

FINAL PLAT OF SUBDIVISION FOR 77TH STREET PROJECT

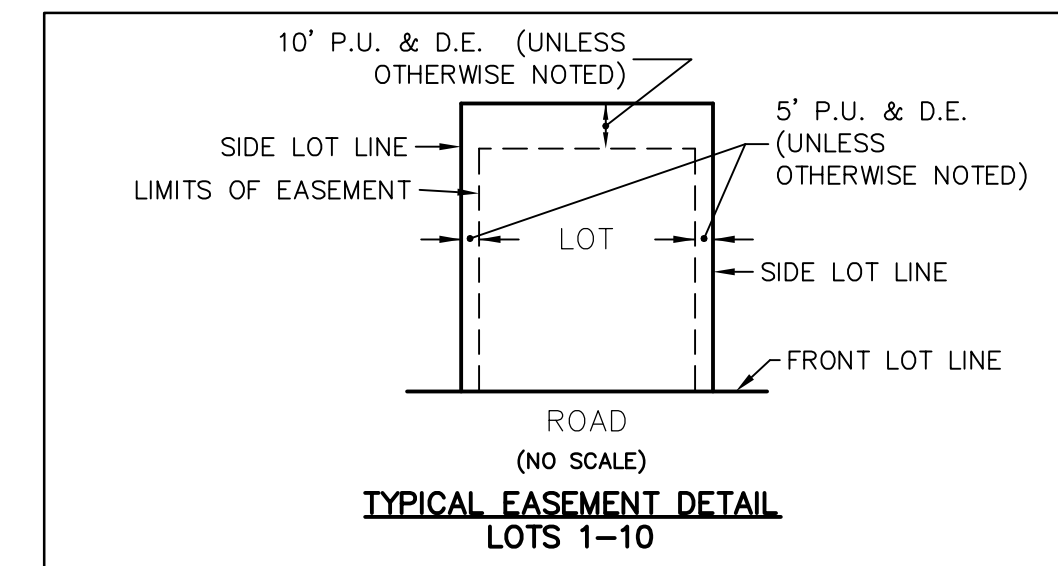
BEING A PART OF THE SOUTH HALF OF THE NORTHEAST QUARTER OF THE
SOUTHWEST QUARTER OF SECTION 28, TOWNSHIP 38 NORTH, RANGE 10, EAST OF
THE THIRD PRINCIPAL MERIDIAN, IN DUPAGE COUNTY, ILLINOIS.

THIS PLAT HAS BEEN SUBMITTED FOR RECORDING BY
AND RETURN TO:
NAME: NAPERVILLE CITY CLERK
ADDRESS: 400 S. EAGLE STREET
NAPERVILLE, IL 60540



VICINITY MAP

**SITE
LOCATION**



TOTAL AREA OF SUBDIVISION
3.388 ACRES
(MORE OR LESS)

PARCEL INDEX NUMBER
08-28-301-009
24W560 77TH STREET
NAPERVILLE, IL

30 15 0 30
SCALE: 1 INCH = 30 FEET

LEGEND

- SUBDIVISION BOUNDARY LINE (Heavy Solid Line)
- LOT LINE/PROPERTY LINE (Solid Line)
- ADJACENT LOT LINE/PROPERTY LINE (Light Solid Line)
- - - - - EASEMENT LINE/LIMITS OF EASEMENT (Short Dashed Lines)
- - - - - CENTERLINE (Single Dashed Lines)
- - - - - QUARTER SECTION LINE (Double Dashed Lines)
- - - - - SECTION LINE (Triple Dashed Lines)
- ▨ NAPERVILLE MUNICIPAL BOUNDARY LINE (Hatched Line)
- SET CONCRETE MONUMENT

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.
BOUNDARY DIMENSIONS ENCLOSED WITH () ARE RECORD DATA. ALL OTHER DIMENSIONS ARE MEASURED OR RECORD EQUALS MEASURED.
ALL EASEMENTS ARE HEREBY GRANTED UNLESS OTHERWISE NOTED.
P.U. & D.E. — INDICATES PUBLIC UTILITY AND DRAINAGE EASEMENT HEREBY GRANTED. SEE PROVISIONS CONTAINED HEREIN.
P.C.B.M.P.E. — INDICATES POST CONSTRUCTION BEST MANAGEMENT PRACTICES EASEMENT HEREBY GRANTED. SEE PROVISIONS CONTAINED HEREIN.
S.M.E. — INDICATES STORMWATER MANAGEMENT EASEMENT HEREBY GRANTED. SEE PROVISIONS CONTAINED HEREIN.
THE MEASURED BEARINGS SHOWN ARE ASSUMED AND BASED ON THE NORTH LINE OF THE SUBJECT SITE BEING N 88°33'04" E.
FIP = FOUND IRON PIPE (# AS SHOWN)
FIR = FOUND IRON ROD (# AS SHOWN)
A BLANKET STORMWATER MANAGEMENT EASEMENT AND POST CONSTRUCTION BEST MANAGEMENT PRACTICES EASEMENT ARE HEREBY GRANTED OVER OUTLOT A. SEE PROVISIONS CONTAINED HEREIN.
OUTLOT A TO BE OWNED AND MAINTAINED BY THE HOMEOWNERS ASSOCIATION.
* VEHICULAR ACCESS TO WEHRLI ROAD FROM LOTS 8, 9 AND 10 IS PROHIBITED. VEHICULAR ACCESS TO 77TH STREET FROM LOT 8 IS PROHIBITED.
THE LAND-CASH AMOUNT DUE FOR THE PROPERTY SHOWN HEREON PURSUANT TO THE LAND-CASH PROVISIONS OF THE NAPERVILLE MUNICIPAL CODE IS TO BE PAID ON A PER PERMIT BASIS PRIOR TO ISSUANCE OF EACH BUILDING PERMIT FOR A RESIDENTIAL UNIT WITHIN THE PLATTED AREA PER SECTION 7-3-5.5.2.2 OF THE NAPERVILLE MUNICIPAL CODE. NO CREDIT SHALL BE GIVEN FOR ANY EXISTING STRUCTURE.

| AREA TABLE (MORE OR LESS) | | | |
|------------------------------|-------------|------------|-------------------------|
| LOT NO. | AREA (S.F.) | AREA (Ac.) | P.U. & D.E. AREA (S.F.) |
| 1 | 12,538 | 0.288 | 2,233 |
| 2 | 12,509 | 0.287 | 2,229 |
| 3 | 12,399 | 0.285 | 2,140 |
| 4 | 12,425 | 0.285 | 2,144 |
| 5 | 12,455 | 0.286 | 3,872 |
| 6 | 11,187 | 0.257 | 2,792 |
| 7 | 11,196 | 0.257 | 3,116 |
| 8 | 12,363 | 0.284 | 5,339 |
| 9 | 12,375 | 0.284 | 3,927 |
| 10 | 12,428 | 0.285 | 3,944 |
| OUTLOT A | 2,734 | 0.063 | --- |

NOTE:
EASEMENT AREAS SHOWN IN ABOVE TABLE ARE FOR P.U. & D.E. ONLY GRANTED HEREIN. DOES NOT INCLUDE OTHER EASEMENTS GRANTED HEREIN OR EXISTING EASEMENTS.

PREPARED BY:

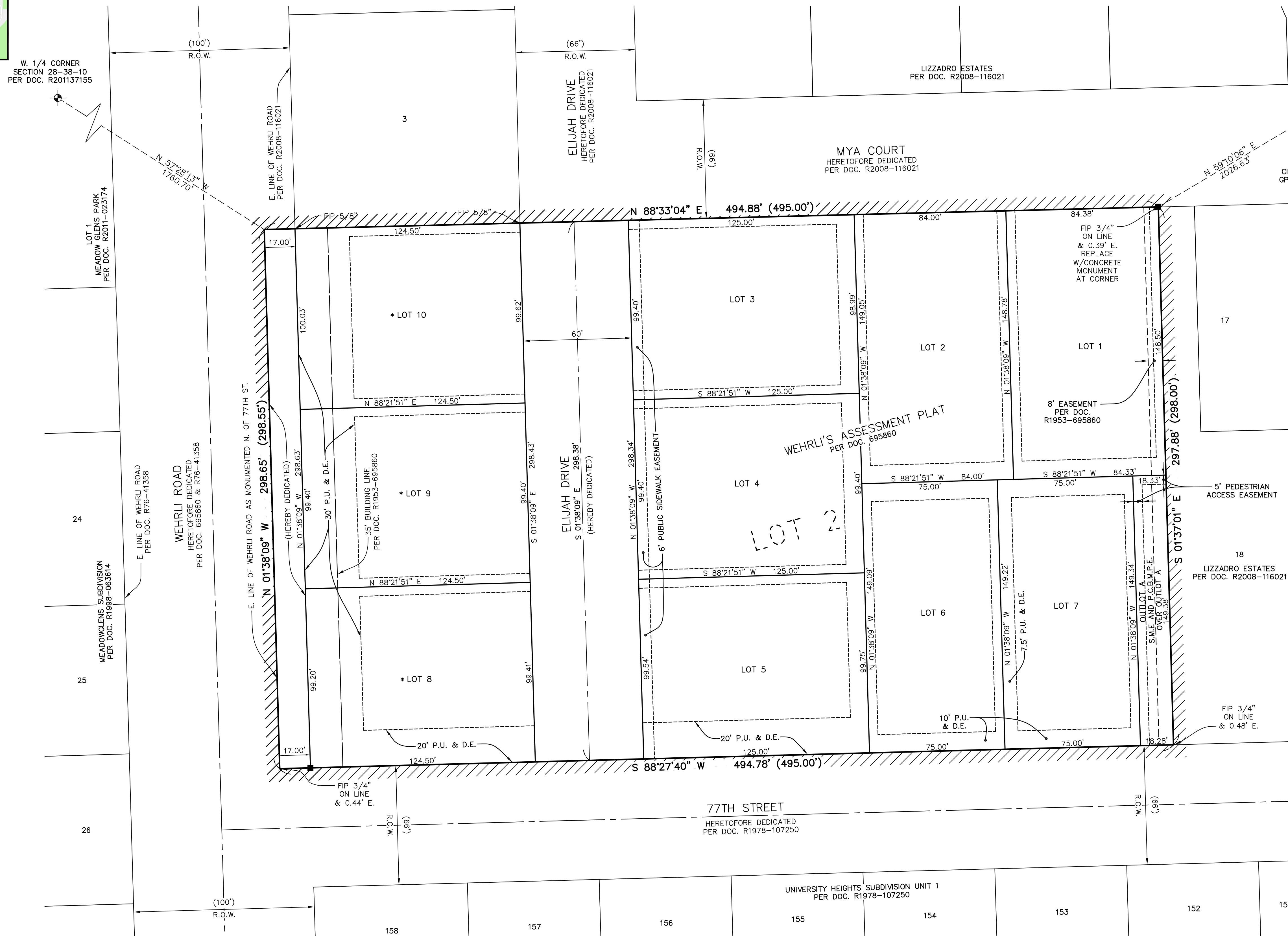
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DISC NO.: 782029 FILE NAME: SUBPLAT
DRAWN BY: AJB FLD. BK. / PG. NO.: D84/67-68
COMPLETION DATE: 12-20-19 JOB NO.: 782.029
REVISED 01-20-20\AJB PER COMMENT LETTER DATED 01-09-20
REVISED 03-05-20\AJB PER COMMENT LETTER DATED 03-04-20

**77TH STREET PROJECT-FINAL PLAT OF SUBDIVISION
CITY OF NAPERVILLE PROJECT NO. 19-1000140**

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PREPARED FOR:
WEHRLI PLACE LLC
P.O. BOX 5726
NAPERVILLE, IL 60567
(630) 710-9490

OWNER'S CERTIFICATE

STATE OF ILLINOIS)
SS.
COUNTY OF DUPAGE)
THIS IS TO CERTIFY THAT WEHRLI PLACE LLC IS THE OWNER OF THE PROPERTY DESCRIBED ABOVE AND AS SUCH OWNER, HAS CAUSED THE SAME TO BE PLATTED AS SHOWN HEREON, FOR THE USES AND PURPOSES THEREIN SET FORTH, AND AS ALLOWED AND PROVIDED BY STATUTES, AND SAID OWNER, DOES HEREBY ACKNOWLEDGE AND ADOPT THE SAME UNDER THE STYLE AND TITLE AFORESAID.

JOHN MCHALE--PARTNER
WEHRLI PLACE LLC
P.O. BOX 5726
NAPERVILLE, IL 60567

DATED THIS ____ DAY OF _____, 20____

ATTEST: _____
PRINT NAME: _____

NOTARY'S CERTIFICATE

STATE OF ILLINOIS)
SS
COUNTY OF DUPAGE)
I, _____ A NOTARY PUBLIC IN AND FOR THE SAID COUNTY IN THE STATE AFORESAID, DO HEREBY CERTIFY THAT _____ AND _____ OF SAID OWNER, WHO ARE PERSONALLY KNOWN TO ME TO BE THE SAME PERSONS WHOSE NAMES ARE SUBSCRIBED TO THE FORGOING INSTRUMENT AS SUCH _____ AND _____ RESPECTFULLY,

APPEARED BEFORE ME THIS DAY IN PERSON AND JOINTLY AND SEVERALLY ACKNOWLEDGED THAT THEY SIGNED AND DELIVERED THE SAID INSTRUMENT AS THEIR OWN FREE AND VOLUNTARY ACT AND AS THE FREE AND VOLUNTARY ACT OF SAID OWNER FOR THE USES AND PURPOSES THEREIN SET FORTH.

GIVEN UNDER MY HAND AND NOTARIAL SEAL

THIS ____ DAY OF _____, 20____

NOTARY PUBLIC SIGNATURE _____

PRINT NAME _____
MY COMMISSION EXPIRES ON _____, 20____

LAND SURVEYOR'S CERTIFICATE

STATE OF ILLINOIS)
SS.
COUNTY OF DUPAGE)
I, PETER A. BLAESER, AN ILLINOIS PROFESSIONAL LAND SURVEYOR, #035-003072, HEREBY STATE THAT I HAVE SURVEYED AND SUBDIVIDED THE FOLLOWING DESCRIBED PROPERTY:

LOT 2 OF WEHRLI'S ASSESSMENT PLAT OF THE SOUTH HALF OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 28, TOWNSHIP 38 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, REFERENCE BEING HAD TO SAID ASSESSMENT PLAT RECORDED ON SEPTEMBER 22, 1953, AS DOCUMENT 695860 IN DUPAGE COUNTY, ILLINOIS.

I HEREBY STATE THAT THE PROPERTY IS WITHIN THE CORPORATE LIMITS OF THE CITY OF NAPERVILLE, ILLINOIS. I HEREBY STATE THAT THE CITY OF NAPERVILLE HAS ADOPTED AN OFFICIAL COMPREHENSIVE PLAN AND IS EXERCISING THE SPECIAL POWERS AUTHORIZED BY THE STATE OF ILLINOIS ACCORDING TO 65 ILCS 5/11-12-6 AS HERETOFORE AND HEREAFTER AMENDED.

BASED UPON A REVIEW OF FEDERAL EMERGENCY MANAGEMENT AGENCY (F.E.M.A.) FLOOD INSURANCE RATE MAP PANEL 1704300251J E WITH AN EFFECTIVE DATE OF AUGUST 1, 2019, IT IS OUR OPINION THAT THE PROPERTY DESCRIBED HEREON FALLS WITHIN ZONE X AS DESIGNATED AND DEFINED BY FEMA.

GIVEN UNDER MY HAND AND SEAL AT AURORA, ILLINOIS

THIS 26TH DAY OF JUNE, A.D., 2020.

PETER A. BLAESER
ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 3072
MY REGISTRATION EXPIRES ON NOVEMBER 30, A.D., 2020
PROFESSIONAL DESIGN FIRM LICENSE NO. 184-002937
EXPIRES ON APRIL 30, 2021

MORTGAGEE CERTIFICATE

STATE OF ILLINOIS)
SS.
COUNTY OF DUPAGE)
_____ AS MORTGAGEE, UNDER THE _____ PRINT MORTGAGE NAME _____ PROVISIONS OF A CERTAIN MORTGAGE DATED _____ A.D., 20____ AND RECORDED IN THE RECORDER'S OF DEEDS OFFICE OF _____ COUNTY, ILLINOIS ON THE _____ DAY OF _____, A.D., 20____ AS DOCUMENT NO. _____ HEREBY CONSENTS TO AND APPROVES THE SUBDIVISION OF THE LAND AND THE GRANTING OF THE EASEMENTS DEPICTED HEREON.

DATED THIS ____ DAY OF _____, A.D., 20____

PRINT MORTGAGEE NAME: _____

BY: _____ ATTEST: _____

ITS: _____ ITS: _____

NOTARY'S CERTIFICATE

STATE OF ILLINOIS)
SS
COUNTY OF DUPAGE)
I, _____ A NOTARY PUBLIC IN AND FOR THE SAID COUNTY IN THE STATE AFORESAID, DO HEREBY CERTIFY THAT _____ AND _____ OF SAID OWNER, WHO ARE PERSONALLY KNOWN TO ME TO BE THE SAME PERSONS WHOSE NAMES ARE SUBSCRIBED TO THE FORGOING INSTRUMENT AS SUCH _____ AND _____ RESPECTFULLY,

APPEARED BEFORE ME THIS DAY IN PERSON AND JOINTLY AND SEVERALLY ACKNOWLEDGED THAT THEY SIGNED AND DELIVERED THE SAID INSTRUMENT AS THEIR OWN FREE AND VOLUNTARY ACT AND AS THE FREE AND VOLUNTARY ACT OF SAID OWNER FOR THE USES AND PURPOSES THEREIN SET FORTH.

GIVEN UNDER MY HAND AND NOTARIAL SEAL

THIS ____ DAY OF _____, 20____

NOTARY PUBLIC SIGNATURE _____

PRINT NAME _____
MY COMMISSION EXPIRES ON _____, 20____

SCHOOL DISTRICT BOUNDARY STATEMENT

STATE OF ILLINOIS)
SS
COUNTY OF DUPAGE)

THE UNDERSIGNED, BEING DULY SWORN, UPON HIS/HER OATH DEPOSES AND STATES AS FOLLOWS:

- 1. THAT WEHRLI PLACE LLC IS THE OWNER OF THE PROPERTY LEGALLY DESCRIBED ON THIS PLAT OF SUBDIVISION, WHICH HAS BEEN SUBMITTED TO THE CITY OF NAPERVILLE FOR APPROVAL, WHICH LEGAL DESCRIPTION IS INCORPORATED HEREIN BY REFERENCE; AND
2. TO THE BEST OF THE OWNER'S KNOWLEDGE, THE SCHOOL DISTRICT IN WHICH TRACT, PARCEL, LOT OR BLOCK OF THE PROPOSED SUBDIVISION LIES IS:

NAPERVILLE COMMUNITY UNIT SCHOOL DISTRICT #203
203 W. HILLSIDE ROAD
NAPERVILLE, IL 60540-6589

OWNER NAME: WEHRLI PLACE LLC

BY: _____ ATTEST: _____

ITS: _____ ITS: _____

SUBSCRIBED AND SWORN BEFORE ME THIS ____ DAY OF _____, A.D., 2020.

NOTARY PUBLIC _____

CITY COUNCIL CERTIFICATE

STATE OF ILLINOIS)
SS.
COUNTY OF DUPAGE)
APPROVED AND ACCEPTED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF NAPERVILLE, ILLINOIS, AT A MEETING HELD

THE ____ DAY OF _____, A.D., 20____

BY: _____ ATTEST: _____
MAYOR CITY CLERK

CITY TREASURER'S CERTIFICATE

STATE OF ILLINOIS)
SS.
COUNTY OF DUPAGE)

I, _____ TREASURER FOR THE CITY OF NAPERVILLE, ILLINOIS, DO HEREBY CERTIFY THAT THERE ARE NO DELINQUENT OR UNPAID CURRENT OR FORFEITED SPECIAL ASSESSMENTS OR ANY DEFERRED INSTALLMENTS THEREOF THAT HAVE BEEN APPORTIONED AGAINST THE TRACT OF LAND INCLUDED IN THE ANNEXED PLAT.

DATED AT NAPERVILLE, ILLINOIS, THIS ____ DAY OF _____, A.D., 20____

CITY TREASURER / DIRECTOR, FINANCE DEPARTMENT

DUPAGE COUNTY RECORDER'S CERTIFICATE

STATE OF ILLINOIS)
SS.
COUNTY OF DUPAGE)

THIS INSTRUMENT _____ WAS FILED FOR RECORD IN THE RECORDER'S OFFICE OF DUPAGE COUNTY, ILLINOIS, ON THE ____ DAY OF _____, A.D. 2019 AT ____ O'CLOCK ____ M.

RECORDER OF DEEDS

DUPAGE COUNTY CLERK'S CERTIFICATE

STATE OF ILLINOIS)
SS.
COUNTY OF DUPAGE)

I, _____, COUNTY CLERK OF DUPAGE COUNTY, ILLINOIS, DO HEREBY CERTIFY THAT THERE ARE NO DELINQUENT GENERAL TAXES, NO UNPAID CURRENT TAXES, NO UNPAID FORFEITED TAXES, AND NO REDEEMABLE TAX SALES AGAINST ANY OF THE LAND INCLUDED IN THE ANNEXED PLAT.

I FURTHER CERTIFY THAT I HAVE RECEIVED ALL STATUTORY FEES IN CONNECTION WITH THE ANNEXED PLAT.

GIVEN UNDER MY HAND AND SEAL OF THE COUNTY CLERK AT WHEATON, ILLINOIS,

THIS ____ DAY OF _____, 2020.

COUNTY CLERK

SURFACE WATER STATEMENT

STATE OF ILLINOIS)
SS.
COUNTY OF DUPAGE)

TO THE BEST OF OUR KNOWLEDGE AND BELIEF THE DRAINAGE OF SURFACE WATERS WILL NOT BE CHANGED BY THE CONSTRUCTION OF SUCH SUBDIVISION OR ANY PART THEREOF, OR, THAT IF SUCH SURFACE WATER DRAINAGE WILL BE CHANGED, REASONABLE PROVISION HAS BEEN MADE FOR COLLECTION AND DIVERSION OF SUCH SURFACE WATERS INTO PUBLIC AREAS, OR DRAINS WHICH THE SUBDIVIDER HAS A RIGHT TO USE, AND THAT SUCH SURFACE WATERS WILL BE PLANNED FOR IN ACCORDANCE WITH GENERALLY ACCEPTED ENGINEERING PRACTICES SO AS TO REDUCE THE LIKELIHOOD OF DAMAGE TO THE ADJOINING PROPERTY BECAUSE OF THE CONSTRUCTION OF THE SUBDIVISION.

DATED THIS ____ DAY OF _____, A.D., 2019.

ILLINOIS REGISTERED PROFESSIONAL ENGINEER

STATE REGISTRATION NUMBER _____

REGISTRATION EXPIRATION DATE _____

OWNER COMPANY NAME: _____

BY: _____ PRINT

ATTEST: _____ SIGNATURE

TITLE: _____ PRINT TITLE

POST CONSTRUCTION BEST MANAGEMENT PRACTICES (PCBMPs) EASEMENT PROVISIONS

A POST CONSTRUCTION BEST MANAGEMENT PRACTICES (PCBMP) EASEMENT IS HEREBY RESERVED FOR AND GRANTED BY THE OWNER OF THE SUBJECT PROPERTY TO THE CITY OF NAPERVILLE, ITS AGENTS, SUCCESSORS AND ASSIGNS OR ANY OTHER GOVERNMENTAL ENTITY HAVING JURISDICTION OVER BEST MANAGEMENT PRACTICES FOR THE TREATMENT OF STORMWATER RUNOFF WITHIN THOSE AREAS OF THE SUBJECT PROPERTY DESIGNATED AND DEFINED ON THIS PLAT AS 'POST CONSTRUCTION BEST MANAGEMENT PRACTICES EASEMENTS' OR 'PCBMP'. THE GRANT OF SAID PCBMP TO THE CITY OF NAPERVILLE SHALL INCLUDE THE RIGHT, PRIVILEGE, AND AUTHORITY TO ENFORCE AND EFFECT COMPLIANCE BY OWNER, OWNER'S SUCCESSORS AND ASSIGNS IN MAINTAINING, REPAIRING, REPLACING, AND REVEGETATING THE COMPONENT PARTS OF THE POST CONSTRUCTION BEST MANAGEMENT PRACTICES INCLUDING CONTAINMENT BERMS, BIO-TREATMENT SWALES, INLETS, STORM DRAINS, AND NATIVE PRAIRIE VEGETATION. MAINTENANCE FUNCTIONS BY OWNER MAY INCLUDE PERIODIC TRIMMING, CLEARING OF OBSTRUCTIONS, REMOVAL OF INVASIVE SPECIES, AND REPLANTING OF NATIVE PRAIRIE PLANT COMMUNITIES.

NO BUILDINGS, STRUCTURES, EARTHEN FILL, OR OBSTRUCTIONS THAT WOULD RETARD THE FLOW OF STORMWATER OR INTERFERE WITH THE FUNCTION OF THE POST CONSTRUCTION BEST MANAGEMENT PRACTICES SHALL BE UNDERTAKEN BY OWNER WITHOUT THE CONSENT OF THE CITY OF NAPERVILLE.

PUBLIC SIDEWALK PROVISIONS

A PERPETUAL NON-EXCLUSIVE EASEMENT FOR PUBLIC SIDEWALK IS HEREBY GRANTED OVER AND ACROSS THE PORTIONS OF PROPERTY DEPICTED HEREON AS MARKED AND IDENTIFIED AS 'PUBLIC SIDEWALK EASEMENT' ON THIS PLAT. THE PURPOSE OF SAID EASEMENT IS TO PROVIDE AND MAINTAIN PUBLIC SIDEWALK EASEMENT ON THE PLAT FOR THE PERPETUAL RIGHT, PRIVILEGE AND AUTHORITY TO ENTER UPON SAID INDICATED EASEMENTS, EITHER BY VEHICLE OR ON FOOT TO SURVEY, CONSTRUCT, RECONSTRUCT, TEST, REPAIR, INSPECT, MAINTAIN, RENEW, OPERATE, AND PATROL ITS PUBLIC SIDEWALK SYSTEMS THERETO, TOGETHER WITH ANY AND ALL NECESSARY APPLIANCES, APPURTENANCES, AND OTHER STRUCTURES LOCATED ON SAID INDICATED EASEMENTS NOW OR IN THE FUTURE, FOR THE PURPOSE OF SERVING ALL OF THE AREAS MARKED 'PUBLIC SIDEWALK EASEMENT,' AS WELL AS OTHER PROPERTY, WHETHER OR NOT CONTIGUOUS THERETO, TOGETHER WITH THE RIGHT OF ACCESS ACROSS THE PROPERTY DEPICTED HEREON FOR NECESSARY WORKERS AND EQUIPMENT TO DO ANY OF THE REQUIRED WORK.

EASEMENTS ARE HEREBY RESERVED FOR AND GRANTED TO THE CITY OF NAPERVILLE, ILLINOIS ('CITY') AND TO ITS OFFICERS, AGENTS, REPRESENTATIVES, EMPLOYEES, CONTRACTORS, SUCCESSORS AND ASSIGNS, OVER, UPON, UNDER AND THROUGH ALL OF THE AREAS MARKED 'PUBLIC SIDEWALK EASEMENT' ON THE PLAT FOR THE PERPETUAL RIGHT, PRIVILEGE AND AUTHORITY TO ENTER UPON SAID INDICATED EASEMENTS, EITHER BY VEHICLE OR ON FOOT TO SURVEY, CONSTRUCT, RECONSTRUCT, TEST, REPAIR, INSPECT, MAINTAIN, RENEW, OPERATE, AND PATROL ITS PUBLIC SIDEWALK SYSTEMS THERETO, TOGETHER WITH ANY AND ALL NECESSARY APPLIANCES, APPURTENANCES, AND OTHER STRUCTURES LOCATED ON SAID INDICATED EASEMENTS NOW OR IN THE FUTURE, FOR THE PURPOSE OF SERVING ALL OF THE AREAS MARKED 'PUBLIC SIDEWALK EASEMENT,' AS WELL AS OTHER PROPERTY, WHETHER OR NOT CONTIGUOUS THERETO, TOGETHER WITH THE RIGHT OF ACCESS ACROSS THE PROPERTY DEPICTED HEREON FOR NECESSARY WORKERS AND EQUIPMENT TO DO ANY OF THE REQUIRED WORK.

NO PERMANENT STRUCTURES OR BUILDINGS SHALL BE CONSTRUCTED BY ON THE EASEMENT PREMISES. THE EASEMENT PREMISES MAY BE USED FOR OTHER PURPOSES THAT DO NOT THEN OR LATER CONFLICT WITH THE AFORESAID USES OR RIGHTS. THE CITY SHALL ALSO HAVE THE RIGHT TO TRIM OR REMOVE TREES, SHRUBS, OR OTHER VEGETATION ON OR NEAR THE EASEMENT PREMISES THAT INTERFERE WITH THE OPERATION OR USE OF ITS SIDEWALKS. ALL CONSTRUCTION BY ANY ENTITY WITHIN THE EASEMENT PREMISES SHALL BE PERFORMED IN ACCORDANCE WITH THE VARIOUS REQUIREMENTS OF THE ORDINANCES AND REGULATIONS OF THE CITY OF NAPERVILLE.

PEDESTRIAN ACCESS EASEMENT PROVISIONS

A PERPETUAL NON-EXCLUSIVE ACCESS EASEMENT FOR PEDESTRIAN INGRESS AND EGRESS IS HEREBY RESERVED FOR AND GRANTED TO THE OWNERS OF EACH LOT WITHIN THE 77TH STREET PROJECT SUBDIVISION AND THE OWNERS OF EACH LOT WITHIN THE ADJACENT LIZZADRO ESTATES SUBDIVISION, THEIR RESPECTIVE SUCCESSORS, ASSIGNS, TENANTS, LESSEES AND INVITEES ON, OVER, THROUGH, ALONG AND ACROSS THE NORTH FIVE FEET AND WEST FIVE FEET OF OUTLOT A DESIGNATED AS "PEDESTRIAN ACCESS EASEMENT".

NOTHING SHALL BE ERRECTED OR MAINTAINED OR ALLOWED TO BE ERRECTED OR MAINTAINED UPON THE AREA BURDENED BY SUCH PEDESTRIAN ACCESS EASEMENT WHICH WOULD IN ANY WAY HINDER OR PREVENT THE FREE FLOW OF PEDESTRIAN TRAVEL.

STORMWATER MANAGEMENT EASEMENT AND COVENANT PROVISIONS

A PERPETUAL PUBLIC STORMWATER AND DRAINAGE EASEMENT IS HEREBY GRANTED TO THE CITY OF NAPERVILLE, ITS AGENTS, SUCCESSORS OR ASSIGNS, OR ANY OTHER GOVERNMENTAL ENTITY HAVING JURISDICTION OVER DRAINAGE OR STORMWATER FACILITIES, OVER, ON, ACROSS AND UNDER ALL OF THE AREAS MARKED "STORMWATER MANAGEMENT EASEMENT" OR (S.M.E.) ON THE PLAT FOR THE PURPOSES OF:

- 1. SURVEYING, CONSTRUCTING, RECONSTRUCTING, REPAIRING, INSPECTING, MAINTAINING, AND OPERATING ALL STORMWATER MANAGEMENT FACILITIES, STRUCTURES, GRADES, AND SLOPES CONSISTENT WITH THE INTENDED DESIGN OF THE STORMWATER FACILITIES;
2. ENTERING ONTO THE S.M.E. AND, AS REASONABLY NECESSARY, ANY ADJOINING LOT, TO PERFORM THE WORK SPECIFIED IN PARAGRAPH 1 TOGETHER WITH THE RIGHT OF ACCESS FOR NECESSARY PERSONNEL AND EQUIPMENT TO DO ANY OF THE REQUIRED WORK.
3. CUTTING DOWN, TRIMMING, OR REMOVING TREES, SHRUBS, PLANTS, MULCH, LANDSCAPING STRUCTURES, RETAINING WALLS OR ANY OTHER MATERIALS IN THE S.M.E. WHICH INTERFERE WITH THE OPERATION OF THE STORMWATER FACILITIES.

NO PERMANENT BUILDINGS MAY BE CONSTRUCTED IN THE S.M.E., BUT THE S.M.E. MAY BE USED FOR OTHER PURPOSES, SPECIFICALLY INCLUDING A SHARED USE PATH, THAT DO NOT NOW OR LATER INTERFERE OR CONFLICT WITH THE AFORESAID USES OR RIGHTS OR IN ANY WAY AFFECT OR IMPEDE THE STORAGE OR FREE FLOW OF STORMWATER ON AND OVER THE S.M.E.

OWNER SHALL HAVE FULL RESPONSIBILITY FOR THE S.M.E. AREAS SHOWN ON THE PLAT UNTIL SUCH TIME AS SAID AREAS ARE CONVEYED TO THE HOMEOWNERS' ASSOCIATION. UPON CONVEYANCE, THE HOMEOWNERS' ASSOCIATION SHALL HAVE THE PERPETUAL DUTY AND OBLIGATION TO PERFORM OR HAVE PERFORMED ALL MAINTENANCE OF THE STORMWATER MANAGEMENT DETENTION/RETENTION AREAS SO THAT THEY FUNCTION AS HYDRAULICALLY AND HYDROLOGICALLY PLANNED IN ACCORDANCE WITH ALL APPLICABLE STATUTES, ORDINANCES, AND RULES AND REGULATIONS.

NEITHER THE OWNER NOR THE HOMEOWNERS' ASSOCIATION, OR ANY OF THEIR AGENTS, OR CONTRACTORS SHALL DESTROY OR MODIFY THE GRADES OR SLOPES WITH THE S.M.E. WITHOUT THE PRIOR WRITTEN APPROVAL OF THE CITY ENGINEER OF THE CITY OF NAPERVILLE OR OTHER GOVERNMENTAL ENTITY HAVING JURISDICTION OVER DRAINAGE OR STORMWATER FACILITIES.

IF EITHER THE OWNER OR THE HOMEOWNERS' ASSOCIATION FAILS TO MAINTAIN THE STORMWATER DETENTION/RETENTION FACILITIES AS REQUIRED, THE CITY OF NAPERVILLE OR OTHER GOVERNMENTAL ENTITY HAVING JURISDICTION OVER THE S.M.E. SHALL HAVE THE RIGHT, BUT NOT THE OBLIGATION, TO ENTER THE PROPERTY TO PERFORM MAINTENANCE, REPAIR, CONSTRUCTION, OR RECONSTRUCTION NECESSARY TO MAINTAIN STORMWATER STORAGE OR FLOW ON SAID OUTLOTS.

THE INDIVIDUAL OWNER(S) OF THE LOTS CREATED BY THE FINAL PLAT OF SUBDIVISION, OR THEIR HEIRS, LEGATEES, ASSIGNS, OR SUCCESSORS, IN INTEREST, SHALL BE JOINTLY AND SEVERALLY LIABLE FOR ALL COSTS INCURRED BY THE CITY OR OTHER GOVERNMENTAL ENTITY HAVING JURISDICTION OVER THE S.M.E. IN PERFORMING THE ABOVE REFERENCED WORK, PLUS AN ADDITIONAL TEN (10%) PERCENT AND ANY REASONABLE ATTORNEYS' FEES, INCLUDING THE COSTS OF IN-HOUSE COUNSEL, CONNECTED WITH THE COLLECTION OF SUCH COSTS. THE ACTUAL COSTS OF THE CITY, OR OTHER GOVERNMENTAL ENTITY HAVING JURISDICTION, SHALL CONSTITUTE A LIEN AGAINST THE INDIVIDUAL LOTS, WHICH LIEN MAY BE FORECLOSED BY AN ACTION BROUGHT IN A COURT OF COMPETENT JURISDICTION BY OR ON BEHALF OF THE CITY OR SUCH OTHER GOVERNMENTAL ENTITY.

STRIP STYLE PUBLIC UTILITIES AND DRAINAGE EASEMENT PROVISIONS

EASEMENTS ARE HEREBY RESERVED FOR AND GRANTED TO THE CITY OF NAPERVILLE, ILLINOIS ('CITY') AND TO THOSE PUBLIC UTILITY COMPANIES OPERATING UNDER FRANCHISE OR CONTRACT WITH THE CITY, OR OTHERWISE AUTHORIZED BY THE CITY, INCLUDING BUT NOT LIMITED TO ILLINOIS BELL TELEPHONE COMPANY DBA AT&T ILLINOIS, NICOR GAS COMPANY, AND THEIR SUCCESSORS AND ASSIGNS, OVER, UPON, UNDER AND THROUGH ALL OF THE AREAS MARKED "PUBLIC UTILITIES AND DRAINAGE EASEMENTS" OR ("PU&DE") ON THE PLAT FOR THE PERPETUAL, RIGHT, PRIVILEGE AND AUTHORITY TO INSTALL, SURVEY, CONSTRUCT, RECONSTRUCT, REPAIR, INSPECT, MAINTAIN, AND OPERATE VARIOUS UTILITY TRANSMISSION AND DISTRIBUTION SYSTEMS, COMMUNITY ANTENNAE TELEVISION SYSTEMS AND INCLUDING STORM AND/OR SANITARY SEWERS, TOGETHER WITH ANY AND ALL NECESSARY MANHOLES, CATCHBASINS, CONNECTIONS, APPLIANCES AND OTHER STRUCTURES AND APPURTENANCES AS MAY BE DEEMED NECESSARY BY SAID CITY, OVER, UPON, UNDER AND THROUGH SAID INDICATED EASEMENTS, TOGETHER WITH THE RIGHT OF ACCESS ACROSS THE PROPERTY FOR NECESSARY PERSONNEL AND EQUIPMENT TO DO ANY OF THE ABOVE WORK.

THE RIGHT IS ALSO GRANTED TO TRIM OR REMOVE ANY TREES, SHRUBS OR OTHER PLANTS ON THE EASEMENT THAT INTERFERE WITH THE OPERATION OF THE SEWERS OR OTHER UTILITIES. NO PERMANENT BUILDINGS SHALL BE PLACED ON SAID EASEMENTS, BUT SAME MAY BE USED FOR GARDENS, SHRUBS, LANDSCAPING AND OTHER PURPOSES THAT DO NOT THEN OR LATER INTERFERE WITH THE AFORESAID USES OR RIGHTS. WHERE AN EASEMENT IS USED BOTH FOR SEWERS AND OTHER UTILITIES, THE OTHER UTILITY INSTALLATION SHALL BE SUBJECT TO THE ORDINANCES OF THE CITY OF NAPERVILLE.

EASEMENTS ARE HEREBY RESERVED AND GRANTED TO THE CITY OF NAPERVILLE AND OTHER GOVERNMENTAL AUTHORITIES HAVING JURISDICTION OF THE LAND SUBDIVIDED HEREBY OVER THE ENTIRE EASEMENT AREA FOR INGRESS, EGRESS AND THE PERFORMANCE OF MUNICIPAL AND OTHER GOVERNMENTAL SERVICES, INCLUDING BUT NOT LIMITED TO, WATER, STORM AND SANITARY SEWER SERVICE AND MAINTENANCE.

THERE IS HEREBY RESERVED FOR AND GRANTED TO THE CITY AN EASEMENT FOR RIGHT OF ACCESS ON, OVER, ALONG AND ACROSS THE PROPERTY DESCRIBED HEREIN FOR THE LIMITED PURPOSE OF READING, EXAMINING, INSPECTING, INSTALLING, OPERATING, MAINTAINING, EXCHANGING, REMOVING, REPAIRING, TESTING, AND/OR REPLACING CITY OWNED UTILITY EQUIPMENT AND METERS WHICH SERVE SAID PROPERTY, INCLUDING NECESSARY PERSONNEL AND EQUIPMENT TO DO ANY OF THE ABOVE WORK.

PREPARED BY:



CEMCON, Ltd.

Consulting Engineers, Land Surveyors & Planners
2280 White Oak Circle, Suite 100 Aurora, Illinois
60502-9675 PH: 630.862.2100 FAX: 630.862.2199
www.cemcon.com

DISC NO.: 782029 FILE NAME: SUBPLAT
DRAWN BY: AJB FLD. BK. / PG. NO.: D84/67-68
COMPLETION DATE: 12-20-19 JOB NO.: 782.029
REVISED 01-20-20/AJB PER COMMENT LETTER DATED 01-09-20
REVISED 03-05-20/AJB PER COMMENT LETTER DATED 03-04-20

DRAWING PATH: P:\2020\DWG\SURVEY\URBAN\RES\PLATS\SUBPLAT.DWG
PLOT FILE CREATED: 01/09/20 BY: TONY BUIAS