

EASEMENT PROVISIONS

PUBLIC SIDEWALK EASEMENT

A PERPETUAL NON-EXCLUSIVE EASEMENT FOR PUBLIC SIDEWALK IS HEREBY GRANTED OVER AND ACROSS THE PORTIONS OF PROPERTY DEPICTED HEREON (THE "REAL PROPERTY") AS MARKED AND IDENTIFIED AS "PUBLIC SIDEWALK EASEMENT" ON THIS PLAT (THE "EASEMENT AREA"), TO THE CITY OF NAPERVILLE, ILLINOIS ("CITY") FOR THE PURPOSE OF THE INSTALLATION, MAINTENANCE, REPAIR, AND REPLACEMENT OF VARIOUS PUBLIC SIDEWALKS AND APPURTENANCES THERETO, INCLUDING THE RIGHTS OF THE PUBLIC INGRESS AND EGRESS AS PROVIDED HEREIN.

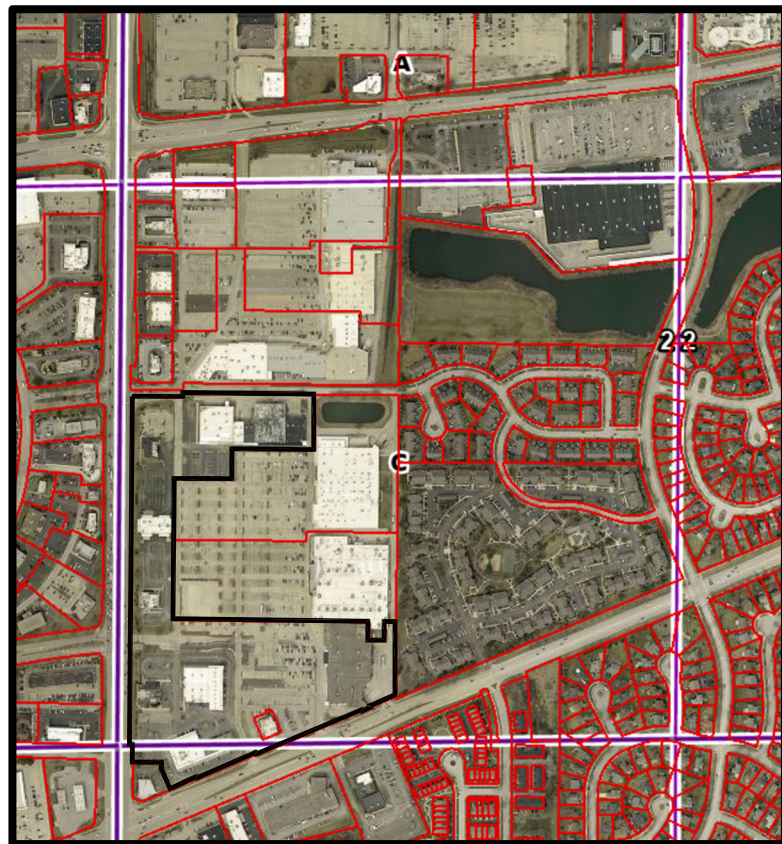
EASEMENTS ARE HEREBY RESERVED FOR AND GRANTED TO THE CITY AND TO ITS OFFICERS, AGENTS, REPRESENTATIVES, EMPLOYEES, AND CONTRACTORS, OVER, UPON, UNDER AND THROUGH THE EASEMENT AREA FOR THE PERPETUAL, RIGHT, PRIVILEGE, AND AUTHORITY TO ENTER UPON SAID INDICATED EASEMENT AREA, EITHER BY VEHICLE OR ON FOOT 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 EASEMENT AREA NOW OR IN THE FUTURE, FOR THE PURPOSE OF SERVICING ALL OF THE PUBLIC SIDEWALK SYSTEMS WITHIN THE EASEMENT AREA, TOGETHER WITH THE RIGHT OF ACCESS ACROSS THE IMMEDIATELY ADJACENT AREAS OF THE REAL PROPERTY FOR THE NECESSARY WORKERS AND EQUIPMENT TO DO ANY REQUIRED WORK TO SUCH PUBLIC SIDEWALK SYSTEMS, NO PERMANENT STRUCTURES OR BUILDINGS SHALL BE CONSTRUCTED ON THE EASEMENT PREMISES. THE CITY SHALL ALSO HAVE THE RIGHT TO TRIM OR REMOVE TREES, SHRUBS, OR OTHER VEGETATION ON OR BY ANY ENTITY WITHIN THE EASEMENT AREA TO THE EXTENT ANY OF THE SAME UNREASONABLY INTERFERE WITH THE USE OF THE EASEMENT AREA AS PROVIDED FOR HEREIN. ALL WORK PERFORMED BY OR AT THE DIRECTION OF THE CITY PURSUANT TO OR IN CONNECTION WITH THE EASEMENTS GRANTED HEREIN SHALL (I) BE PERFORMED IN ACCORDANCE WITH THE VARIOUS REQUIREMENTS OF THE ORDINANCES AND REGULATIONS OF THE CITY OF NAPERVILLE, AND WITH THE TERMS ANY OTHER EASEMENTS AND RIGHTS APPLICABLE TO THE EASEMENT AREA; (II) BE COMPLETED IN A UEN-FREE AND GOOD AND WORKMANLIKE MANNER AT THE CITY'S EXPENSE; AND (III) UTILIZE COMMERCIALLY REASONABLE MEASURES TO AVOID THE UNREASONABLE INTERFERENCE WITH OR DISTURBANCE OF THE USE AND ENJOYMENT OF THE OTHER PORTIONS OF THE REAL PROPERTY.

THE CITY SHALL INDEMNIFY, DEFEND AND HOLD THE OWNER AND ANY TENANT OF THE REAL PROPERTY, INCLUDING THEIR RESPECTIVE AGENTS, EMPLOYEES, OFFICERS, DIRECTORS, INVITEES, CONTRACTORS, SUCCESSORS AND ASSIGNS (THE "INDEMNIFIED PARTIES"), HARMLESS FROM AND AGAINST ANY AND ALL CLAIMS, DAMAGES, LOSSES, OR EXPENSES (INCLUDING WITHOUT LIMITATION REASONABLE COUNSEL AND OTHER PROFESSIONAL FEES, INCLUDING, WITHOUT LIMITATION, SUCH FEES THAT MAY BE INCURRED BY SUCH INDEMNIFIED PARTIES TO ENFORCE THIS INDEMNITY) FOR PROPERTY DAMAGE, PERSONAL DAMAGE OR PERSONAL INJURY, ARISING OUT OF OR RESULTING FROM ANY WORK PERFORMED AT THE REAL PROPERTY BY OR AT THE DIRECTION OF THE CITY PURSUANT TO, OR OTHERWISE IN CONNECTION WITH, THE EASEMENTS AND RIGHTS GRANTED HEREIN.

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" 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, CATCH BASINS, 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 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.

AREA SUMMARY	
OVERALL PARCEL 1	419,794 SQUARE FEET (9.637 ACRES)
LEASE PARCEL (PART OF PARCEL 1)	51,422 SQUARE FEET (1.180 ACRES)
PARCEL 1 MINUS LEASE PARCEL	368,373 SQUARE FEET (8.457 ACRES)
PUBLIC SIDEWALK EASEMENT	2,906 SQUARE FEET (0.067 ACRES)
PUBLIC UTILITY AND DRAINAGE EASEMENT	8,979 SQUARE FEET (0.206 ACRES)

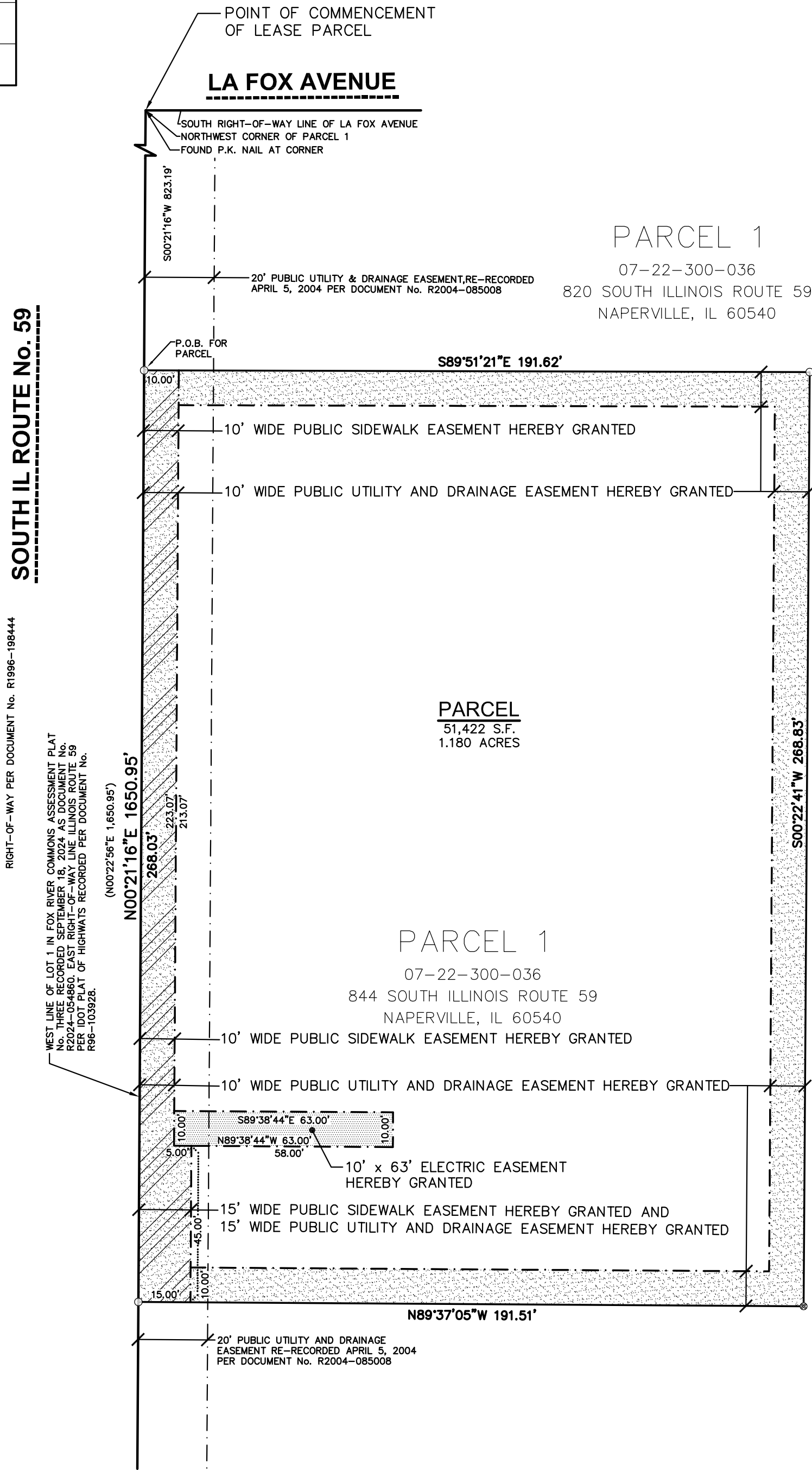
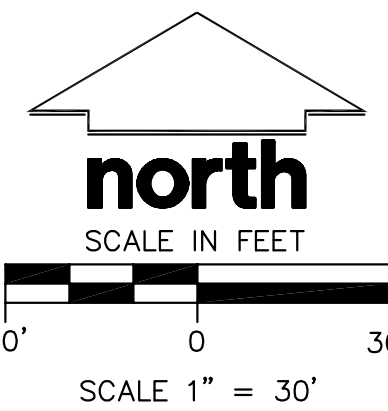


LOCATION MAP  
NOT TO SCALE

- LEGEND**
- ⊗ CHISELED "X" SET
  - 3/4" x 18" REBAR SET (1.50 LBS/LF)
  - INDICATES PUBLIC SIDEWALK EASEMENT HEREBY GRANTED
  - INDICATES PUBLIC UTILITY AND DRAINAGE EASEMENT HEREBY GRANTED
  - INDICATES ELECTRIC EASEMENT HEREBY GRANTED

NOTES

- FIELD WORK PERFORMED ON JANUARY 08, 2025.
- BEARINGS FOR THIS SURVEY AND MAP ARE REFERENCED TO THE ILLINOIS STATE PLANE COORDINATE SYSTEM, EAST ZONE, NORTH AMERICAN DATUM OF 1983 (2011 ADJUSTMENT). THE WEST LINE OF PARCEL 1, AS N00°21'16"E.
- ALL DIMENSIONS ARE GIVEN IN FEET AND DECIMAL PARTS THEREOF.
- FOR BUILDING LINES, EASEMENTS AND OTHER RESTRICTIONS NOT SHOWN HEREON REFER TO YOUR DEED, TITLE POLICY, ZONING ORDINANCE, ECT.
- CONTACT UTILITY COMPANIES BEFORE BUILDING.



PRIVATE ROADWAY

LOT 1

808 SOUTH ILLINOIS ROUTE 59  
NAPERVILLE, IL 60540

PARCEL 3

844 SOUTH ILLINOIS ROUTE 59  
NAPERVILLE, IL 60540

PLAT OF EASEMENT

OVER

PART OF P.I.N.:07-22-300-036

BEING A PART OF PARCEL 1, FOX RIVER COMMONS ASSESSMENT PLAT No. THREE, BEING A TAX DIVISION OF LOT 1 IN FOX RIVER COMMONS ASSESSMENT PLAT No. 2, BEING A PLANNED UNIT DEVELOPMENT OF PART OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER, SECTION 22, TOWNSHIP 38 NORTH, RANGE 09 EAST OF THE THIRD PRINCIPAL MERIDIAN, CITY OF NAPERVILLE, DU PAGE COUNTY, ILLINOIS, RECORDED SEPTEMBER 18, 2024 AS DOCUMENT No. R2024-054860, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID PARCEL BEING ON THE SOUTH RIGHT-OF-WAY LINE OF LA FOX AVENUE; THENCE SOUTH 00 DEGREES 21 MINUTES 16 SECONDS WEST ALONG THE WEST LINE OF SAID PARCEL AND THE EAST RIGHT-OF-WAY LINE OF ILLINOIS ROUTE 59, A DISTANCE OF 823.19 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 89 DEGREES 51 MINUTES 21 SECONDS EAST, 191.62 FEET TO A POINT ON A LINE 18.00 FEET WESTERLY OF AND PARALLEL WITH THE EASTERLY LINE OF SAID PARCEL 1; THENCE SOUTH 00 DEGREES 22 MINUTES 41 SECONDS WEST ALONG SAID PARALLEL LINE A DISTANCE OF 268.83 FEET; THENCE NORTH 89 DEGREES 37 MINUTES 05 SECONDS WEST, 191.51 FEET TO THE WEST LINE OF SAID PARCEL 1; THENCE NORTH 00 DEGREES 21 MINUTES 16 SECONDS EAST ALONG SAID WEST LINE OF PARCEL 1, A DISTANCE OF 268.03 FEET TO THE POINT OF BEGINNING, ALL IN DU PAGE COUNTY, ILLINOIS.

CONTAINING 51,422 SQUARE FEET OR 1.180 ACRES.

OWNERS CERTIFICATE.

STATE OF \_\_\_\_\_ )  
 )S.S.  
COUNTY OF \_\_\_\_\_ )

THIS IS TO CERTIFY THAT CR FOX RIVER, 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 TILED AFORESAID.

DATED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D., 2025.

BY: \_\_\_\_\_ ATTEST: \_\_\_\_\_

TITLE: \_\_\_\_\_ TITLE: \_\_\_\_\_

NOTARY CERTIFICATE.

STATE OF \_\_\_\_\_ )  
 )S.S.  
COUNTY OF \_\_\_\_\_ )

I, \_\_\_\_\_, A NOTARY PUBLIC IN AND FOR SAID COUNTY, IN THE STATE AFORESAID, DO HEREBY CERTIFY THAT \_\_\_\_\_, PERSONALLY KNOWN TO ME TO BE THE \_\_\_\_\_ OF CR FOX RIVER, LLC, AN ILLINOIS LIMITED LIABILITY COMPANY AND PERSONALLY KNOWN TO ME TO BE THE \_\_\_\_\_ OF SAID CR FOX RIVER, LIMITED LIABILITY COMPANY, AND PERSONALLY KNOWN TO ME TO BE THE SAME PERSONS WHOSE NAMES ARE SUBSCRIBED TO THE FOREGOING INSTRUMENT APPEARED BEFORE ME THIS DAY IN PERSON AND SEVERALLY ACKNOWLEDGED THAT AS SUCH AND SIGNED AND DELIVERED THE SAID INSTRUMENT AS \_\_\_\_\_ AND \_\_\_\_\_ OF SAID CR FOX RIVER, LIMITED LIABILITY COMPANY, AND CAUSED THE CORPORATE SEAL OF SAID CR FOX RIVER, LIMITED LIABILITY COMPANY TO BE AFFIXED THERETO, PURSUANT TO THE AUTHORITY GIVEN BY THE BOARD OF DIRECTORS OF SAID CR FOX RIVER, LIMITED LIABILITY COMPANY AS THEIR OWN FREE AND VOLUNTARY ACT, AND AS THE FREE AND VOLUNTARY ACT AND DEED OF SAID CR FOX RIVER, LIMITED LIABILITY COMPANY, FOR USES AND PURPOSES THEREIN SET FORTH.

GIVEN UNDER MY HAND AND NOTARIAL SEAL

THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D., 2025,

NOTARY PUBLIC MY COMMISSION EXPIRES \_\_\_\_\_

PRINT NAME \_\_\_\_\_

MORTGAGEE CERTIFICATE.

STATE OF \_\_\_\_\_ )  
 )S.S.  
COUNTY OF \_\_\_\_\_ )

\_\_\_\_\_, AS MORTGAGEE, UNDER THE 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 GRANTING OF THE EASEMENT(S) DEPICTED HEREON.

DATED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D., 20\_\_\_\_,

PRINT MORTGAGEE NAME: \_\_\_\_\_

BY: \_\_\_\_\_ ATTEST: \_\_\_\_\_

ITS: \_\_\_\_\_ ITS: \_\_\_\_\_

NOTARY CERTIFICATE.

STATE OF \_\_\_\_\_ )  
 )S.S.  
COUNTY OF \_\_\_\_\_ )

THE UNDERSIGNED, A NOTARY PUBLIC IN THE COUNTY AND STATE AFORESAID, DO HEREBY CERTIFY THAT (NAME), \_\_\_\_\_, (TITLE) \_\_\_\_\_ OF \_\_\_\_\_, AND (NAME) \_\_\_\_\_, (TITLE) \_\_\_\_\_ OF \_\_\_\_\_, WHO ARE PERSONALLY KNOWN TO ME TO BE THE SAME PERSONS WHOSE NAMES AS SUBSCRIBED TO THE FOREGOING INSTRUMENT AS SUCH. (TITLE) \_\_\_\_\_ AND (TITLE) \_\_\_\_\_ RESPECTIVELY, APPEARED BEFORE ME THIS DAY IN PERSON AND 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 \_\_\_\_\_, AS MORTGAGEE, FOR THE USES AND PURPOSES THEREIN SET FORTH.

GIVEN UNDER MY HAND AND SEAL

THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2025,

NOTARY PUBLIC MY COMMISSION EXPIRES \_\_\_\_\_

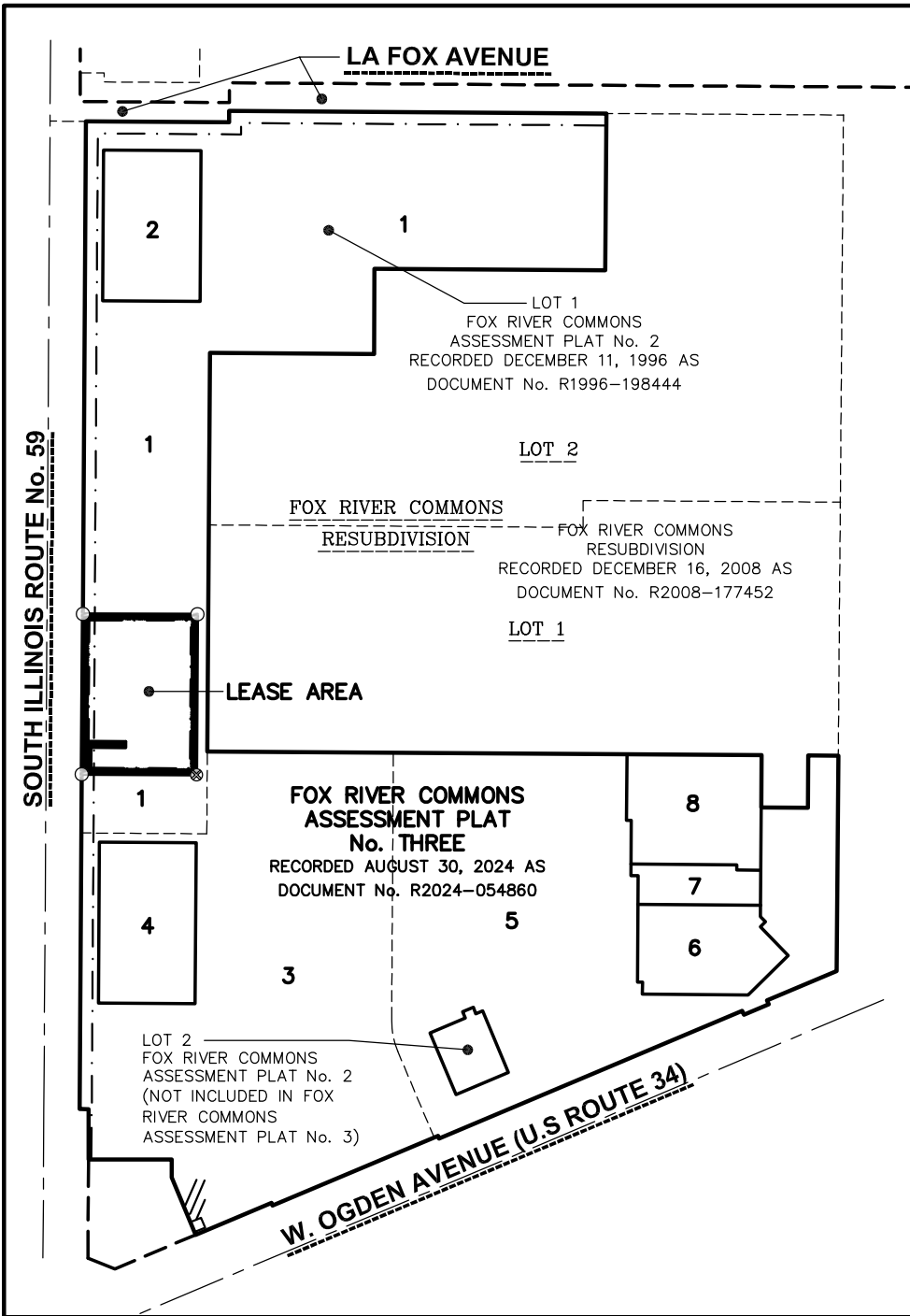
CITY OF NAPERVILLE ADMINISTRATIVE APPROVAL CERTIFICATE.

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

APPROVED IN ACCORDANCE WITH THE ADMINISTRATIVE APPROVAL CRITERIA AND PROCEDURES SET FORTH IN SECTION 7-2-5 NAPERVILLE MUNICIPAL CODE.

DATED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2025.

ZONING ADMINISTRATOR  
CITY OF NAPERVILLE



FOX RIVERS COMMONS BOUNDARIES  
NOT TO SCALE

DU PAGE COUNTY RECORDER CERTIFICATE.

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

THIS INSTRUMENT \_\_\_\_\_, WAS FILED FOR RECORD IN THE RECORDER'S OFFICE OF DU PAGE COUNTY, ILLINOIS,

ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2025, AT \_\_\_\_\_ O'CLOCK \_\_\_\_ M. AND WAS RECORDED IN

BOOK \_\_\_\_\_ OF PLATS ON PAGE \_\_\_\_\_.

DU PAGE COUNTY RECORDER \_\_\_\_\_

PERMISSION TO RECORD CERTIFICATE.

STATE OF WISCONSIN )  
 )S.S.  
COUNTY OF DANE )

I, JOHN KREBS, GRANTS PERMISSION TO THE CITY MANAGER OF THE CITY OF NAPERVILLE, OR HIS/HER DESIGNEE, TO FILE THIS PLANNED UNIT DEVELOPMENT PLAT WITH THE DU PAGE COUNTY CLERK'S OFFICE FOR TAX CERTIFICATION PURPOSES AND WITH THE OFFICE OF THE DU PAGE COUNTY RECORDER OF DEEDS FOR THE PURPOSES OF RECORDING THIS PLAT AGAINST TITLE TO THE REAL PROPERTY DESCRIBED IN THIS PLAT.

DATED AT VERONA, WISCONSIN, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2025.

JOHN KREBS  
ILLINOIS PROFESSIONAL LAND SURVEYOR  
NO. 035-002880  
LICENSE EXPIRES: NOVEMBER 30, 2026  
john.krebs@jdsinc.com  
1-608-848-5060



SURVEYOR'S CERTIFICATE.

STATE OF ILLINOIS )  
 )S.S.  
COUNTY OF McHENRY )

I HEREBY STATE THAT WE HAVE PLATTED THE PREMISES ABOVE DESCRIBED, AND THAT THE PLAT HEREON IS A TRUE REPRESENTATION OF SAID DESCRIPTION. THIS IS NOT A BOUNDARY SURVEY.

DATED AT VERONA, WISCONSIN, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2025.

JOHN KREBS  
ILLINOIS PROFESSIONAL LAND SURVEYOR  
NO. 035-002880  
LICENSE EXPIRES: NOVEMBER 30, 2026  
john.krebs@jdsinc.com  
1-608-848-5060



SURVEYED FOR:

GUZMAN Y GOMEZ MEXICAN KITCHEN  
795 EAST GOLF ROAD  
SCHAUMBURG, IL 60173

SURVEYED BY:

JSD PROFESSIONAL SERVICES, INC.  
507 W. VERONA ROAD, SUITE 500  
VERONA, WI 53593  
ILLINOIS DESIGN FIRM #184-005339  
(608) 848-5060

PROJECT LOCATION:  
SECTION 22  
TOWNSHIP 38 NORTH  
RANGE 09 EAST  
CITY OF NAPERVILLE  
DU PAGE COUNTY, IL



CREATE THE VIDEO TELL THE STORY

jdsinc.com

PLAT OF EASEMENT

PROJECT NO: 24-14769	SURVEYED BY: RAC	INITIAL SUBMITTAL DATE: MARCH 20, 2025
FIELDBOOK/PG: -	DRAWN BY: JK	REVISION RESUBMITTAL DATE: MAY 8, 2025
		REVISION RESUBMITTAL DATE: -

SHEET 1 OF 1

(DEV-0049-2025)