THE SOUTHERLY 400.0 FEET OF LOT 2 OF THE ALEXANDER FERGUSON FARM IN THE SOUTHEAST QUARTER OF SECTION 4, TOWNSHIP 38 NORTH, RANGE 9 EAST OF THE THIRD PRINCIPAL MERIDIAN, FILED FOR RECORD AS DOCUMENT NUMBER 456920, LYING EASTERLY OF THE EAST LINE OF COUNTRY CLUB BOULEVARD, AS DEDICATED BY DOCUMENT NUMBER R83-03940, ALL IN DUPAGE COUNTY, ILLINOIS.

PIN No(s): 07-04-401-046, 07-04-401-047, 07-04-401-048

Zoning Map: Pacific Midwest



CITY OF NAPERVILLE
 T.E.D. BUSINESS GROUP
 PLANNING SERVICES TEAM
www.naperville.il.us



EXHIBIT B