VILLAGE OF CAROL STREAM

PLAT OF EASEMENT AND PLAT OF SUBDIVISION

PROVISIONS

PLAT OF EASEMENT

Below are typical easement provisions that shall be inserted into a Plat of Easement as applicable. Provisions for easements to serve other purposes may be obtained by contacting the Engineering Services Department.

STORMWATER MANAGEMENT AND CONVEYANCE EASEMENT PROVISIONS

AN EASEMENT IS HEREBY RESERVED FOR AND GRANTED TO THE VILLAGE OF CAROL STREAM OVER ALL OF THE AREAS INDICATED AS “STORMWATER MANAGEMENT AND CONVEYANCE EASEMENT”, OR “S.M.C.E.” FOR THE PERPETUAL RIGHT, PRIVILEGE AND AUTHORITY TO CONSTRUCT, RECONSTRUCT, GRADE, REGRADE, CLEAN, REPAIR, INSPECT, OPERATE AND OTHERWISE MAINTAIN IN AN UNOBSTRUCTED CONDITION A SYSTEM OF STORM DRAINS, MANHOLES, INLETS, OVERLAND DRAINAGE SWALES, AND A STORMWATER MANAGEMENT BASIN FOR THE CONVEYANCE AND TEMPORARY STORAGE OF STORMWATER RUNOFF TRIBUTARY THERETO TOGETHER WITH THE RIGHT OF ACCESS OVER, UPON AND THROUGH SAID EASEMENT FOR THE NECESSARY INDIVIDUALS AND EQUIPMENT TO PERFORM SAID FUNCTIONS. THE RIGHT IS ALSO GRANTED TO CUT DOWN, TRIM, OR REMOVE TREES, BUSHES, VEGETATION AND DEBRIS WITHIN SAID EASEMENT AREA THAT CAN REASONABLY BE SHOWN TO OBSTRUCT OR OTHERWISE HINDER THE OPERATION OF SAID EASEMENT AREA FOR THE USES AND PURPOSES HEREIN SETFORTH. NO BUILDINGS, SHEDS, SWIMMING POOLS, FENCES OR OBJECTS AND EQUIPMENT SUBJECT TO DAMAGE DUE TO PERIODIC INUNDATION SHALL BE PLACED ON SAID EASEMENT AND NO EARTH FILL OR EXTRANEOUS MATERIALS SHALL BE DEPOSITED OR EXTENSIVE REGRADING WORK UNDERTAKING THAT WOULD HINDER OR OBSTRUCT THE CONVEYANCE OF STORM DRAINAGE OR DISPLACE ANY STORMWATER STORAGE VOLUME POTENTIALLY AVAILABLE DURING TIMES OF PEAK RUNOFF. SAID EASEMENT AREAS MAY BE USED, HOWEVER, FOR PAVED AREAS, GARDENS, TREES, PLANTS, LAWNS AND OTHER LANDSCAPING IMPROVEMENTS AND FOR OTHER USES AND PURPOSES THAT DO NOT THEN OR LATER INTERFERE WITH THE AFORESAID EASEMENT USES AND RIGHTS.

OWNERSHIP AND MAINTENANCE RESPONSIBILITIES REMAIN WITH THE PROPERTY OWNER. THE VILLAGE OF CAROL STREAM WILL EXECUTE THE RIGHTS OF THIS EASEMENT ONLY IN THE EVENT THAT THE PROPERTY OWNER FAILS TO DO SO WITHIN A REASONABLE TIME PERIOD, AS DETERMINED BY THE VILLAGE. IN SUCH AN EVENT, THE PROPERTY OWNER MUST PAY ALL COSTS INCURRED BY THE VILLAGE.

PUBLIC UTILITY EASEMENT PROVISIONS

A PERMANENT NON-EXLUSIVE EASEMENT IS HEREBY RESERVED FOR AND GRANTED TO THE VILLAGE OF CAROL STREAM, DUPAGE COUNTY, ILLINOIS, AND TO THOSE UTILITY AND OTHER ENTITIES OPERATING NOW, OR IN THE FUTURE, UNDER FRANCHISE FROM THE VILLAGE OF CAROL STREAM, INCLUDING, BUT NOT LIMITED TO ILLINOIS BELL TELEPHONE COMPANY, NORTHERN ILLINOIS GAS COMPANY, COMMONWEALTH EDISON COMPANY, AND TO THEIR SUCCESSORS AND ASSIGNS, IN, ON, UPON, ACROSS, OVER, UNDER AND THROUGH THE AREAS SHOWN BY DASHED LINES AND LABELED “PUBLIC UTILITY EASEMENT” ON THIS PLAT, SUCH EASEMENTS GRANTING AND RESERVING FOR THE VILLAGE UTILITIES AND OTHER ENTITIES THE PERPETUAL RIGHT, PRIVILEGE AND AUTHORITY TO INSTALL, CONSTRUCT, RECONSTRUCT, INSPECT, OPERATE, REPLACE, RENEW, ALTER, ENLARGE, REMOVE, REPAIR, CLEAN AND MAINTAIN VARIOUS UTILITY AND SIMILAR TRANSMISSION, RECEIVING AND DISTRUBIUTION SYSTEMS, INCLUDING, BUT NOT LIMITED TO CABLES, LINES, TRANSFORMERS, COMPUTER DEVICES, SANITARY SEWERS, STORM SEWERS, WATER MAINS, AND ANY AND ALL NECESSARY MANHOLES, HYDRANTS, PIPES, CONNECTIONS, CATCH BASINS, BUFFALO BOXES, AND WITHOUT LIMITATION, SUCH OTHER INSTALLATION AS MAY BE REQUIRED TO FURNISH UTILITY AND SIMILAR SERVICE TO THE ATTACHED AREA, AND SUCH APPURTENANCES AND ADDITIONS THERETO AS THE VILLAGE, UTILITIES AND SIMILAR ENTITIES MAY DEEM NECESSARY, USEFUL OR CONVENIENT, TOGETHER WITH A PERMANENT RIGHT OF ACCESS ACROSS THE LOTS AND REAL ESTATE SHOWN ON THIS PLAT OF SUBDIVISION FOR THE NECESSARY PERSONS AND EQUIPMENT TO DO ANY OR ALL OF THE ABOVE WORK. THE RIGHT IS ALSO HEREBY GRANTED TO THE VILLAGE, UTILITIES AND SIMILAR ENTITIES TO CUT DOWN, TRIM OR REMOVE ANY TREES, SHRUBS, OR OTHER PLANTS THAT INTERFERE WITH THE OPERATION OF OR ACCESS TO SUCH INSTALLATIONS, IN, ON, UPON, ACROSS, OVER, UNDER OR THROUGH SUCH EASEMENTS. NO PERMANENT BUILDINGS OR TREES SHALL BE PLACED ON SUCH EASEMENTS, BUT SAME MAY BE USED FOR GARDENS, SHRUBS, LANDSCAPING AND OTHER PURPOSES THAT DO NOT THEN OR LATER INTERFERE WITH THE AFORESAID USES AND RIGHTS. WHERE AN EASEMENT IS USED FOR MUNICIPAL-OWNED UTILITES, OTHER INSTALLATION OF UTILITIES AND OTHER ENTITIES SHALL BE SUBJECT TO THE PRIOR APPROVAL, AS TO LOCATION AND DESIGN, OF THE VILLAGE SO AS NOT TO INTERFERE WITH THE MUNICIPAL UTILITIES.

PUBLIC WATERMAIN EASEMENT PROVISIONS

A PERMANENT NON-EXLUSIVE EASEMENT IS HEREBY RESERVED FOR AND GRANTED TO THE VILLAGE OF CAROL STREAM, DUPAGE COUNTY, ILLINOIS, IN, ON, UPON, ACROSS, OVER, UNDER AND THROUGH THE AREAS SHOWN BY DASHED LINES AND LABELED “PUBLIC WATERMAIN EASEMENT” ON THIS PLAT, SUCH EASEMENT GRANTING AND RESERVING FOR THE VILLAGE UTILITIES, PRIVILEGE AND AUTHORITY TO INSTALL, CONSTRUCT, RECONSTRUCT, INSPECT, OPERATE, REPLACE, RENEW, ALTER, ENLARGE, REMOVE, REPAIR, CLEAN AND MAINTAIN VARIOUS UTILITY AND SIMILAR TRANSMISSION, RECEIVING AND DISTRUBIUTION SYSTEMS, INCLUDING, BUT NOT LIMITED TO WATER MAINS, AND ANY AND ALL NECESSARY MANHOLES, HYDRANTS, PIPES, VALVES, CONNECTIONS, BUFFALO BOXES, AND WITHOUT LIMITATION, SUCH OTHER INSTALLATION AS MAY BE REQUIRED TO FURNISH UTILITY AND SIMILAR SERVICE TO THE ATTACHED AREA, AND SUCH APPURTENANCES AND ADDITIONS THERETO AS THE VILLAGE, UTILITIES AND SIMILAR ENTITIES MAY DEEM NECESSARY, USEFUL OR CONVENIENT, TOGETHER WITH A PERMANENT RIGHT OF ACCESS ACROSS THE LOTS AND REAL ESTATE SHOWN ON THIS PLAT FOR THE NECESSARY PERSONS AND EQUIPMENT TO DO ANY OR ALL OF THE ABOVE WORK. THE RIGHT IS ALSO HEREBY GRANTED TO THE VILLAGE, TO CUT DOWN, TRIM OR REMOVE ANY TREES, SHRUBS, OR OTHER PLANTS THAT INTERFERE WITH THE OPERATION OF OR ACCESS TO SUCH INSTALLATIONS, IN, ON, UPON, ACROSS, OVER, UNDER OR THROUGH SUCH EASEMENT. NO PERMANENT BUILDINGS OR TREES SHALL BE PLACED ON SUCH EASEMENT, BUT SAME MAY BE USED FOR GARDENS, SHRUBS, LANDSCAPING AND OTHER PURPOSES THAT DO NOT THEN OR LATER INTERFERE WITH THE AFORESAID USES AND RIGHTS. WHERE AN EASEMENT IS USED FOR MUNICIPAL-OWNED UTILITES, OTHER INSTALLATION OF UTILITIES AND OTHER ENTITIES SHALL BE SUBJECT TO THE PRIOR APPROVAL, AS TO LOCATION AND DESIGN, OF THE VILLAGE SO AS NOT TO INTERFERE WITH THE MUNICIPAL UTILITIES.

PUBLIC SANITARY SEWER EASEMENT PROVISIONS

A PERMANENT NON-EXLUSIVE EASEMENT IS HEREBY RESERVED FOR AND GRANTED TO THE VILLAGE OF CAROL STREAM, DUPAGE COUNTY, ILLINOIS, IN, ON, UPON, ACROSS, OVER, UNDER AND THROUGH THE AREAS SHOWN BY DASHED LINES AND LABELED “PUBLIC SANITARY SEWER EASEMENT” ON THIS PLAT, SUCH EASEMENT GRANTING AND RESERVING FOR THE VILLAGE UTILITIES, PRIVILEGE AND AUTHORITY TO INSTALL, CONSTRUCT, RECONSTRUCT, INSPECT, OPERATE, REPLACE, RENEW, ALTER, ENLARGE, REMOVE, REPAIR, CLEAN AND MAINTAIN VARIOUS UTILITY AND SIMILAR TRANSMISSION, RECEIVING AND DISTRUBIUTION SYSTEMS, INCLUDING, BUT NOT LIMITED TO SANITARY SEWER MANHOLES, PIPES AND CONNECTIONS, AND WITHOUT LIMITATION, SUCH OTHER INSTALLATION AS MAY BE REQUIRED TO FURNISH UTILITY AND SIMILAR SERVICE TO THE ATTACHED AREA, AND SUCH APPURTENANCES AND ADDITIONS THERETO AS THE VILLAGE, UTILITIES AND SIMILAR ENTITIES MAY DEEM NECESSARY, USEFUL OR CONVENIENT, TOGETHER WITH A PERMANENT RIGHT OF ACCESS ACROSS THE LOTS AND REAL ESTATE SHOWN ON THIS PLAT FOR THE NECESSARY PERSONS AND EQUIPMENT TO DO ANY OR ALL OF THE ABOVE WORK. THE RIGHT IS ALSO HEREBY GRANTED TO THE VILLAGE, TO CUT DOWN, TRIM OR REMOVE ANY TREES, SHRUBS, OR OTHER PLANTS THAT INTERFERE WITH THE OPERATION OF OR ACCESS TO SUCH INSTALLATIONS, IN, ON, UPON, ACROSS, OVER, UNDER OR THROUGH SUCH EASEMENT. NO PERMANENT BUILDINGS OR TREES SHALL BE PLACED ON SUCH EASEMENT, BUT SAME MAY BE USED FOR GARDENS, SHRUBS, LANDSCAPING AND OTHER PURPOSES THAT DO NOT THEN OR LATER INTERFERE WITH THE AFORESAID USES AND RIGHTS. WHERE AN EASEMENT IS USED FOR MUNICIPAL-OWNED UTILITES, OTHER INSTALLATION OF UTILITIES AND OTHER ENTITIES SHALL BE SUBJECT TO THE PRIOR APPROVAL, AS TO LOCATION AND DESIGN, OF THE VILLAGE SO AS NOT TO INTERFERE WITH THE MUNICIPAL UTILITIES.

PUBLIC WATERMAIN AND SANITARY SEWER EASEMENT PROVISIONS

A PERMANENT NON-EXLUSIVE EASEMENT IS HEREBY RESERVED FOR AND GRANTED TO THE VILLAGE OF CAROL STREAM, DUPAGE COUNTY, ILLINOIS, IN, ON, UPON, ACROSS, OVER, UNDER AND THROUGH THE AREAS SHOWN BY DASHED LINES AND LABELED “PUBLIC WATERMAIN AND SANITARY SEWER EASEMENT” ON THIS PLAT, SUCH EASEMENT GRANTING AND RESERVING FOR THE VILLAGE UTILITIES, PRIVILEGE AND AUTHORITY TO INSTALL, CONSTRUCT, RECONSTRUCT, INSPECT, OPERATE, REPLACE, RENEW, ALTER, ENLARGE, REMOVE, REPAIR, CLEAN AND MAINTAIN VARIOUS UTILITY AND SIMILAR TRANSMISSION, RECEIVING AND DISTRUBIUTION SYSTEMS, INCLUDING, BUT NOT LIMITED TO WATER MAINS, AND ANY AND ALL NECESSARY MANHOLES, HYDRANTS, PIPES, VALVES, CONNECTIONS, BUFFALO BOXES AND SANITARY SEWER MANHOLES, PIPES AND CONNECTIONS, AND WITHOUT LIMITATION, SUCH OTHER INSTALLATION AS MAY BE REQUIRED TO FURNISH UTILITY AND SIMILAR SERVICE TO THE ATTACHED AREA, AND SUCH APPURTENANCES AND ADDITIONS THERETO AS THE VILLAGE, UTILITIES AND SIMILAR ENTITIES MAY DEEM NECESSARY, USEFUL OR CONVENIENT, TOGETHER WITH A PERMANENT RIGHT OF ACCESS ACROSS THE LOTS AND REAL ESTATE SHOWN ON THIS PLAT FOR THE NECESSARY PERSONS AND EQUIPMENT TO DO ANY OR ALL OF THE ABOVE WORK. THE RIGHT IS ALSO HEREBY GRANTED TO THE VILLAGE, TO CUT DOWN, TRIM OR REMOVE ANY TREES, SHRUBS, OR OTHER PLANTS THAT INTERFERE WITH THE OPERATION OF OR ACCESS TO SUCH INSTALLATIONS, IN, ON, UPON, ACROSS, OVER, UNDER OR THROUGH SUCH EASEMENT. NO PERMANENT BUILDINGS OR TREES SHALL BE PLACED ON SUCH EASEMENT, BUT SAME MAY BE USED FOR GARDENS, SHRUBS, LANDSCAPING AND OTHER PURPOSES THAT DO NOT THEN OR LATER INTERFERE WITH THE AFORESAID USES AND RIGHTS. WHERE AN EASEMENT IS USED FOR MUNICIPAL-OWNED UTILITES, OTHER INSTALLATION OF UTILITIES AND OTHER ENTITIES SHALL BE SUBJECT TO THE PRIOR APPROVAL, AS TO LOCATION AND DESIGN, OF THE VILLAGE SO AS NOT TO INTERFERE WITH THE MUNICIPAL UTILITIES.

PEDESTRIAN PATH EASEMENT PROVISIONS

A perpetual non-exclusive easement for ingress and egress for pedestrians, bicycles, and non-motorized vehicles (except for motorized chairs used by disabled persons) is hereby granted to the Village of Carol Stream for use by the public on, over, through, along and across the Pedestrian Path constructed within the areas marked “Pedestrian Path Easement”, together with all right, privilege, and authority of the Village to reconstruct, alter, clean, repair, operate and maintain said Pedestrian Path. All members of the general public shall have the right to access the Pedestrian Path Easement and exercise the use and enjoyment of the Pedestrian Path (individually an “Invitee” and collectively the “Invitees”).

Public Access Easement to be operated, maintained, cleaned, repaired and by the Property Owner

A perpetual non-exclusive easement for ingress and egress for pedestrians, bicycles, and non-motorized vehicles (except for motorized chairs used by disabled persons) is hereby reserved for and granted to the public on, over, through, along and across those areas constructed and marked “Public Access Easement”. All members of the general public shall have the right to access the Public Access Easement and exercise the use and enjoyment of the Public Access Easement (individually an “Invitee” and collectively the “Invitees”). The Property Owner shall, at its expense, have the obligation and duty to keep the Public Access Easement in a clean and usable condition and to clean, repair, reconstruct, operate and maintain said Public Access Easement. The Village of Carol Stream is hereby granted a perpetual non-exclusive easement with the right of access over, upon and to said Public Access Easement and to inspect, clean, repair, and reconstruct the easement area, in the event that the Village of Carol Stream, in its discretion, determines that the Property Owner has failed to properly maintain the Public Access Easement, in which case, the Property Owner shall pay all costs incurred by the Village to properly maintain the Public Access Easement.

PLAT OF SUBDIVISION

A Plat of Subdivision shall contain any applicable easement provisions as listed above for a Plat of Easement along with a complete list of Taxing Bodies.