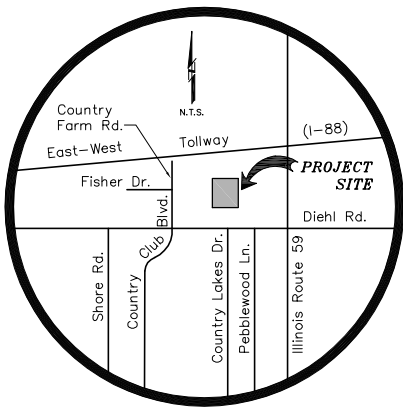
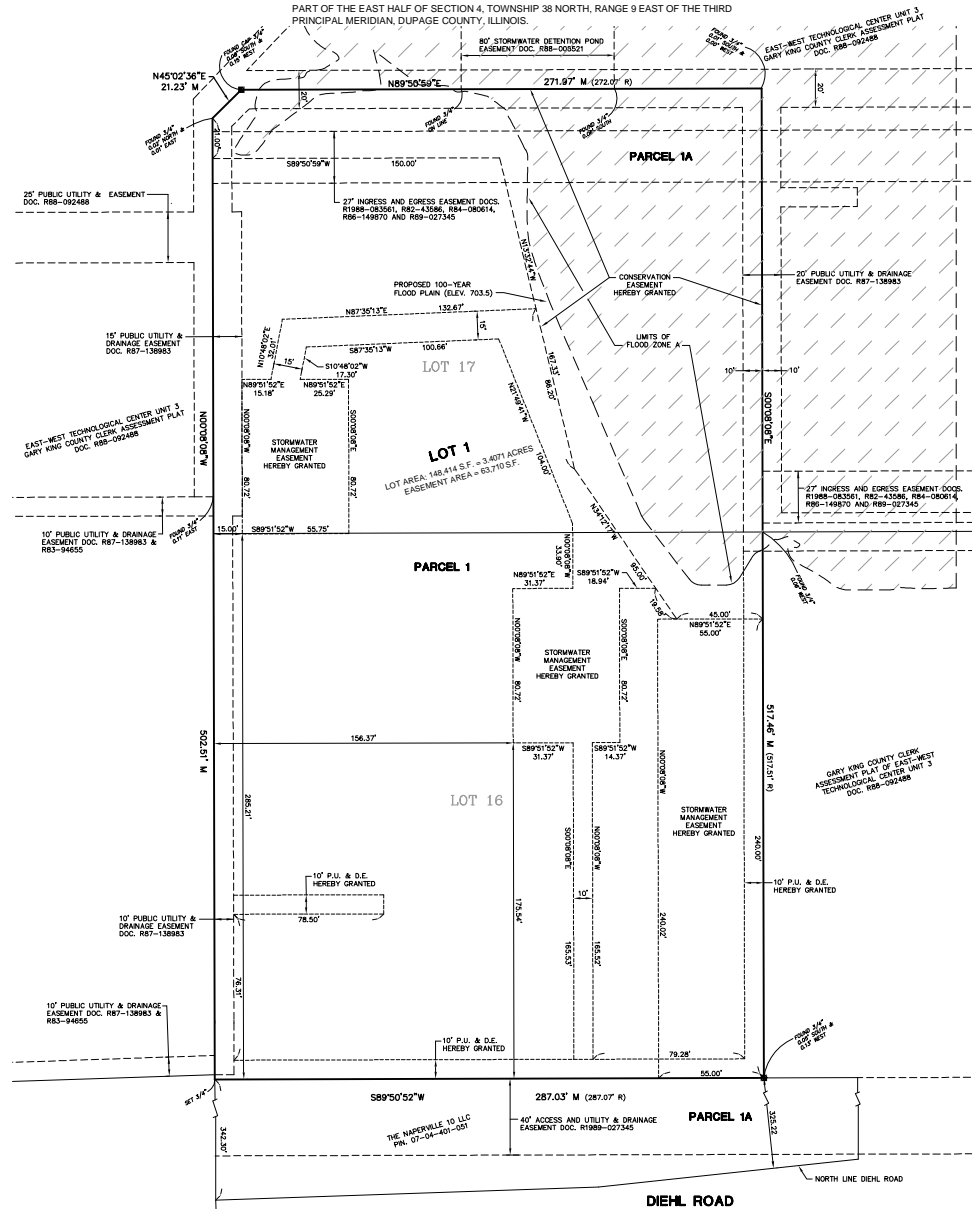


# PRELIMINARY/FINAL PLAT OF SUBDIVISION UPTOWN SUITES SUBDIVISION

PART OF THE EAST HALF OF SECTION 4, TOWNSHIP 38 NORTH, RANGE 9 EAST OF THE THIRD  
PRINCIPAL MERIDIAN, DUPAGE COUNTY, ILLINOIS.



**LOCATION MAP**  
NOT TO SCALE



SCALE: 1" = 30'  
BASIS OF BEARING - EAST-WEST  
TECHNOLOGICAL CENTER UNIT 2  
SUBDIVISION PLAT

**GRAPHIC SCALE**  
30 0 15 30 60  
( IN FEET )  
1 inch = 30 ft.

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

- LEGEND**
- UNDERLYING LOT LINE
  - - - EASEMENT LINE
  - SUBDIVISION BOUNDARY LINE/PROPERTY LINE
  - CONCRETE MONUMENT
  - ▨ FLOOD PLAIN AREA

- ABBREVIATIONS**
- N - NORTH
  - S - SOUTH
  - E - EAST
  - W - WEST
  - M - MEASURED
  - R - RECORD
  - S.F. - SQUARE FEET

- SURVEYOR NOTES**
- 3/4 INCH DIAMETER X 24 INCH IRON PIPES SET AT ALL LOT CORNERS UNLESS OTHERWISE NOTED.
  - ALL MEASUREMENTS AND DISTANCES ARE SHOWN IN U.S. FEET AND DECIMAL PARTS THEREOF.
  - ALL EASEMENTS ARE HEREBY GRANTED UNLESS OTHERWISE NOTED.
  - ALL EASEMENTS DEPICTED ON THE PLAT MAP ARE FOR PUBLIC UTILITIES AND DRAINAGE PURPOSES UNLESS OTHERWISE NOTED. REFER TO THE PUBLIC UTILITIES AND DRAINAGE EASEMENT PROVISIONS STATEMENT FOR SPECIFIC TERMS AND CONDITIONS.

**OWNER/DEVELOPER:**  
ITS NAPERVILLE, L.P.  
908 HAMMOND DRIVE  
SUITE 1400  
ATLANTA, GA 30328

CITY OF NAPERVILLE PROJECT NO.: 17-0000036

**INTECH CONSULTANTS, INC.**  
1889 UNIVERSITY LANE, SUITE D  
LISLE, ILLINOIS 60532  
PHONE: 630-964-9956  
ILLINOIS REGISTRATION No. 184-001040  
**ENGINEERS - SURVEYORS**

REVISED: 6-26-17  
REVISED: 5-19-17  
REVISED: 5-8-17  
REVISED: 3-23-17  
PREPARED: 3-14-17

SHEET No. 1 of 2 JOB No.: 2005-007175

PRELIMINARY/FINAL PLAT OF SUBDIVISION UPTOWN SUITES SUBDIVISION

# PRELIMINARY/FINAL PLAT OF SUBDIVISION

## UPTOWN SUITES SUBDIVISION

PART OF THE EAST HALF OF SECTION 4, TOWNSHIP 38 NORTH, RANGE 9 EAST OF THE THIRD PRINCIPAL MERIDIAN, DUPAGE COUNTY, ILLINOIS.

**OWNER'S CERTIFICATE**

STATE OF ILLINOIS )  
COUNTY OF \_\_\_\_\_ )  
SS )  
COUNTY OF \_\_\_\_\_ )  
THIS IS TO CERTIFY THAT \_\_\_\_\_ 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 STYLE AND THE TITLE THEREON AFORESAID.

DATED AT \_\_\_\_\_ ILLINOIS, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 20\_\_\_\_  
BY: \_\_\_\_\_ ATTEST: \_\_\_\_\_

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

**NOTARY CERTIFICATE**

STATE OF ILLINOIS )  
COUNTY OF \_\_\_\_\_ )  
SS )  
COUNTY OF \_\_\_\_\_ )  
I, \_\_\_\_\_ A NOTARY PUBLIC IN AND FOR SAID COUNTY IN THE STATE AFORESAID DO HEREBY CERTIFY THAT \_\_\_\_\_ AND \_\_\_\_\_ (TITLE) \_\_\_\_\_ OF SAID OWNER, WHO ARE PERSONALLY KNOWN TO ME TO BE THE SAME PERSONS WHOSE NAMES ARE SUBSCRIBED TO THE FOREGOING INSTRUMENT

AS SUCH (TITLE) \_\_\_\_\_ AND (TITLE) \_\_\_\_\_ RESPECTIVELY, 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\_\_\_\_.

**DUPAGE COUNTY CLERK'S CERTIFICATE**

STATE OF ILLINOIS )  
COUNTY OF DUPAGE )  
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,  
DATED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 20\_\_\_\_.

COUNTY CLERK \_\_\_\_\_

**SCHOOL DISTRICT BOUNDARY STATEMENT**

STATE OF ILLINOIS )  
COUNTY OF DUPAGE )  
SS )  
COUNTY OF DUPAGE )  
THE UNDERSIGNED, BEING DULY SWORN, UPON HIS/HER OATH DEPOSES AND STATES AS FOLLOWS:

1. THAT 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: INDIAN PRAIRIE SCHOOL DISTRICT 204  
780 SHORELINE DRIVE  
AURORA, IL 60504  
OWNER NAME: THE NAPERVILLE 10, LLC, A DELAWARE LIMITED LIABILITY COMPANY.  
BY: \_\_\_\_\_ ATTEST: \_\_\_\_\_  
ITS: \_\_\_\_\_ ITS: \_\_\_\_\_

SUBSCRIBED AND SWORN BEFORE ME THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D. 20\_\_\_\_  
NOTARY PUBLIC

**CITY COUNCIL CERTIFICATE**

STATE OF ILLINOIS )  
COUNTY OF DUPAGE )  
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 \_\_\_\_\_ 20\_\_\_\_  
BY: \_\_\_\_\_ MAYOR ATTEST: \_\_\_\_\_ CITY CLERK

**CITY TREASURER'S CERTIFICATE**

STATE OF ILLINOIS )  
COUNTY OF DUPAGE )  
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 \_\_\_\_\_ 20\_\_\_\_

CITY TREASURER / DIRECTOR, FINANCE DEPARTMENT

**NAAPERVILLE PARK DISTRICT CERTIFICATE**

STATE OF ILLINOIS )  
COUNTY OF DUPAGE )  
SS )  
COUNTY OF DUPAGE )  
THIS PLAT OF ANNEXATION IS IDENTIFIED AS THAT REAL ESTATE INCORPORATED INTO AND MADE A PART OF THE NAPERVILLE PARK DISTRICT OF WILL AND DUPAGE COUNTIES BY ORDINANCE NO. \_\_\_\_\_ ADOPTED BY THE BOARD OF PARK DISTRICT COMMISSIONERS.  
AT A MEETING HELD \_\_\_\_\_ DAY OF \_\_\_\_\_ 20\_\_\_\_  
BY: \_\_\_\_\_ PRESIDENT ATTEST: \_\_\_\_\_ SECRETARY

**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 AGREEMENT FROM THE CITY, INCLUDING, BUT NOT LIMITED TO ILLINOIS BELL TELEPHONE COMPANY DBA AT&T ILLINOIS, INCOIR GAS COMPANY, AND THEIR SUCCESSORS AND ASSIGNS OVER, UPON, UNDER AND THROUGH ALL OF THE AREA MARKED "PUBLIC UTILITIES AND DRAINAGE EASEMENTS" OR "(PUE)" 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 RIGHT OF ACCESS ACROSS THE EASEMENT AREA FOR NECESSARY MEN 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 BUILDING 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 FOR 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 THE RIGHT OF ACCESS ON, OVER, ALONG AND ACROSS THE EASEMENT AREA 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 EASEMENT AREA, INCLUDING NECESSARY PERSONNEL, AND EQUIPMENT TO DO ANY OF THE ABOVE WORK.

**STORMWATER MANAGEMENT EASEMENT AND COVENANT PROVISIONS (SM)**

OWNER AND DEVELOPER SHALL HAVE FULL RESPONSIBILITY FOR THE MAINTENANCE OF STORMWATER DETENTION/RETENTION AREA ON LOT 1. OWNER OR ITS ASSIGNS SHALL HAVE THE PERPETUAL DUTY AND OBLIGATION TO PERFORM OR HAVE PERFORMED ALL MAINTENANCE ON SAID EASEMENT AREA SO THAT IT FUNCTIONS AS HYDRAULICALLY AND HYDROLOGICALLY PLANNED IN ACCORDANCE WITH ALL APPLICABLE STATUTES, ORDINANCES AND RULES AND REGULATIONS. NEITHER THE OWNER NOR THE DEVELOPER, OR ANY OF THEIR AGENTS, OR CONTRACTORS SHALL DESTROY OR MODIFY THE GRADES OR SLOPES 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 ON SAID EASEMENT AREA. PERPETUAL PUBLIC STORMWATER AND DRAINAGE EASEMENTS ARE 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 AREA MARKED STORMWATER MANAGEMENT EASEMENT" OR (S.M.E)" ON THE PLAT FOR THE RIGHT, PRIVILEGE, AND AUTHORITY FOR THE PURPOSES OF:

1. SURVEYING, CONSTRUCTING, RECONSTRUCTING, REPAIRING, INSPECTING, MAINTAINING AND OPERATING MANAGEMENT FACILITIES, STRUCTURES, GRADES AND SLOPES ON SAID EASEMENT AREA.  
2. ENTERING ONTO SAID EASEMENT AREA 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, MULL, LANDSCAPING STRUCTURES, RETAINING WALLS OR OTHER MATERIALS ON SAID EASEMENT AREA WHICH INTERFERE WITH THE OPERATIONS OF THE STORMWATER FUNCTIONS OR PERMANENT UTILITY OR PRIVATE UTILITY FACILITIES SHALL BE CONSTRUCTED ON THE STORMWATER MANAGEMENT EASEMENT AREA BY THE OWNER, OR THE OWNER'S SUCCESSORS IN INTEREST, BUT THE STORMWATER MANAGEMENT OR PERMANENT UTILITY OR PRIVATE UTILITY PURPOSES 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 OR OVER SAID EASEMENT AREA, INCLUDING, BUT NOT LIMITED TO PAVEMENT, PARKING AND PEDESTRIAN WALKWAYS. THE CITY OF NAPERVILLE IS HEREBY GRANTED A PERMANENT AND PERPETUAL MUNICIPAL UTILITY EASEMENT OVER, UNDER AND THROUGH ALL OF THE STORMWATER MANAGEMENT EASEMENTS ON SAID LOT 1 FOR THE PURPOSES OF CONSTRUCTIONS AND MAINTENANCE OF WATER, WASTEWATER AND ELECTRIC UTILITY FACILITIES. THE CITY MAY CONSTRUCT SUCH MUNICIPAL UTILITY FACILITIES ON THE STORMWATER MANAGEMENT EASEMENTS ON SAID LOT 1 ONLY AFTER SUBMITTING AND RECEIVING APPROVAL OF ENGINEERING PLANS FROM THE CITY ENGINEER OR THE CITY ENGINEER'S DESIGNEE. THE CITY OF NAPERVILLE SHALL, UPON COMPLETION OF ANY MUNICIPAL UTILITY WORK ON THE STORMWATER MANAGEMENT EASEMENTS ON SAID LOT 1 SHALL RESTORE THE EASEMENT AREA TO THE SAME OR BETTER SURFACE CONDITION THAT EXISTED PRIOR TO BEGINNING OF THE CITY WORK. IF THE OWNER OR DEVELOPER FAILS TO MAINTAIN THE STORMWATER DETENTION/RETENTION FACILITIES ON SAID LOT 1 AS REQUIRED, THE CITY OF NAPERVILLE OR OTHER GOVERNMENTAL ENTITY HAVING JURISDICTION OVER DRAINAGE OR STORMWATER FACILITIES ON SAID LOT 1 SHALL HAVE THE RIGHT, BUT NOT THE OBLIGATION, TO ENTER THE EASEMENT AREA TO PERFORM MAINTENANCE, REPAIR, CONSTRUCTIONS OR RECONSTRUCTION NECESSARY TO MAINTAIN STORMWATER STORAGE OR FLOW ON SAID EASEMENT AREA. THE INDIVIDUAL OWNER OF THE LOT CREATED BY THE FINAL PLAT OF SUBDIVISION, OR ITS SUCCESSORS IN INTEREST, SHALL BE JOINTLY AND SEVERALLY LIABLE FOR ALL COSTS INCURRED BY THE CITY OR OTHER GOVERNMENTAL ENTITY HAVING JURISDICTION OVER DRAINAGE OR STORMWATER FACILITIES ON SAID LOT 1 IN PERFORMING SUCH WORK, PLUS AN ADDITIONAL TEN (10%) PERCENT AND ANY REASONABLE ATTORNEY'S FEES INCLUDING THE COST OF IN-HOUSE COUNSEL CONNECTED WITH THE COLLECTION OF SUCH COSTS. THE ACTUAL COST OF THE CITY, OR OTHER GOVERNMENTAL ENTITY HAVING JURISDICTION, TO PERFORM ANY NECESSARY WORK, AS DETERMINED BY THE CITY OR SUCH OTHER GOVERNMENTAL ENTITY, PLUS TEN (10%) PERCENT AND ALL ATTORNEY'S FEES, 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.

THE PROVISIONS OF THESE COVENANTS AND DECLARATIONS RELATING TO STORMWATER OBLIGATIONS SHALL NOT BE AMENDED, MODIFIED, OR ABROGATED WITHOUT THE PRIOR WRITTEN APPROVAL OF THE CITY OR OTHER GOVERNMENTAL ENTITY HAVING JURISDICTION OVER DRAINAGE OR STORMWATER FACILITIES ON SAID LOT 1. ALL OF THE ABOVE STATED OBLIGATIONS SHALL ALSO BE CLEARLY REFERENCED IN ANY COVENANTS, CONDITIONS, DECLARATIONS AND RESTRICTIONS RECORDED AGAINST ANY OF THE LOTS CREATED BY THIS FINAL PLAT OF SUBDIVISION, AND IN ANY DEEDS OR TITLE DOCUMENTATION REQUIRED FOR THE CONVEYANCE OF ANY SUCH INDIVIDUAL LOTS OR UNITS.

**DUPAGE COUNTY RECORDER'S CERTIFICATE**

STATE OF ILLINOIS )  
COUNTY OF DUPAGE )  
SS )  
COUNTY OF DUPAGE )  
THIS INSTRUMENT \_\_\_\_\_ WAS FILED FOR RECORD IN THE RECORDER'S OFFICE OF DUPAGE COUNTY, ILLINOIS,  
ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_ 20\_\_\_\_  
AT \_\_\_\_\_ O'CLOCK \_\_\_\_\_ M.  
RECORDER OF DEEDS \_\_\_\_\_

**CONSERVATION EASEMENT PROVISIONS**

A PERMANENT, IRREVOCABLE, NON-EXCLUSIVE EASEMENT FOR THE PROTECTION OF UNIQUE AREAS SUCH AS, BUT NOT LIMITED TO, WETLANDS, GRASSLANDS, FENS, MARSHES, RIVERS, STREAMS, CREEKS, PONDS, LAKES, WOODS, PRAIRIE, WILDLIFE HABITATS, AND OPEN SPACES ON, OVER AND UPON THOSE AREAS OF LAND DESIGNATED AS "CONSERVATION EASEMENT" ON THE PLAT HEREON DRAIN AND HERENAFTER REFERRED TO AS THE "CONSERVATION AREA"; IS HEREBY GRANTED TO THE CITY OF NAPERVILLE, ITS SUCCESSORS AND ASSIGNS AND OTHER UNITS OF LOCAL GOVERNMENT HAVING JURISDICTION OVER WETLANDS FOR THE FOLLOWING PURPOSES:

A. TO ACCEPT AND CONDUCT SURFACE WATER DISCHARGES FROM ADJACENT UPSTREAM PROPERTY; AND  
B. TO MAINTAIN SAID CONSERVATION AREA IN ITS NATURAL, SCENIC AND OPEN CONDITIONS; AND  
C. TO ENTER SAID CONSERVATION AREA AT ALL REASONABLE TIMES FOR THE PURPOSES OF INSPECTING SAID CONSERVATION AREA TO DETERMINE IF THE GRANTOR, OR ITS SUCCESSORS OR ASSIGNS, IS COMPLYING WITH THE COVENANTS AND PURPOSES OF THIS GRANT.

IN FURTHERANCE OF THE FOREGOING AFFIRMATIVE RIGHTS, THE GRANTOR MAKES THE FOLLOWING COVENANTS ON BEHALF OF HIMSELF, HIS HEIRS AND ASSIGNS, WHICH COVENANTS SHALL RUN WITH SAID CONSERVATION AREA IN PERPETUITY:  
A. THERE SHALL BE NO DREGDED OR FILL MATERIAL PLACED UPON SAID / AND CONSERVATION AREA.

B. THERE SHALL BE NO ROADS, DRIVEWAYS, FENCES, BUILDINGS OR STRUCTURES INCLUDING SIGNS, CONSTRUCTED UPON SAID CONSERVATION AREA, AND EXCEPT FOR UTILITIES AND APPURTENANCES THERE TO WHICH HAVE CERTAIN UNDERLYING EASEMENT RIGHTS, AND

C. THERE SHALL BE NO MOVING NOR REMOVAL OR DESTRUCTION OF TREES AND PLANTS ON SAID CONSERVATION AREA, EXCEPT WHEN NECESSARY TO PROTECT THE NATURAL, SCENIC, OPEN SPACE, OR ECOLOGICAL VALUE OF THE CONSERVATION AREA, INSTALLATION OF UTILITIES, WHICH HAVE UNDERLYING EASEMENT RIGHTS, AND

D. THERE SHALL BE NO PLOWING OF SAID CONSERVATION AREA NOR SHALL THERE BE ANY MINING, REMOVAL OF TOPSOIL, SAND, ROCK, GRAVEL, MINERALS OR OTHER MATERIAL FROM SAID CONSERVATION AREA EXCEPT TO ENHANCE THE ECOLOGICAL CHARACTERISTICS TO THE CONSERVATION AREA. SAID RESTRICTIONS ARE NOT INCLUSIVE OF UTILITY COMPANIES AND THEIR FACILITIES WHICH HAVE UNDERLYING EASEMENT RIGHTS; AND

E. THERE SHALL BE NO GRAZING OR KEEPING OF LIVESTOCK OR DOMESTIC ANIMALS OF ANY KIND ON SAID CONSERVATION AREA; AND

F. THERE SHALL BE NO OPERATION OF SNOWMOBILES, DUNE BUGGIES, MOTORCYCLES, ALL-TERRAIN VEHICLES OR ANY OTHER TYPES OF MOTORIZED VEHICLES ON SAID CONSERVATION AREA, WHICH FACILITIES ARE NOT INCLUSIVE OF UTILITY COMPANIES WHICH HAVE INSTALLED IN THE UNDERLYING CONSERVATION AREA AND REQUIRE MACHINERY TO INSTALL, REPAIR AND MAINTAIN SAID FACILITIES; AND

G. THERE SHALL BE NO DUMPING, PLACING, DEPOSITING OR STORING OF ANY TRASH, WASTE, GARBAGE, VEHICLES BODIES OR PARTS OR OTHER UNSAFELY OR OFFENSIVE MATERIAL, PROVIDED THAT THE CITY MAY EMPLOY SOUND CONSERVATION PRACTICES SUCH AS PRESCRIBED FERTILIZING, BURNING, AND BRUSH CONTROL, AND OTHER GENERALLY ACCEPTED CONSERVATION AREA MANAGEMENT PRACTICES IN ORDER TO RESTORE AND MANAGE THE NATURAL RESOURCES OR OPEN SPACES ON THE CONSERVATION AREA; AND

H. THERE SHALL BE NO FURTHER SUBDIVISION OF THE CONSERVATION AREA IN ANY MANNER, WHETHER LEGAL OR DE FACTO, BEYOND THAT SUBDIVISION SHOWN ON THE FINAL PLAT OF SUBDIVISION ATTACHED HERETO.

SAID "CONSERVATION EASEMENT" MAY BE CHANGED, MODIFIED, OR ABROGATED ONLY UPON WRITTEN APPROVAL OF SAID CITY OF NAPERVILLE, EXCEPT AS EXPRESSLY LIMITED HEREIN. THE GRANTOR RESERVED FOR ITSELF AND HIS HEIRS AND ASSIGNS, ALL RIGHTS AS OWNER OF SAID CONSERVATION AREA, INCLUDING THE RIGHT OF USE OF SAID CONSERVATION AREA FOR ALL PURPOSES NOT INCONSISTENT WITH THIS GRANT. THE CITY OF NAPERVILLE SHALL HAVE THE RIGHT, BUT NOT THE OBLIGATION, TO MAINTAIN THE CONSERVATION EASEMENT AREA(S) GRANTED BY THIS PLAT. THE CONSERVATION EASEMENT SHALL BE A CONSERVATION RIGHT UNDER 705 ILCS 1200.0/1 ET. SEQ., A COMMON LAW EASEMENT IN GROSS, A PUBLIC EASEMENT, A COMMON LAW DEDICATION, AND AN EASEMENT AND COVENANT RUNNING WITH THE LAND.

**SURFACE WATER STATEMENT**

STATE OF ILLINOIS )  
COUNTY OF DUPAGE )  
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. 20\_\_\_\_

SIGNATURE \_\_\_\_\_ SIGNATURE \_\_\_\_\_  
ILLINOIS LICENSED PROFESSIONAL ENGINEER OWNER OR ATTORNEY FOR OWNER  
STATE LICENSE NUMBER \_\_\_\_\_  
LICENSE EXPIRATION DATE \_\_\_\_\_

OWNER COMPANY NAME: \_\_\_\_\_

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

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

**SURVEYOR'S CERTIFICATE**

STATE OF ILLINOIS )  
COUNTY OF DUPAGE )  
SS )  
COUNTY OF DUPAGE )  
THIS IS TO CERTIFY THAT I, MARK S. STIMAC, AN ILLINOIS PROFESSIONAL LAND SURVEYOR, HAVE SURVEYED AND SUBDIVIDED THE FOLLOWING DESCRIBED PROPERTY:

PARCEL 1 LEGAL DESCRIPTION FOR LOT 1, MARK 5, STIMAC, AN ILLINOIS PROFESSIONAL LAND SURVEYOR, HAVE SURVEYED AND SUBDIVIDED THE FOLLOWING DESCRIBED PARCEL 1, SET FORTH ON PLAT OF SUBDIVISION DOCUMENT R88-027346 AND AS SET FORTH IN DOCUMENTS R86-148670 AND R88-083561.  
PARCEL 1A: EASEMENTS FOR ACCESS AND INGRESS AND EGRESS FOR BENEFIT OF PARCEL 1, SET FORTH ON PLAT OF SUBDIVISION DOCUMENT R88-027346 AND AS SET FORTH IN DOCUMENTS R86-148670 AND R88-083561.

I FURTHER STATE THAT THE LAND INCLUDED IN THE ANNEXED PLAT IS WITHIN THE CORPORATE LIMITS OF THE CITY OF NAPERVILLE. THE CITY OF NAPERVILLE HAS ADOPTED AN OFFICIAL COMPREHENSIVE PLAN AND IS EXERCISING THE SPECIAL POWERS AUTHORIZED BY THE STATE OF ILLINOIS ACCORDING TO 625 ILCS 511-12-6 AS HERETOFORE AND HEREAFTER AMENDED.

I FURTHER STATE THAT THE LAND AREA INCLUDED IN THIS SUBDIVISION IS IN ZONE "X" (UNSHADED) AS IDENTIFIED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY; AS SET FORTH ON THE FLOOD INSURANCE RATE MAP FOR THE COUNTY OF DUPAGE, ILLINOIS, PANEL 0702 OF 1006, MAP NUMBER 770502020H, EFFECTIVE DATE, DECEMBER 16, 2004. "X" (UNSHADED) IS DEFINED AS AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOOD PLAN. A PORTION OF THE NORTHEAST CORNER OF THE PROPERTY FALLS WITHIN THE 1% ANNUAL CHANCE SPECIAL FLOOD HAZARD AREAS SUBJECT TO INUNDATION BY THE 1% ANNUAL CHANCE FLOOD. FURTHER DEFINED BY ELEVATION 703.49 AS DETERMINED BY DUPAGE COUNTY ON 12-14-16.

DATED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 20\_\_\_\_

ILLINOIS PROFESSIONAL LAND SURVEYOR #56-2587  
LICENSE EXPIRATION/RENEWAL DATE: 11-30-2018

REVISED: 6-26-17  
REVISED: 5-19-17  
REVISED: 5-8-17  
REVISED: 3-25-17  
PREPARED: 3-14-17

