

CREEKVIEW/PEP BOYS RESUBDIVISION NO. 1

P.L.N.s 06-21-100-013
06-21-100-014

OF PART OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 21, TOWNSHIP 39 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN DUPAGE COUNTY, ILLINOIS

EASEMENT TO THE VILLAGE FOR STORMWATER DETENTION AND BMP MAINTENANCE EASEMENT PROVISIONS

EASEMENT PROVISIONS
AN EASEMENT FOR SERVING THE SUBDIVISION AND OTHER PROPERTY WITH ELECTRIC AND COMMUNICATIONS SERVICE IS HEREBY RESERVED FOR AND GRANTED TO
Commonwealth Edison Company
AND
SBC Ameritech Illinois a.k.a. Illinois Bell Telephone Company, Grantees,

Declarant hereby reserves and grants to the Village of Lombard (i.e. the Village) an easement over the stormwater detention and best management practices (BMP) facilities (i.e. "stormwater detention easement") for purposes of providing adequate stormwater drainage control and treatment together with reasonable access thereto. Said easements shall be perpetual and shall run with the land and shall be binding upon the declarant, its successors, heirs, executors and assigns. To ensure the integrity of the stormwater facilities, no obstruction shall be placed, nor alterations made, including alterations in the final topographical grading plan which in any manner impede or diminish stormwater drainage or detention in, over, under, through or upon said easement areas. In the event such obstruction or alterations are found to exist, or if the property owner or Homeowners Association otherwise fails to properly maintain the stormwater facilities, the Village shall, upon seventy-two (72) hours prior notice to the property owner and/or Homeowners Association (or any owner of property within the subdivision in the event that no information relative to a contact person for the Homeowner's Association is provided to the Village), have the right, but not the duty, to perform, or have performed on its behalf, any maintenance work to or upon the stormwater facilities on or to remove said obstruction or alterations or to perform other maintenance, repair, alteration or replacement as may reasonably be necessary to ensure that adequate stormwater storage, storm drainage, detention and retention facilities and appurtenances thereto remain fully operational and that the condition of said system complies with all applicable Village codes. In the event of an emergency situation, as determined by the Village, the seventy-two (72) hours prior notice requirement set forth above shall not apply, and the Village shall have the right, but not the duty, to proceed without notice to the property owner or Homeowners Association.

their respective licensees, successors, and assigns, jointly and severally, to construct, operate, repair, maintain, modify, reconstruct, replace, supplement, relocate and remove, from time to time, poles, guys, anchors, wires, cables, conduits, manholes, transformers, pedestals, equipment cabinets or other facilities used in connection with overhead and underground transmission and distribution of electricity, communications, sound and signals in, over, under, across, along and upon the surface of the property shown with the dashed or dotted lines (or similar designation) on the plat marked "EASEMENT", "Utility Easement", "Public Utility Easement", "P.U.E." (or similar designation), the property designated in the Declaration of Condominium and/or on this plat as "Common Elements", and the property designated on the plat as "common area or areas", and the property designated on the plat for streets and alleys, whether public or private, together with the rights to install required service connections over or under the surface of each lot and common area to serve improvements thereon, or on adjacent lots, and common area or areas, the right to cut, trim or remove trees, bushes, roots and saplings and to clear obstructions from the surface and subsurface as may be reasonably required incident to the rights herein given, and the right to enter upon the subdivided property for all such purposes. Obstructions shall not be placed over Grantees' facilities or in, upon or over the property within the dashed or dotted lines (or similar designation) marked "Easement", "Utility Easement", "Public Utility Easement", "P.U.E." (or similar designation) without the prior written consent of Grantees. After installation of any such facilities, the grade of the subdivided property shall not be altered in a manner so as to interfere with the proper operation and maintenance thereof.

In the event the Village shall be required to perform, or have performed on its behalf, any maintenance work to or upon the stormwater facilities on the underground detention system as set forth in this declaration, or any removal as aforesaid, the cost of such work shall, upon recordation of Notice of Lien with the Recorder of Deeds of DuPage County, Illinois, constitute a lien against the assets of the property owner.

The term "Common Elements" shall have the meaning set forth for the term in the "Condominium Property Act", Chapter 785 ILCS 605/2, as amended from time to time.
The term "common area or areas" is defined as a lot, parcel or area of real property, the beneficial use and enjoyment of which is reserved in whole or in part as an appurtenance to the separately owned lots, parcels or areas within the planned development, even though such be otherwise designated on the plat by terms such as "outlots", "common elements", "open space", "open area", "common ground", "parking", and "common area". The term "common area or areas", and "Common Elements" include real property surfaced with interior driveways and walkways, but excludes real property physically occupied by a building, Service Business District or structures such as a pool, retention pond or mechanical equipment.
Relocation of facilities will be done by Grantees at cost of the Grantor/Lot Owner, upon written request.

The cost of the work incurred by the Village shall include all expenses and costs associated with the performance of such work including, but not limited to, reasonable engineering, consulting and attorneys' fees related to the planning and actual performance of the work.

EASEMENT PROVISIONS
An easement for serving the subdivision and other property with natural gas service is hereby reserved for and granted to
NICOR Gas Company

If it is determined by the property owner that alterations to the stormwater facilities within the property are necessary to properly maintain the integrity of the stormwater facilities, the Village shall first be notified by the property owner of said proposed alteration. No such alteration shall take place without the prior approval of the Village. The Village may, in its direction, require the submittal of plans and specifications for Village approval before said alteration may take place.

An easement is hereby reserved for and granted to NORTHERN ILLINOIS GAS COMPANY, an Illinois Corporation doing business as NICOR GAS COMPANY, its successors and assigns (Nicor) to install, operate, maintain, repair, replace and remove, facilities used in connection with the transmission and distribution of natural gas in, over, under, across, along and upon the surface of the property shown on this plat marked "PUBLIC UTILITIES AND DRAINAGE EASEMENT", together with reasonable right of access thereto and the right to install required service connections to serve improvements thereon, or on adjacent lots and to serve other property, adjacent or otherwise, and the right to remove obstructions, including but not limited to, trees, bushes, roots and fences, as may be reasonably required incident to the rights herein given, and the right to enter upon the property for all such purposes. Obstructions shall not be placed over Nicor facilities or in, upon or over the property identified on this plat for utility purposes without the prior written consent of Nicor. After installation of any such facilities, the grade of the property shall not be altered in a manner so as to interfere with the proper operation and maintenance thereof.

UTILITY AND DRAINAGE EASEMENT PROVISIONS

Easements are reserved for the Village of Lombard and to those public utility companies operating under franchises from the Village of Lombard including, but not limited to, Commonwealth Edison Company, Illinois Bell Telephone Company, Northern Illinois Gas Company, Continental Cablevision, and their successors and assigns over all areas marked, "Easement for Public Utilities and Drainage" on the plat for the perpetual right, privilege and authority to construct, reconstruct, repair, inspect, maintain, and operate various utility transmission and distribution systems, and including overland drainage, 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 Village and/or utility companies, over upon, along, under and through said indicated easement, together with right of access across the property for necessary personnel and equipment to do any of the above work. The right is also granted to cut down and trim or remove any fences, temporary structures, trees, shrubs, or other plants without need for providing compensation thereon to the easement that interfere with the operation of the sewers or other utilities. No permanent buildings shall be placed on said easement, 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 for both sewer and other utilities, the other utility installation shall be subject to the ordinances of the Village of Lombard.

Easements are hereby reserved for and granted to the Village of Lombard 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 water, storm, and sanitary sewer service and maintenance.

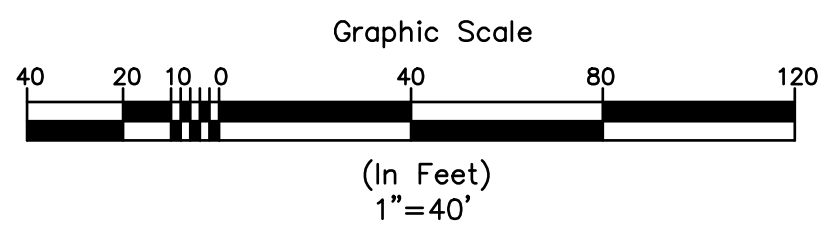
Easements also are reserved for cable communication companies along with the public utilities already referenced.

STORMWATER MANAGEMENT EASEMENT PROVISIONS

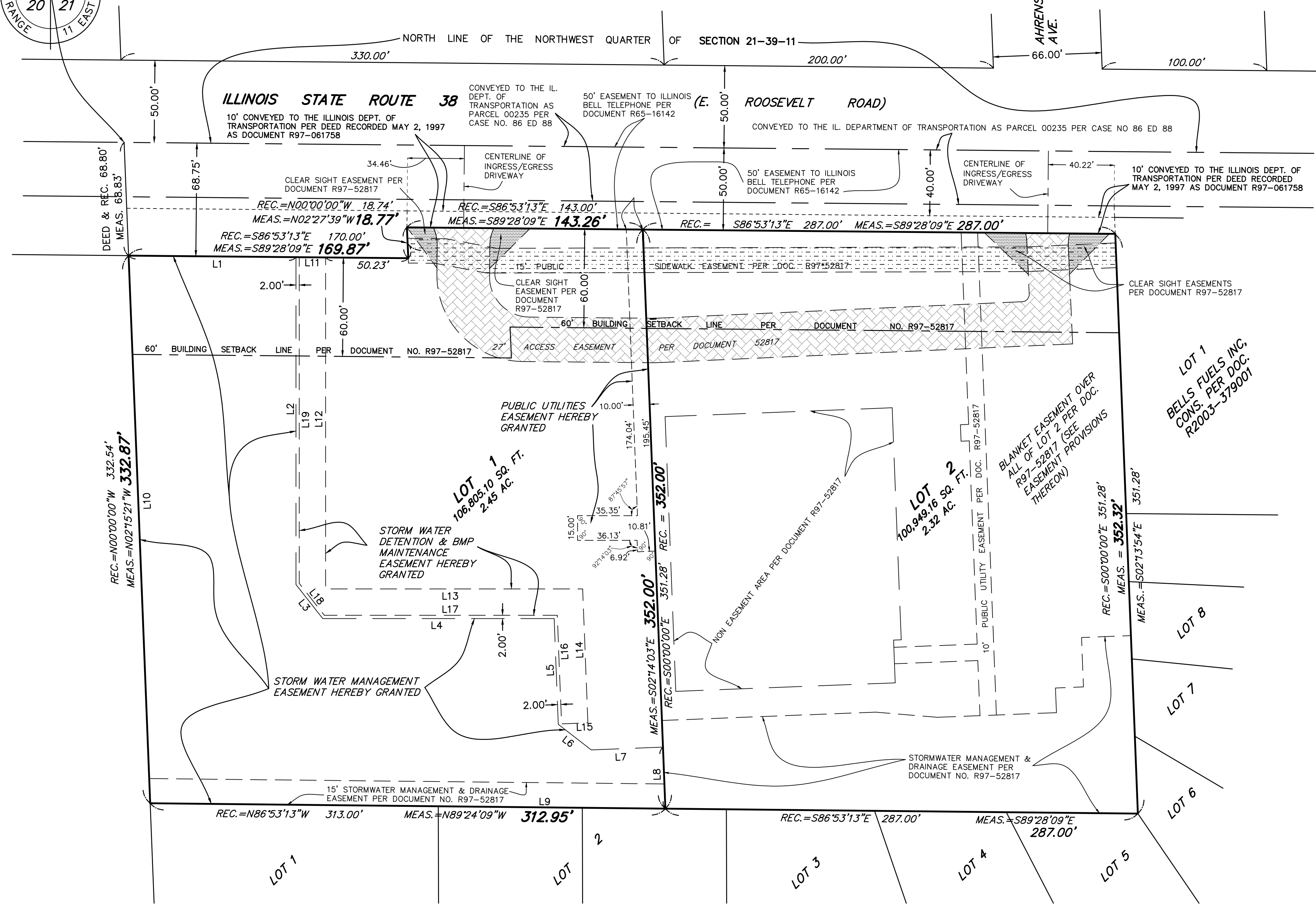
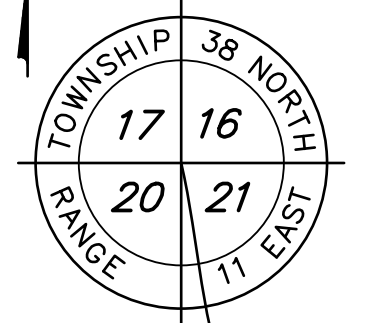
All easements indicated as stormwater management easements on this Plat are reserved for and granted to the Township of York, the County of DuPage and their successors and assigns. No buildings shall be placed on said easement but the same may be used for other purposes that do not adversely affect the storage/free-flow of stormwater. Each owner or subsequent purchaser shall be equally responsible for maintaining the stormwater management easement and shall not destroy or modify grades or slopes without having first received prior written approval of the Township of York, the County of DuPage, or any other local unit of local government having jurisdiction over drainage.

In the event any owner or subsequent purchaser fails to properly maintain the stormwater management area easements, the Township of York, the County of DuPage, Illinois or any other unit of local government having jurisdiction over drainage, shall upon ten (10) days prior of written notice, reserve the right to perform or have performed on its behalf, any maintenance work to or upon the stormwater management area reasonably necessary to insure adequate stormwater storage and free flow of stormwater through the stormwater management easement area.

In the event the County of DuPage, Illinois, or any other unit of local government having jurisdiction over drainage, shall be required to perform, or have performed on its behalf, any maintenance work to or upon the stormwater management area easement, the cost together with an additional sum of ten percent (10%) of said cost shall upon recordation of a Notice of Lien within ninety (90) days of completion of the work constitute a lien against all lots created by this Plat which may be foreclosed by any action brought by or on behalf of the Township of York, the County of DuPage, Illinois.



NOTE: BASIS OF BEARING: ILLINOIS STATE PLANE COORDINATE SYSTEM, EAST ZONE



LINE TABLES - EASEMENTS HEREBY GRANTED

STORM WATER MANAGEMENT EASEMENT			STORM WATER DETENTION & BMP MAINTENANCE ESMT.			10' PUB. UTILS. EASEMENT		
Line #	Direction	Length	Line #	Direction	Length	Line #	Direction	Length
L1	S89° 27' 59.96"E	101.64	L11	S89° 27' 09.65"E	16.00	L1	S89° 27' 59.96"E	101.64
L2	S0° 00' 00.00"E	198.82	L12	S0° 00' 00.00"E	201.35	L2	S0° 00' 00.00"E	198.82
L3	S38° 10' 54.65"E	26.32	L13	N89° 59' 59.98"E	156.16	L3	S38° 10' 54.65"E	26.32
L4	N89° 59' 59.98"E	140.58	L14	S2° 14' 03.47"E	81.37	L4	N89° 59' 59.98"E	140.58
L5	S2° 14' 03.47"E	64.26	L15	S87° 45' 56.53"W	16.00	L5	S2° 14' 03.47"E	64.26
L6	S52° 16' 36.29"E	25.38	L16	N2° 14' 03.47"W	65.98	L6	S52° 16' 36.29"E	25.38
L7	N87° 45' 56.53"E	43.55	L17	S89° 59' 59.98"W	141.53	L7	N87° 45' 56.53"E	43.55
L8	S2° 14' 03.47"E	37.41	L18	N38° 10' 54.65"W	24.66	L8	S2° 14' 03.47"E	37.41
L9	N89° 24' 08.65"W	312.95	L19	N0° 00' 00.00"E	198.12	L9	N89° 24' 08.65"W	312.95
L10	N2° 15' 20.92"W	332.87				L10	N2° 15' 20.92"W	332.87

ACCESS NOTES:
THERE SHALL BE AT MOST ONE (1) DIRECT VEHICULAR ACCESS POINT ALONG ILL. ROUTE 38 (ROOSEVELT ROAD) SERVING LOT 1, AS DEPICTED HEREON.
THERE SHALL BE AT MOST ONE (1) DIRECT VEHICULAR ACCESS POINT ALONG ILL. ROUTE 38 (ROOSEVELT ROAD) SERVING LOT 2, AS DEPICTED HEREON.
ALL OTHER VEHICULAR ACCESS TO ILL. ROUTE 38 (ROOSEVELT ROAD) SHALL BE VIA INTERNAL CIRCULATION.

PREPARED FOR: WATERMARK ENGINEERING RESOURCES, LTD.
BY: **GENTILE & ASSOCIATES, INC.**
PROFESSIONAL LAND SURVEYORS
550 E. ST. CHARLES PLACE
LOMBARD, ILLINOIS 60148
PHONE (630) 916-6262
DRAWN BY: VAF
ORDER NO.: 22534-24 RESUB
SHEET 1 OF 2
ILLINOIS PROFESSIONAL DESIGN FIRM LICENSE NO. 184.002870

NO.	DATE	DESCRIPTION	BY

SUBMITTED BY AND RETURN TO:
VILLAGE OF LOMBARD
255 E. WILSON ROAD
LOMBARD, ILLINOIS 60148