

CITY OF NAPERVILLE

# Certificates and Statements

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Development Review Team

**Updated: 10/29/2015**

Please use the decision matrix found in the Plat Review Checklist to determine which certificates and statements will be needed for the plat being created. The following certificates and statements can be copied for use in plats to ensure approval.



CITY OF NAPERVILLE ADMINISTRATIVE APPROVAL CERTIFICATE

STATE OF ILLINOIS    )  
                                  ) SS  
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 \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
ZONING ADMINISTRATOR  
CITY OF NAPERVILLE  
TRANSPORTATION, ENGINEERING  
AND DEVELOPMENT BUSINESS GROUP

CITY TREASURER'S CERTIFICATE

STATE OF ILLINOIS    )  
                                  ) SS  
COUNTY OF DU PAGE )

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

PLAN COMMISSION CERTIFICATE

STATE OF ILLINOIS    )  
                                  ) SS  
COUNTY OF DU PAGE )

APPROVED BY THE CITY OF NAPERVILLE PLAN COMMISSION

AT A MEETING HELD THE \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D., 20\_\_\_\_.

BY: \_\_\_\_\_  
                                  CHAIRMAN

ATTEST: \_\_\_\_\_  
                                  SECRETARY









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 \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
NOTARY PUBLIC

DU PAGE COUNTY CLERK'S CERTIFICATE

STATE OF ILLINOIS    )  
                                  ) SS  
COUNTY OF DU PAGE )

I, \_\_\_\_\_, COUNTY CLERK OF DU PAGE 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 \_\_\_\_\_, A.D., 20\_\_\_\_\_.

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

DUPAGE COUNTY RECORDER'S CERTIFICATE

STATE OF ILLINOIS     )  
                                  ) SS  
COUNTY OF DU PAGE )

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

ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D., 20\_\_\_\_\_

AT \_\_\_\_\_ O'CLOCK \_\_\_\_\_ M.

\_\_\_\_\_  
RECORDER OF DEEDS

DUPAGE COUNTY ENGINEER CERTIFICATE

STATE OF ILLINOIS    )  
                                  ) SS  
COUNTY OF DU PAGE )

APPROVED BY THE DU PAGE COUNTY DIVISION OF TRANSPORTATION

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

\_\_\_\_\_  
COUNTY ENGINEER

DUPAGE COUNTY ENGINEER CERTIFICATE

STATE OF ILLINOIS    )  
                                  ) SS  
COUNTY OF DU PAGE )

THIS PLAT HAS BEEN APPROVED BY THE DU PAGE COUNTY DIVISION OF TRANSPORTATION WITH RESPECT TO ROADWAY ACCESS TO COUNTY HIGHWAY (NUMBER), (STREET NAME) PURSUANT TO 765 ILCS 205/2 et seq.: HOWEVER, A HIGHWAY PERMIT FOR ACCESS IS REQUIRED OF THE OWNER OF THE PROPERTY PRIOR TO CONSTRUCTION WITHIN THE COUNTY RIGHT-OF-WAY.

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

\_\_\_\_\_  
COUNTY ENGINEER

Note: The above certificate shall appear on all subdivision plats for land that is adjoining a Du Page County marked highway.









SCHOOL DISTRICT BOUNDARY STATEMENT

STATE OF ILLINOIS    )  
                                  ) SS  
COUNTY OF DU PAGE )

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

1.     THAT \_\_\_\_\_ 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:

*NOTE: SHOW ONE SCHOOL DISTRICT NAME AND ADDRESS ON THE PLAT*

NAPERVILLE COMMUNITY UNIT DISTRICT 203  
203 W. HILLSIDE ROAD  
NAPERVILLE, ILLINOIS 60540-6589

INDIAN PRAIRIE SCHOOL DISTRICT 204  
780 SHORELINE DRIVE  
AURORA, IL 60504

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

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

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

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

\_\_\_\_\_  
NOTARY PUBLIC

NAPERVILLE PARK DISTRICT CERTIFICATE

STATE OF ILLINOIS    )  
                                  ) SS  
COUNTY OF DU PAGE )

THIS PLAT OF ANNEXATION IS IDENTIFIED AS THAT REAL ESTATE INCORPORATED INTO AND MADE A PART OF THE NAPERVILLE PARK DISTRICT OF WILL AND DU PAGE COUNTIES

BY ORDINANCE NO. \_\_\_\_\_ ADOPTED BY THE BOARD OF PARK DISTRICT COMMISSIONERS.

AT A MEETING HELD ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D., 20\_\_\_\_.

BY: \_\_\_\_\_  
                  PRESIDENT

ATTEST: \_\_\_\_\_  
                  SECRETARY

## BLANKET EASEMENT

### PUBLIC UTILITIES AND DRAINAGE EASEMENT PROVISIONS

A NON-EXCLUSIVE PERPETUAL EASEMENT IS HEREBY RESERVED FOR AND GRANTED OVER ALL LOTS OF THE PROPERTY DEPICTED HEREON (HEREINAFTER "EASEMENT") TO THE CITY OF NAPERVILLE, ILLINOIS, AND TO THOSE PUBLIC UTILITY COMPANIES OPERATING UNDER FRANCHISE OR AGREEMENT FROM THE CITY OF NAPERVILLE, INCLUDING, BUT NOT LIMITED TO, ILLINOIS BELL TELEPHONE COMPANY DBA AT&T ILLINOIS, NICOR GAS COMPANY, AND THEIR SUCCESSORS AND ASSIGNS, AND TO OTHER GOVERNMENTAL AUTHORITIES HAVING JURISDICTION, OVER THE PROPERTY, EXCEPTING THEREFROM ANY BUILDINGS (OTHER THAN UTILITY METERS ATTACHED THERETO) ORIGINALLY PLANNED AND/OR CONSTRUCTED WITH THE DEVELOPMENT AS SHOWN HEREON, FOR THE PERFORMANCE OF MUNICIPAL AND OTHER GOVERNMENTAL SERVICES, INCLUDING BUT NOT LIMITED TO THE PERPETUAL RIGHT, PRIVILEGE AND AUTHORITY TO SURVEY, CONSTRUCT, RECONSTRUCT, INSTALL, REPAIR, INSPECT, REMOVE, EXCHANGE, TEST, REPLACE, MAINTAIN AND OPERATE VARIOUS UTILITY TRANSMISSION AND DISTRIBUTION SYSTEMS, COMMUNITY ANTENNA TELEVISION SYSTEMS, WATER, 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 EASEMENT, AND FOR THE RIGHT TO READ, EXAMINE, INSPECT, INSTALL, OPERATE, MAINTAIN, EXCHANGE, REMOVE, REPAIR, TEST, AND/OR REPLACE CITY OWNED UTILITY EQUIPMENT AND METERS, TOGETHER WITH THE RIGHT OF ACCESS ACROSS THE GRANTORS PROPERTY FOR NECESSARY PERSONNEL AND EQUIPMENT TO DO ANY OF THE ABOVE WORK.

THE RIGHT IS ALSO GRANTED TO THE CITY AND ITS AGENTS TO TRIM OR REMOVE ANY TREES, SHRUBS OR OTHER PLANTS ON THE EASEMENT THAT INTERFERE WITH THE REASONABLE USE OF SAID EASEMENT. 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.

ALL CONSTRUCTION OR OTHER WORK PERFORMED BY ANY PERSON OR ENTITY WITHIN THE EASEMENT HEREBY GRANTED SHALL BE PERFORMED IN ACCORDANCE WITH THE VARIOUS REQUIREMENTS OF THE ORDINANCES, CODE, AND REGULATIONS OF THE CITY OF NAPERVILLE AND ALL OTHER APPLICABLE LAW.

## STRIP STYLE EASEMENT

### 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.

SURFACE WATER STATEMENT

STATE OF ILLINOIS    )  
                                  ) SS  
COUNTY OF DU PAGE )

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\_\_\_\_\_.

\_\_\_\_\_  
ILLINOIS REGISTERED  
PROFESSIONAL ENGINEER

\_\_\_\_\_  
STATE REGISTRATION NUMBER

\_\_\_\_\_  
REGISTRATION EXPIRATION / RENEWAL DATE

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

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

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

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

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

SURFACE WATER STATEMENT

STATE OF ILLINOIS    )  
                                  ) SS  
COUNTY OF DU PAGE )

TO THE BEST OF MY 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 \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
SIGNATURE  
ILLINOIS REGISTERED  
PROFESSIONAL ENGINEER

\_\_\_\_\_  
STATE REGISTRATION NUMBER

\_\_\_\_\_  
REGISTRATION EXPIRATION DATE

OWNER'S SIGNATURE: \_\_\_\_\_

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

PERMANENT ACCESS CONTROL COVENANT

VEHICULAR ACCESS SHALL NOT BE ALLOWED FROM \_\_\_\_\_  
STREET NAME

ONTO LOTS \_\_\_\_\_ AND FROM \_\_\_\_\_  
STREET NAME

ONTO LOTS \_\_\_\_\_ AS SHOWN ON THE PLAT HEREON DRAWN.  
THIS ACCESS CONTROL COVENANT SHALL BE PERMANENT.

NAPERVILLE DEPARTMENT OF PUBLIC UTILITIES

STATE OF ILLINOIS    )  
                                  ) SS  
COUNTY OF DU PAGE )

VACATION OF THAT PART OF THE EASEMENT SHOWN AND DESCRIBED HEREON

APPROVED AND ACCEPTED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D., 20 \_\_\_\_.

NAPERVILLE DEPARTMENT OF PUBLIC UTILITIES

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

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

ILLINOIS BELL TELEPHONE COMPANY DBA AT&T ILLINOIS VACATION CERTIFICATE

STATE OF ILLINOIS     )  
                                  ) SS  
COUNTY OF DU PAGE )

VACATION OF THAT PART OF THE EASEMENT SHOWN AND DESCRIBED HEREON

APPROVED AND ACCEPTED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D., 20\_\_\_\_.

ILLINOIS BELL TELEPHONE COMPANY DBA AT&T ILLINOIS

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

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

WIDEOPEN WEST ILLINOIS, LLC CERTIFICATE

STATE ILLINOIS            )  
                                  ) SS  
COUNTY OF DU PAGE )

VACATION OF THAT PART OF THE EASEMENT SHOWN AND DESCRIBED HEREON  
APPROVED AND ACCEPTED

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

WIDEOPEN WEST ILLINOIS, LLC

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

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

NICOR GAS COMPANY VACATION CERTIFICATE

STATE OF ILLINOIS     )  
                                  ) SS  
COUNTY OF DU PAGE )

VACATION OF THAT PART OF THE EASEMENT SHOWN AND DESCRIBED HEREON

APPROVED AND ACCEPTED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D., 20\_\_\_\_\_.

NICOR GAS COMPANY

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

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

COMMONWEALTH EDISON COMPANY CERTIFICATE

STATE OF ILLINOIS     )  
                                  ) SS  
COUNTY OF DU PAGE )

VACATION OF THAT PART OF THE EASEMENT SHOWN AND DESCRIBED HEREON  
APPROVED AND ACCEPTED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D., 20\_\_\_\_\_.

COMMONWEALTH EDISON COMPANY

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

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

Note: Do not install this certificate on the plat unless it is known that COMED is a named grantee in the easement to be vacated.

COMCAST VACATION CERTIFICATE

STATE OF ILLINOIS    )  
                                  ) SS  
COUNTY OF DU PAGE )

VACATION OF THAT PART OF THE EASEMENT SHOWN AND DESCRIBED HEREON  
APPROVED AND ACCEPTED

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

COMCAST

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

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

ILLINOIS DEPARTMENT OF TRANSPORTATION STATEMENT

THIS PLAT HAS BEEN APPROVED BY THE ILLINOIS DEPARTMENT OF TRANSPORTATION WITH RESPECT TO ROADWAY ACCESS PURSUANT TO § 2 OF "AN ACT TO REVISE THE LAW IN RELATION TO PLATS," AS AMENDED. A PLAN THAT MEETS THE REQUIREMENTS CONTAINED IN THE DEPARTMENT'S "POLICY ON PERMITS FOR ACCESS DRIVEWAYS TO STATE HIGHWAYS" WILL BE REQUIRED BY THE DEPARTMENT.

\_\_\_\_\_  
SIGNATURE

\_\_\_\_\_, A.D., 20\_\_\_\_  
DATE

\_\_\_\_\_  
PRINT

\_\_\_\_\_  
REGION ONE ENGINEER

### CROSS ACCESS EASEMENT PROVISIONS

A PERPETUAL NON-EXCLUSIVE EASEMENT FOR VEHICULAR ACCESS IS HEREBY GRANTED OVER AND ACROSS THE PORTIONS OF LOT 1 AS MARKED AND IDENTIFIED AS "CROSS ACCESS EASEMENT" ON THIS PLAT.

THE OWNER(S) OF LOT 1 SHALL, AT ITS (THEIR) SOLE EXPENSE, KEEP AND MAINTAIN THE "CROSS ACCESS EASEMENT" IN GOOD ORDER AND REPAIR, AND IMPROVEMD WITH A CONTINUOUS IMPERVIOUS MATERIAL (SUCH AS CONCRETE OR ASHPALT) OF SUFFICIENT BEARING STRENGTH SO AS TO ACCOMMODATE VEHICLE TRAFFIC.

NO OBSTRUCTIONS OR BARRIERS SHALL BE ERECTED ON OR ABOUT "CROSS ACCESS EASEMENT". IN ESTABLISHING AND/OR MAINTAINING THE GRADE LEVEL OF THE IMPERVIOUS SURFACE OF THE "CROSS ACCESS EASEMENT" AREA, THE OWNER(S) OF LOT 1 SHALL COOPERATE WITH THE RESPECTIVE OWNERS OF THE PARCELS TO THE NORTH AND SOUTH TO PROVIDE A REASONABLY CONSISTENT GRADE LEVEL SO AS TO PERMIT UNOBSTRUCTED VEHICLE MOVEMENTS AND CONSISTENT MAINTENANCE. FOR PURPOSES OF "CROSS ACCESS EASEMENT", MAINTENANCE SHALL BE DEEMED TO INCLUDE (BUT NOT BE LIMITED TO) THE REPAIR OF POTHOLES AND CRACKS, KEEPING THE SURFACE OF THE EASEMENT AREA FREE OF SNOW AND ICE, AND PROVIDING SURFACE STRIPING FOR THE COORDINATED MOVEMENT AND CIRCULATION OF VEHICLES THROUGH THE EASEMENT AREA.

## 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, PRAIRIES, WILDLIFE HABITATS, AND OPEN SPACES ON, OVER AND UPON THOSE AREAS OF LAND DESIGNATED AS " CONSERVATION EASEMENT " ON THE PLAT HEREON DRAWN AND HEREINAFTER REFERRED TO AS THE "LAND", 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 LAND IN ITS NATURAL, SCENIC AND OPEN CONDITIONS; AND
- C. TO ENTER SAID LAND AT ALL REASONABLE TIMES FOR THE PURPOSES OF INSPECTING SAID LAND TO DETERMINE IF THE GRANTOR, OR HER HEIRS 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 LAND IN PERPETUITY:

- A. THERE SHALL BE NO DREDGED OR FILL MATERIAL PLACED UPON SAID LAND; AND
- B. THERE SHALL BE NO ROADS, DRIVEWAYS, FENCES, BUILDINGS OR STRUCTURES INCLUDING SIGNS, CONSTRUCTED UPON SAID LAND ; AND *(IF THERE ARE EXISTING UTILITIES WITHIN THE AREAS TO BE GRANTED AS CONSERVATION EASEMENTS THEN THE FOLLOWING TEXT SHOULD BE ADDED AT THE END OF THE PRECEDING PARAGRAPH)* EXCEPT FOR UTILITIES AND APPURTENANCES THERETO WHICH HAVE CERTAIN UNDERLYING EASEMENT RIGHTS; AND
- C. THERE SHALL BE NO MOWING NOR REMOVAL OR DESTRUCTION OF TREES AND PLANTS ON SAID LAND, EXCEPT WHEN NECESSARY TO PROTECT THE NATURAL, SCENIC, OPEN SPACE, OR ECOLOGICAL VALUE OF THE LAND. *(IF THERE ARE EXISTING UTILITIES WITHIN THE AREAS TO BE GRANTED AS CONSERVATION EASEMENTS THEN THE FOLLOWING TEXT SHOULD BE ADDED AT THE END OF THE PRECEDING PARAGRAPH)* AND EXCEPT FOR THE INSTALLATION OF UTILITIES, WHICH HAVE UNDERLYING EASEMENT RIGHTS; AND
- D. THERE SHALL BE NO PLOWING OF SAID LAND NOR SHALL THERE BE ANY MINING, REMOVAL OF TOPSOIL, SAND, ROCK, GRAVEL, MINERALS OR OTHER MATERIAL FROM SAID LAND EXCEPT TO ENHANCE THE ECOLOGICAL CHARACTER TO THE LAND; *(IF THERE ARE EXISTING UTILITIES WITHIN THE AREAS TO BE GRANTED AS CONSERVATION EASEMENTS THEN THE FOLLOWING TEXT SHOULD BE ADDED AT THE END OF THE PRECEDING*

**PARAGRAPH)** 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 LAND ; AND
- F. THERE SHALL BE NO OPERATION OF SNOWMOBILES, DUNE BUGGIES, MOTORCYCLES, ALL-TERRAIN VEHICLES OR ANY OTHER TYPES OF MOTORIZED VEHICLES ON SAID LAND; SAID RESTRICTIONS ARE NOT INCLUSIVE OF UTILITY COMPANIES WHICH HAVE FACILITIES IN UNDERLYING EASEMENT AREAS 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 UNSIGHTLY OR OFFENSIVE MATERIAL, PROVIDED THAT THE CITY MAY EMPLOY SOUND CONSERVATION PRACTICES SUCH AS PRESCRIBED FERTILIZING, BURNING, AND BRUSH CONTROL, AND OTHER GENERALLY ACCEPTED LAND MANAGEMENT PRACTICES IN ORDER TO RESTORE AND MANAGE THE NATURAL RESOURCES OR OPEN SPACES ON THE LAND; AND
- H. THERE SHALL BE NO FURTHER SUBDIVISION OF THE LAND 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 HERSELF, HER 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 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 765 IL CS 120/0.01 ET. SEQ., A COMMON LAW EASEMENT IN GROSS, A PUBLIC EASEMENT, A COMMON LAW DEDICATION, AND AN EASEMENT AND COVENANT RUNNING WITH THE LAND.