

PARCEL INDEX NUMBER  
07-03-402-D18  
07-03-402-D19

VACANT LAND ADJACENT TO  
RAYMOND AVENUE AND  
DIEHL ROAD  
NAPERVILLE, ILLINOIS

TOTAL AREA OF SUBDIVISION  
= 8.263 Ac. (More or Less)

FINAL PLAT OF SUBDIVISION  
FOR

**McDOWELL POINT**

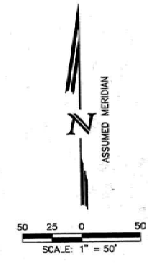
BEING A PART OF THE SOUTH HALF OF SECTION 3, TOWNSHIP 38 NORTH, RANGE 9  
EAST OF THE THIRD PRINCIPAL MERIDIAN, IN DUPAGE COUNTY, ILLINOIS.

PLAT  
R2008-143214  
SEP. 22, 2008  
2:23 PM

THIS PLAT WAS SUBMITTED TO THE COUNTY  
RECORDER FOR THE PURPOSES OF RECORDING BY:

NAME: **NAPERVILLE CITY CLERK**

ADDRESS: P.O. BOX 3020  
400 EAGLE STREET  
NAPERVILLE, IL  
60566-7026



LINE	LENGTH	BEARING
L1	219.76'	N 64°43'58\"
L2	42.00'	N 35°18'20\"
L3	230.00'	S 54°43'58\"
L4	47.00'	S 35°16'02\"
L5	26.26'	N 55°21'55\"
L6	41.71'	N 38°38'50\"
L7	165.86'	S 64°27'36\"
L8	138.18'	N 87°14'40\"
L9	32.92'	N 68°14'45\"
L10	62.72'	N 87°03'52\"
L11	52.67'	S 07°32'47\"
L12	81.71'	N 87°17'14\"

**NOTES**

3/4 INCH IRON PIPE SET AT ALL LOT  
CORNERS AND POINTS OF CURVATURE UNLESS  
OTHERWISE NOTED.

ALL MEASUREMENTS ARE SHOWN IN FEET AND  
DECIMAL PARTS THEREOF.

DIMENSIONS SHOWN ALONG CURVES ARE ARC  
DISTANCES.

DIMENSIONS ENCLOSED WITH ( ) ARE RECORD  
DATA. ALL OTHER DIMENSIONS ARE MEASURED.

ALL EASEMENTS SHOWN HEREON ARE HEREBY  
GRANTED UNLESS OTHERWISE NOTED.

THIS DEVELOPMENT SHALL COMPLY WITH THE  
CITY OF NAPERVILLE FARMWAY TREE  
ORDINANCE #30-4, AS AMENDED FROM TIME  
TO TIME.

P.U. & D.E. - INDICATES PUBLIC UTILITY &  
DRAINAGE EASEMENT HEREBY  
GRANTED. SEE PROVISIONS  
FOR DETAILS.

S.E. - INDICATES SPECIAL UTILITY,  
DRAINAGE AND SIDEWALK  
EASEMENT HEREBY GRANTED.  
SEE PROVISIONS FOR DETAILS.

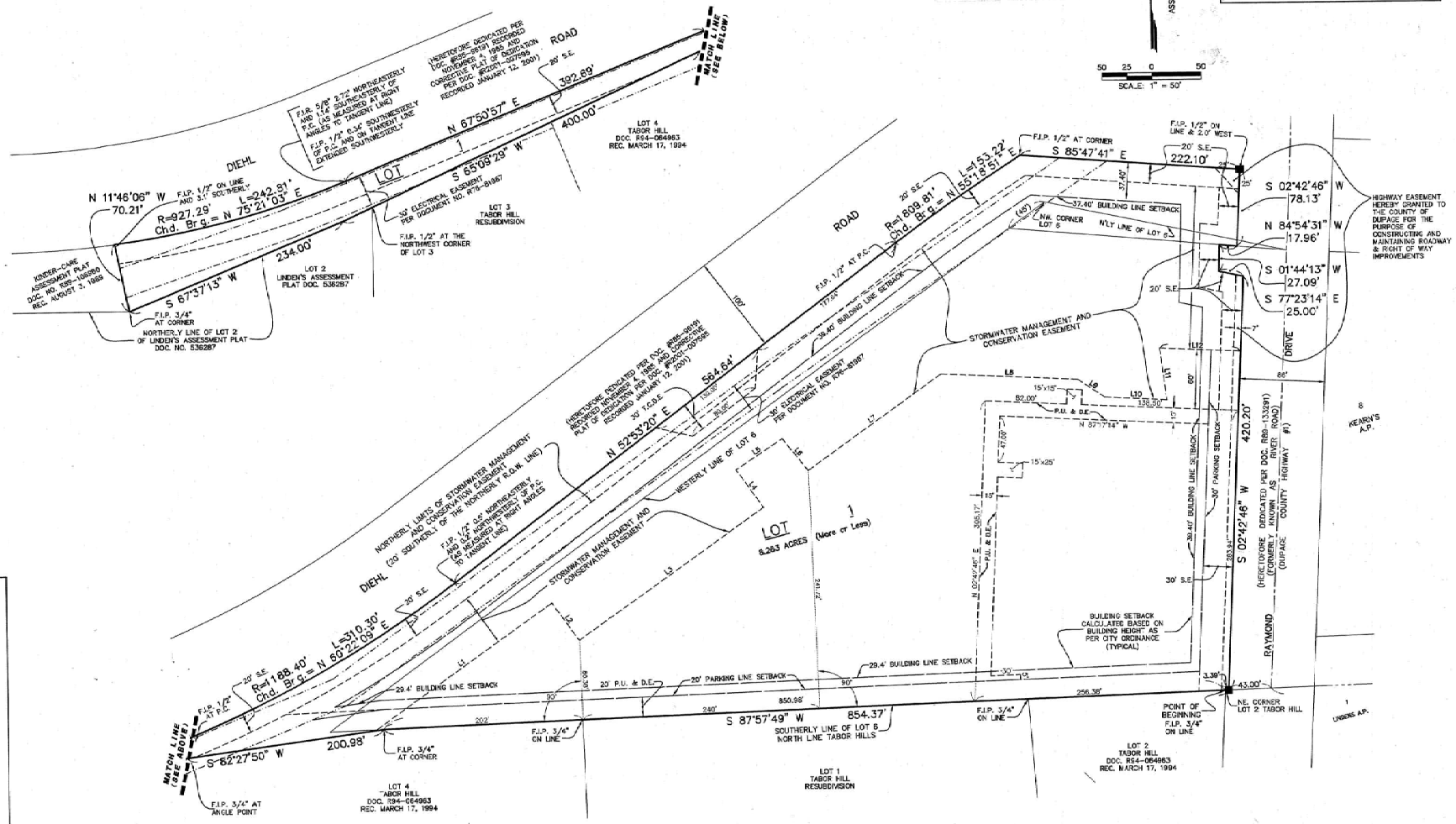
F.C.D.E. - INDICATES TRAFFIC CONTROL  
DEVICE EASEMENT HEREBY  
GRANTED. SEE PROVISIONS  
FOR DETAILS.

F.I.P. = FOUND IRON PIPE (ø AS SHOWN)

THE BEARINGS SHOWN HEREON ARE BASED  
UPON THE CENTERLINE OF RAYMOND DRIVE  
BEING S 02°42'46\"

**LEGEND**

- SUBDIVISION BOUNDARY LINE  
(Heavy Solid Line)
- ADJACENT LOT LINE/PROPERTY LINE  
(Thin Solid Line)
- BUILDING LINE  
(Long Dashed Lines)
- EASEMENT LINE - LIMITS OF EASEMENT  
(Short Dashed Lines)
- EXISTING ELECTRICAL EASEMENT  
PER DOC. #76-81987  
(Dashed With Dots Line)
- CENTERLINE  
(Single Dashed Lines)
- SECTION LINE  
(Triple Dashed Lines)
- SET CONCRETE MONUMENT
- SECTION CORNER OR QUARTER SECTION  
CORNER



OWNER:  
AG INVESTORS III, L.L.C.  
5101 DARMSTADT ROAD  
HILLSIDE IL 60162  
(630) 368-3700

DEVELOPER:  
AG REAL ESTATE INVESTORS, L.L.C.  
5101 DARMSTADT ROAD  
HILLSIDE IL 60162  
(630) 368-3700

REVISIONS

REVISED: 1-16-01/SMR PER CITY REVIEW LETTER  
DATED 1-3-01; PROJECT #00-10009018  
REVISED: 6-20-01/WSB ADO COUNTY EASEMENT  
REVISED: 4-27-04/CLS PER CITY REVIEW LETTER  
DATED 1-3-01; PROJECT #00-10009018  
REVISED: 6-23-05/MSD PER CITY & COUNTY REVIEW  
REVISED: 10-30-05/CLS PER CITY REVIEW LETTER  
DATED 10-07-05

PREPARED BY:  
**CEMCON, Ltd.**  
Consulting Engineers, Land Surveyors & Planners  
2280 White Oak Circle, Suite 100  
Naperville, Illinois 60564-9576  
PH: 630.862.2100 FAX: 630.862.2199  
E-Mail: cadd@cemcon.com Website: www.cemcon.com

DISC NO.: 903274P FILE NAME: SubPlat  
DRAWN BY: N.A.S. P.L.D. SK / PD. NO.: 511  
COMPLETION DATE: 10-27-00 JOB NO.: 903.274  
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R2008-143214 1 of 2

**SURFACE WATER STATEMENT**

STATE OF ILLINOIS) SS. COUNTY OF DU PAGE) SS. ILLINOIS) SS. COUNTY OF DU PAGE) SS.

TO THE BEST OF OUR KNOWLEDGE AND BELIEF THE DRAINAGE OF SURFACE WATER WILL NOT BE IMPAIRED BY THE CONSTRUCTION OF SUCH SUBDIVISION OR ANY PART THEREOF... I, PETER A. BLAESER, AN ILLINOIS PROFESSIONAL LAND SURVEYOR, HAVE SURVEYED AND SUBDIVIDED THE FOLLOWING DESCRIBED PROPERTY...

**SURVEYOR'S CERTIFICATE**

STATE OF ILLINOIS) SS. COUNTY OF DU PAGE) SS. ILLINOIS) SS. COUNTY OF DU PAGE) SS. ILLINOIS) SS. COUNTY OF DU PAGE) SS.

**CITY COUNCIL CERTIFICATE**

STATE OF ILLINOIS) SS. COUNTY OF DU PAGE) SS. ILLINOIS) SS. COUNTY OF DU PAGE) SS.

**PLAN COMMISSION CERTIFICATE**

STATE OF ILLINOIS) SS. COUNTY OF DU PAGE) SS. ILLINOIS) SS. COUNTY OF DU PAGE) SS.

**DEPARTMENT OF COMMUNITY DEVELOPMENT CERTIFICATE**

STATE OF ILLINOIS) SS. COUNTY OF DU PAGE) SS. ILLINOIS) SS. COUNTY OF DU PAGE) SS.

**OWNER'S AND SCHOOL DISTRICT CERTIFICATE**

STATE OF ILLINOIS) SS. COUNTY OF DU PAGE) SS. ILLINOIS) SS. COUNTY OF DU PAGE) SS. ILLINOIS) SS. COUNTY OF DU PAGE) SS.

**NOTARY'S CERTIFICATE**

STATE OF ILLINOIS) SS. COUNTY OF DU PAGE) SS. ILLINOIS) SS. COUNTY OF DU PAGE) SS.

**CITY COUNCIL CERTIFICATE**

STATE OF ILLINOIS) SS. COUNTY OF DU PAGE) SS. ILLINOIS) SS. COUNTY OF DU PAGE) SS.

**PLAN COMMISSION CERTIFICATE**

STATE OF ILLINOIS) SS. COUNTY OF DU PAGE) SS. ILLINOIS) SS. COUNTY OF DU PAGE) SS.

**DEPARTMENT OF COMMUNITY DEVELOPMENT CERTIFICATE**

STATE OF ILLINOIS) SS. COUNTY OF DU PAGE) SS. ILLINOIS) SS. COUNTY OF DU PAGE) SS.

**DU PAGE COUNTY RECORDER'S CERTIFICATE**

STATE OF ILLINOIS) SS. COUNTY OF DU PAGE) SS. ILLINOIS) SS. COUNTY OF DU PAGE) SS.

**DU PAGE COUNTY CLERK'S CERTIFICATE**

STATE OF ILLINOIS) SS. COUNTY OF DU PAGE) SS. ILLINOIS) SS. COUNTY OF DU PAGE) SS.

**DU PAGE COUNTY ENGINEER'S CERTIFICATE**

STATE OF ILLINOIS) SS. COUNTY OF DU PAGE) SS. ILLINOIS) SS. COUNTY OF DU PAGE) SS.

**PUBLIC UTILITY AND DRAINAGE EASEMENT PROVISIONS**

EASEMENTS ARE HEREBY RESERVED FOR AND GRANTED TO THE CITY OF NAPERVILLE, ILLINOIS, AND TO THOSE PUBLIC UTILITY COMPANIES OPERATING UNDER FRANCHISE FROM THE CITY OF NAPERVILLE...

**TRAFFIC CONTROL DEVICE EASEMENT PROVISIONS**

EASEMENTS ARE HEREBY RESERVED FOR GRANTED TO THE CITY OF NAPERVILLE, ILLINOIS, AND ITS SUCCESSORS AND ASSIGNS, OVER ALL THE AREAS MARKED "TRAFFIC CONTROL DEVICE EASEMENT"...

**EXCLUSIVE SPECIAL UTILITY, DRAINAGE AND SIDEWALK EASEMENT PROVISIONS**

ALL EASEMENTS INDICATED AS SPECIAL UTILITY, DRAINAGE, AND SIDEWALK EASEMENTS ARE HEREBY RESERVED FOR AND GRANTED EXCLUSIVELY TO THE CITY OF NAPERVILLE, ILLINOIS...

**STORMWATER MANAGEMENT & CONSERVATION EASEMENT AND COVENANT PROVISIONS SHEET 2 OF 2**

A NON-EXCLUSIVE EASEMENT FOR THE PROTECTION OF UNIQUE AREAS SUCH AS, BUT NOT LIMITED TO, WETLANDS, FENS, MARSHES, RIVERS, STREAMS, CREEKS, PONDS, LAKES, WOODS, PRAIRIES, AND BUFFER AREAS OVER AND UPON THOSE AREAS OF LAND DESIGNATED "STORMWATER MANAGEMENT AND CONSERVATION EASEMENT" ON THE PLAT HEREBY GRANTED TO THE OWNER, ITS SUCCESSORS AND ASSIGNS FOR THE FOLLOWING PURPOSES:

1. TO ACCEPT AND CONDUCT SURFACE WATER DISCHARGES FROM ADJACENT UPSTREAM PROPERTY, INCLUDING ANY NECESSARY STORM SEWER PIPES AND APPURTENANCES; AND  
2. TO MAINTAIN SAID LAND IN ITS NATURAL, SCENIC AND OPEN CONDITION.

IN FURTHERANCE OF THE FOREGOING AFFIRMATIVE RIGHTS, THE GRANTOR MAKES THE FOLLOWING COVENANTS/RESTRICTIONS ON BEHALF OF HIMSELF, HIS HEIRS AND ASSIGNS, WHICH COVENANTS/RESTRICTIONS SHALL RUN WITH SAID LAND IN PERPETUITY:

B. THERE SHALL BE NO EXCAVATING, NO PLACEMENT OF DREDGED OR FILL MATERIAL, DEBRIS, RUBBISH, TRASH OR LANDSCAPE WASTE IN THE STORMWATER MANAGEMENT AND CONSERVATION EASEMENT EXCEPT AS SHOWN ON THE APPROVED FINAL ENGINEERING PLANS FOR THE PROJECT AS NECESSARY FOR THE COMPLETION OF THE INSTALLATION OF UTILITIES OR THE COMPLETION OF WETLAND MITIGATION, BUFFERING, OR LANDSCAPING, AS APPROVED BY THE U.S. ARMY CORPS OF ENGINEERS, DU PAGE COUNTY, AND/OR THE CITY OF NAPERVILLE;

C. THERE SHALL BE NO PERMANENT OR TEMPORARY PATH OR TRAILS, EITHER MOWED OR CONSTRUCTED WITH MULCH, PAVEMENT, SAND OR ANY OTHER MATERIALS, IN THE STORMWATER MANAGEMENT AND CONSERVATION EASEMENT, EXCEPT AS SHOWN ON THE APPROVED FINAL ENGINEERING PLANS, WETLAND MITIGATION PLANS, AND/OR MANAGEMENT AND MONITORING PLANS.

PERSONS ARE PROHIBITED TO SPREAD FERTILIZER OR HERBICIDES WITHIN THE STORMWATER MANAGEMENT AND CONSERVATION EASEMENT OTHER THAN FOR ATTAINMENT OF SPECIFIC VEGETATION MANAGEMENT GOALS TO MAINTAIN PERFORMANCE STANDARDS AS APPROVED BY THE U.S. ARMY CORPS OF ENGINEERS, DU PAGE COUNTY, AND/OR THE CITY OF NAPERVILLE, IF USED TO CONTROL, REMOVE, OR MAINTAIN NON-NATIVE PLANT SPECIES...

MODIFICATIONS ARE PROHIBITED TO THE HYDROLOGY OF THE AREAS ENCOMPASSED BY THE STORMWATER MANAGEMENT AND CONSERVATION EASEMENT THAT WOULD ALLOW MORE WATER OVER OR THAT WOULD DRAIN WATER AWAY FROM THE STORMWATER MANAGEMENT AND CONSERVATION EASEMENT OTHER THAN FOR MANAGEMENT PRACTICES APPROVED BY THE U.S. ARMY CORPS OF ENGINEERS, DU PAGE COUNTY, AND/OR THE CITY OF NAPERVILLE...

THERE SHALL BE NO GRADING OR KEEPING OF CATTLE, SHEEP, HORSES, OR OTHER LIVESTOCK, DOMESTIC OR OTHERWISE, WITHIN THE STORMWATER MANAGEMENT AND CONSERVATION EASEMENT.

THERE SHALL BE NO HUNTING OR TRAPPING WITHIN THE STORMWATER MANAGEMENT AND CONSERVATION EASEMENT AREAS, UNLESS APPROVED BY THE U.S. ARMY CORPS OF ENGINEERS, DU PAGE COUNTY, FOR THE SOLE PURPOSE OF WETLAND MAINTENANCE WHEN WILDLIFE POPULATIONS POTENTIALLY OR ACTUALLY IMPACT VEGETATION WITHIN SAID STORMWATER MANAGEMENT AND CONSERVATION EASEMENT.

THE PERFORMER/TORATOR SHALL BE RESPONSIBLE TO PERFORM SPECIFIC VEGETATION MANAGEMENT AND ACHIEVE PERFORMANCE STANDARDS IN THE STORMWATER MANAGEMENT AND CONSERVATION EASEMENT AREAS AS STIPULATED BY THE APPROVED MANAGEMENT AND MONITORING PLANS) AND AS REQUIRED BY SPECIAL CONDITIONS UNDER THE CORPS OF ENGINEERS SECTION 404 PERMITS.

IF ANY WETLAND MITIGATION AREAS WITHIN THE STORMWATER MANAGEMENT AND CONSERVATION EASEMENT FAIL TO MEET THE STIPULATED PERFORMANCE STANDARDS WITHIN THE TIME PERIOD ALLOWED, THE OWNER SHALL BE RESPONSIBLE TO CONDUCT THE APPROPRIATE ACTIVITIES, INCLUDING, BUT NOT LIMITED TO, ADDITIONAL PLANTING, SEEDING, AND REPAIRING, OR ANY REQUIRED VEGETATION MANAGEMENT, IN ORDER TO ACHIEVE PERFORMANCE STANDARDS GIVEN IN THE MITIGATION PLAN AND PERMITS.

THE OWNER SHALL BE RESPONSIBLE FOR ALL WORK PERFORMED IN THE STORMWATER MANAGEMENT AND CONSERVATION EASEMENT AND FOR ENSURING THAT THE CONTRACTOR(S) AND/OR WORKERS EXECUTING APPROVED ACTIVITIES HAVE KNOWLEDGE OF THE TERMS AND CONDITIONS OF THAT APPROVED ACTIVITY;

UPON TRANSFER OF PROPERTY FROM OWNER TO SUCCESSOR, WRITTEN ASSURANCE TO THE U.S. ARMY CORPS OF ENGINEERS, DU PAGE COUNTY, AND THE CITY OF NAPERVILLE OF THE SUCCESSOR'S INTENT TO COMPLY WITH THE TERMS AND CONDITIONS OF APPROVED MANAGEMENT AND MONITORING PLANS IS REQUIRED. ALL RELEVANT PERMIT NO DOCUMENTS, MANAGEMENT AND MONITORING PLANS, WETLAND MITIGATION REPORTS AND DRAWINGS, SHALL BE CONVEYED TO THE SUCCESSOR BY THE OWNER;

THE OWNER SHALL PROVIDE AN INFORMATIONAL BROCHURE TO EACH PROPERTY OWNER AT THE TIME OF SALE AND TO ANY PROPERTY OWNERS ADJACENT TO THE EASEMENT CONCERNING THE IMPORTANCE OF WETLANDS, POTENTIAL INDIRECT IMPACTS COMMON PRACTICES (SUCH AS THE USE OF LAWN FERTILIZERS AND CHEMICALS) MAY HAVE ON WETLANDS, ENTITIES WHO HAVE JURISDICTION OVER THE WETLANDS, INCLUDING THE U.S. ARMY CORPS OF ENGINEERS, DU PAGE COUNTY, THE CITY OF NAPERVILLE, AND THE RELEVANT RULES AND REGULATIONS OF THESE ENTITIES WITH RESPECT TO THE MANAGEMENT AND OPERATION OF THE STORMWATER MANAGEMENT AND CONSERVATION EASEMENT.

IF AN OWNER'S ASSOCIATION IS TO BE RESPONSIBLE FOR LONG-TERM MANAGEMENT, THEN PROTECTION AND MANAGEMENT MEASURES SHALL BE IMPLEMENTED IN THE ASSOCIATION'S COVENANTS, CONDITIONS, AND RESTRICTIONS AND FREELY DISTRIBUTED TO ALL MEMBERS, BOTH OLD AND NEW;

THESE STORMWATER MANAGEMENT AND CONSERVATION EASEMENT PROVISIONS SHALL BE INSERTED IN THE ASSOCIATION'S COVENANTS, CONDITIONS, AND RESTRICTIONS; AND

THE OWNER SHALL PREPARE AND SUBMIT TO DU PAGE COUNTY FOR REVIEW AND APPROVAL A LONG-TERM MANAGEMENT PLAN FOR ALL WETLAND AREAS BY JUNE 1 OF THE FIFTH YEAR OF THE MONITORING AND MAINTENANCE PROGRAM. SAID MANAGEMENT PLAN SHALL INCLUDE ANNUAL ACTIVITIES TO BE CONDUCTED AS MAINTENANCE, WHO IS TO CONDUCT MANAGEMENT, AND A COPY OF SIGNED MAINTENANCE CONTRACT.

SAID "STORMWATER MANAGEMENT AND CONSERVATION EASEMENT" MAY BE CHANGED, MODIFIED, OR ABROGATED ONLY UPON WRITTEN APPROVAL OF THE U.S. ARMY CORPS OF ENGINEERS, DU PAGE COUNTY, AND THE CITY OF NAPERVILLE. THE GRANTOR HEREBY RESERVES FOR HIMSELF, HIS HEIRS AND ASSIGNS, ALL RIGHTS AS OWNER OF SAID LAND, INCLUDING THE RIGHT OF USE OF SAID LAND FOR ALL PURPOSES NOT INCONSISTENT WITH THIS GRANT. THE STORMWATER MANAGEMENT AND CONSERVATION EASEMENT IS SUBJECT TO THE "STORMWATER MANAGEMENT AND CONSERVATION EASEMENT" PROVISIONS GRANTED AND DEFINED HEREON.

OWNER: AG INVESTORS III, L.L.C. 5101 DARMSTADT ROAD HILLSIDE IL 60162 (630) 368-3700  
DEVELOPER: AG REAL ESTATE INVESTORS, L.L.C. 5101 DARMSTADT ROAD HILLSIDE IL 60162 (630) 368-3700

PREPARED BY: CEMCON, Ltd. Consulting Engineers, Land Surveyors & Planners 2250 White Oak Circle, Suite 100 Aurora, IL 60012 PH: 630.862.2100 FAX: 630.862.2199 Email: cadd@cemcon.com Website: www.cemcon.com

DISC NO: R/903247P FILE NAME: S05P062 DRAWN BY: WKS, PLO, BJ PLO NO: 5111 COMPLETION DATE: 10-27-02 JOB NO: 903.274 Copyright © 2005 CEMCON, Ltd. All rights reserved.

**EXHIBIT B**

R2008-143214 2092