13.974 Ac. / 608,721 S.F.

D. PROPOSED NEW EASEMENTS

DISTRICT ENGINEER

City Resolution:

Passed On .\_\_

SUBMITTED BY AND PLEASE RETURN TO: CITY OF AURORA PLANNING DIVISION 44 E. DOWNER PLACE AURORA, IL 60507

TOTAL AREA OF SUBDIVISION

38.741 ACRES

(MORE OR LESS)



SHEET 1 OF 4

100 50 SCALE: 1 INCH = 100 FEET

	<u>LEGEND</u>
-	- SUBDIVISION BOUNDARY LINE (Heavy Solid Line)
-	
-	——————————————————————————————————————
-	EASEMENT LINE/LIMITS OF EASEMENT (Short Dashed Lines)
-	—— — — CENTERLINE (Single Dashed Lines)
-	—— — — QUARTER SECTION LINE (Double Dashed Lines)
-	
	■ - SET CONCRETE MONUMENT

## <u>NOTES</u>

3/4 INCH IRON PIPE SET AT ALL LOT CORNERS AND POINTS OF CURVATURE UNLESS OTHERWISE NOTED. ALL MEASUREMENTS ARE SHOWN IN U.S. FEET AND DECIMAL PARTS THEREOF.

DIMENSIONS ENCLOSED IN ( ) INDICATE RECORD OR DEED

ALL EASEMENTS ARE HEREBY GRANTED UNLESS

GAP IN LOT NUMBERING DUE TO THE PREDEFINED LOT NUMBERING WITHIN THE ENTIRE WHEATLAND CROSSING DEVELOPMENT.

THE BEARINGS SHOWN HEREON ARE BASED UPON THE SOUTHEASTERLY LINE OF U.S. ROUTE 34 BEING S 47°55'02" W (ASSUMED).

- INDICATES CITY EASEMENT HEREBY

 INDICATES SCREEN PLANTING EASEMENT HEREBY GRANTED. SEE PROVISIONS CONTAINED HEREIN.

 SETBACK LINE - FOUND IRON PIPE

FOUND IRON ROD

A BLANKET CITY EASEMENT IS HEREBY GRANTED OVER ALL OF LOTS 99, 100, 101, 102, 103 AND 104.

	LINE TABLE	
LINE	BEARING	LENGTH
L1	N 24°30'13" E	33.00'
L2	N 09°04'17" W	42.16
L3	S 02°54'08" W	25.45
L4	S 42°06'46" E	121.81
L5	S 38°22'54" W	40.24
L6	S 08°58'03" E	22.61
L7	N 62°49'08" E	115.18
L8	N 89°15'39" E	32.65
L9	S 00°44'21" E	128.34

	CUF	RVE TAB	LE
CURVE	LENGTH	RADIUS	CHORD BEARING
C1	98.18'	350.13	S 50°08'44" E
C2	138.95	390.13	S 67°42'24" E
C3	196.66	335.00'	S 61°05'33" E
C4	72.91	263.00'	N 81°19'09" E

LO	LOT AREA				
SUMM	SUMMARY TABLE				
LOT NO.	SQ. FT.	ACRES			
LOT 98	184,843	4.243			
LOT 99	51,372	1.179			
LOT 100	45,583	1.046			
LOT 101	27,318	0.627			
LOT 102	274,250	6.296			
LOT 103	46,691	1.072			
LOT 104	8,366	0.192			

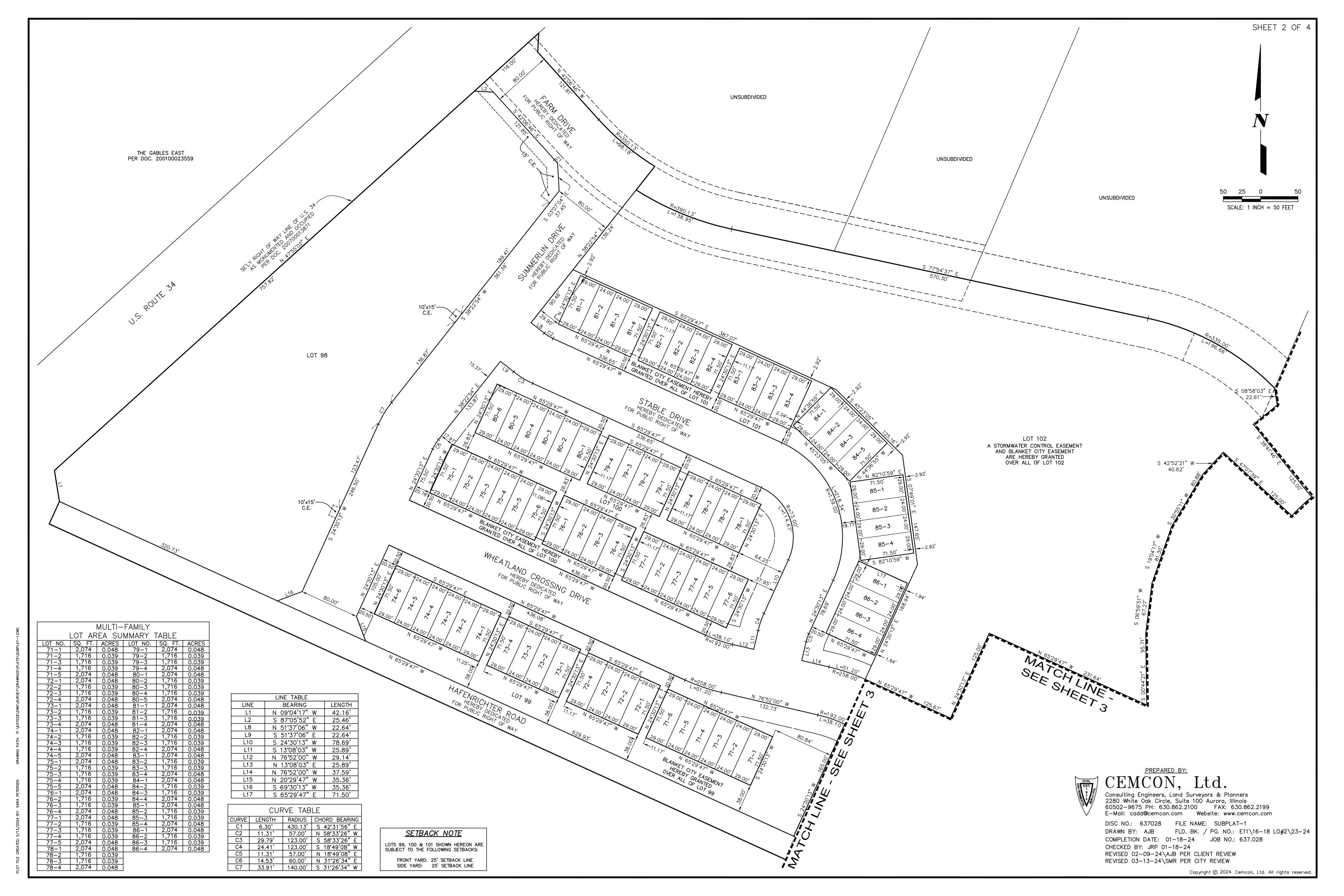
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Consulting Engineers, Land Surveyors & Planners 2280 White Oak Circle, Suite 100 Aurora, Illinois 60502-9675 PH: 630.862.2100 FAX: 630.862.2199 E-Mail: cadd@cemcon.com Website: www.cemcon.com

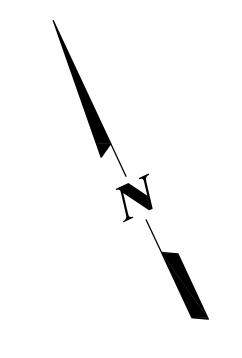
DISC NO.: 637028 FILE NAME: SUBPLAT-1 DRAWN BY: AJB FLD. BK. / PG. NO.: E11\16-18 L0#2\23-24 CHECKED BY: JRP 01-18-24

REVISED 03-13-24\SMR PER CITY REVIEW

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SCALE: 1 INCH = 50 FEET

EASEMENT & SETBACK NOTE SINGLE FAMILY LOTS SHOWN HEREON ARE SUBJECT TO THE FOLLOWING CITY EASEMENTS AND SETBACK LINES UNLESS NOTED OTHERWISE:

FRONT YARD: 10' C.E. / 25' SETBACK LINE SIDE YARD: 5' C.E. REAR YARD: 10' C.E.

	LINE TABLE	
LINE	BEARING	LENGTH
L1	S 67°17'03" W	34.00'
L2	S 22°44'22" E	36.67
L3	N 82°51'40" E	16.19'
L4	S 82°51'40" W	16.19'
L5	S 07°08'20" E	38.10'
L6	S 44°31'25" W	43.36'
L7	N 00°44'21" W	48.50'
L8	N 00°44'21" W	47.21
L9	N 06°59'51" E	26.24'
L10	N 06°59'51" E	41.03'
L11	N 19°04'17" E	40.42'
L12	N 19°04'17" E	40.88'
L13	N 30°55'11" E	40.26'
L14	N 30°55'11" E	40.62'
L15	N 42°52'21" E	40.62'
L16	N 51°18'14" E	41.38'

	CURVE TABLE				
CURVE	LENGTH	RADIUS	CHORD BEARING		
C1	10.98'	233.00'	N 84°12'41" E		

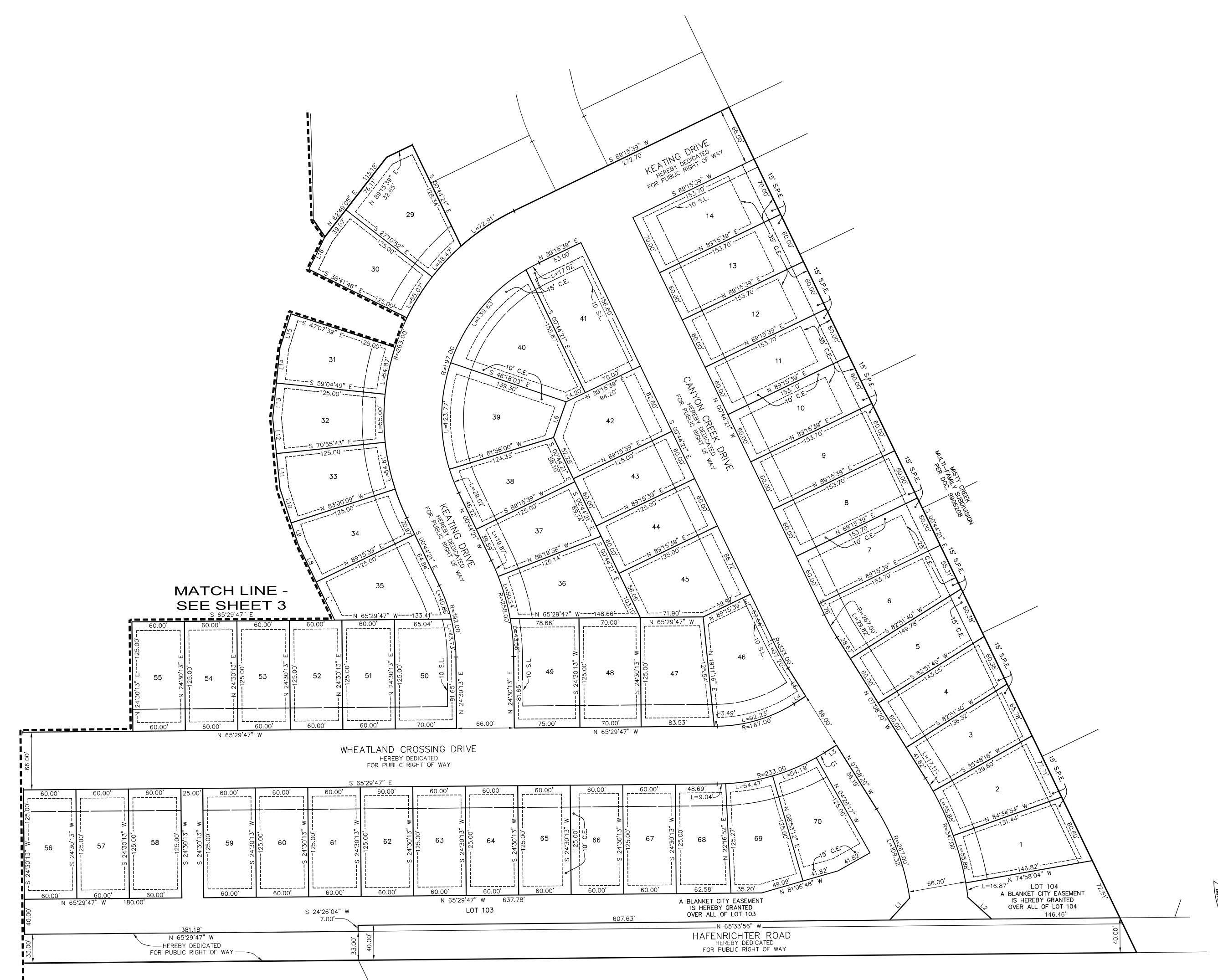
			-FAMILY MMARY	TARLF	
					ACDE
LOT NO.		ACRES	LOT NO.	SQ. FT.	ACRE
1	9,305	0.214	45	9,843 11,135	0.22
3	8,637 8,246	0.198	46	9,714	0.25
4	8,381	0.189 0.192	47	8,750	0.22
5	8,785	0.192	48 49	9,427	0.20
6	9,716	0.202	50	8,679	0.21
7	9,710	0.223	51	7,500	0.19
8	9,222	0.212	52	7,500	0.17
9	9,222	0.212	53	7,500	0.17
10	9,222	0.223 0.212 0.212 0.212 0.212	54	7,500 7,500	0.17
11	9,222 9,222 9,222 9,222 9,222	0.212	55	7,500	0.17
12	9,222	0.212	56	7,500	0.17
13	9,222	0.212	57	7,500	0.17
14	10,759	0.212	58	7,500	0.17
	9,998	0.230	59	7,500	0.17
29 30	8,504	0.230	56	7,500	0.17
31	8,545	0.196	57	7,500	0.17
32	8,546	0.196	58	7,500	0.17
33	8,556	0.196	59	7,500	0.17
34	8,131	0.130	60	7,500	0.17
35	9,683	0.107	61	7,500	0.17
36	10,040	0.230	62	7,500	0.17
37	8,045	0.185	63	7,500	0.17
38	8,202	0.188	64	7,500	0.17
39	11,019	0.253	65	7,500	0.17
40	11,940	0.274	66	7,500	0.17
41	10,958	0.252	67	7,500	0.17
42	9,880	0.227	68	7,520	0.17
43	7,500	0.172	69	8,743	0.20
44	7,500	0.172	70	8,658	0.19

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CHECKED BY: JRP 01-18-24 REVISED 02-09-24\AJB PER CLIENT REVIEW REVISED 03-13-24\SMR PER CITY REVIEW

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128.34 FEET; THENCE NORTHEASTERLY, 72.91 FEET ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 263.00 FEET AND A CHORD BEARING NORTH 81 DEGREES 19 MINUTES 09 SECONDS EAST; THENCE NORTH 89 DEGREES 15 MINUTES 39 SECONDS EAST, 272.70 FEET TO THE WEST LINE OF AFOREMENTIONED MISTY CREEK MULTI-FAMILY SUBDIVISION; THENCE SOUTH 00 DEGREES 44 MINUTES 21 SECONDS EAST, 1072.86 FEET ALONG SAID WEST LINE TO THE POINT OF BEGINNING, IN KENDALL COUNTY, ILLINOIS. THE PLAT HEREON DRAWN IS A TRUE AND CORRECT REPRESENTATION OF SAID SURVEY AND ACCURATELY DEPICTS SAID PROPERTY. DIMENSIONS ARE SHOWN IN FEET AND DECIMAL PARTS THEREOF. I FURTHER CERTIFY THAT THE PROPERTY SHOWN ON THE PLAT HEREON DRAWN IS SITUATED WITHIN THE CORPORATE LIMITS OF A MUNICIPALITY WHICH HAS ADOPTED A COMPREHENSIVE PLAN AND WHICH IS EXERCISING THE SPECIAL POWERS AUTHORIZED BY DIVISION 12 OF ARTICLE 11 OF THE ILLINOIS MUNICIPAL CODE. AND THAT THE PLAT MEETS THE PROVISIONS OF CHAPTER 43 "SUBDIVISIONS" OF THE AURORA MUNICIPAL CODE. I FURTHER CERTIFY THAT, BASED UPON A REVIEW OF THE FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP PANEL NUMBER 17093C0057G. EFFECTIVE DATE AUGUST 3, 2009, NO PORTION OF THE DESCRIBED PROPERTY IS LOCATED WITHIN A SPECIAL FLOOD HAZARD AREA. GIVEN UNDER MY HAND AND SEAL THIS \_\_\_\_ DAY OF \_\_\_\_, A.D., 20\_\_\_. JEFFREY R. PANKOW ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 3483 MY REGISTRATION EXPIRES ON NOVEMBER 30, 2024 PROFESSIONAL DESIGN FIRM LICENSE NUMBER 184-002937 EXPIRES APRIL 30, 2025 THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY.

OWNER'S CERTIFICATE

THE PROPERTY DESCRIBED IN THE SURVEYOR'S CERTIFICATE AFFIXED HEREON, AND DOES HEREBY

CONSENT TO THE SUBDIVISION OF SAID PROPERTY, AND THE VARIOUS DEDICATIONS, GRANTS AND

ALSO. THIS IS TO CERTIFY THAT THE PROPERTY BEING SUBDIVIDED AFORESAID AND, TO THE BEST

PLEASE PRINT NAME, TITLE

NOTARY CERTIFICATE

GIVEN UNDER MY HAND AND NOTARIAL SEAL

SURVEYOR'S CERTIFICATE

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

OF OWNER'S KNOWLEDGE AND BELIEF, SAID SUBDIVISION LIES ENTIRELY WITHIN THE LIMITS OF

RESERVATIONS OF EASEMENT AND RIGHTS-OF-WAY DEPICTED HEREON.

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

NOTARY

PLEASE TYPE/PRINT NAME

\_, IS THE RECORD OWNER OF

STATE OF \_\_\_\_\_)

COUNTY OF \_\_\_\_\_)

THIS IS TO CERTIFY THAT

OSWEGO COMMUNITY DISTRICT 308.

COMPANY NAME AND ADDRESS:

#### OWNER'S CERTIFICATE

THIS IS TO CERTIFY THAT \_, IS THE RECORD OWNER OF THE PROPERTY DESCRIBED IN THE SURVEYOR'S CERTIFICATE AFFIXED HEREON, AND DOES HEREBY CONSENT TO THE SUBDIVISION OF SAID PROPERTY, AND THE VARIOUS DEDICATIONS, GRANTS AND RESERVATIONS OF EASEMENT AND RIGHTS-OF-WAY DEPICTED HEREON. ALSO. THIS IS TO CERTIFY THAT THE PROPERTY BEING SUBDIVIDED AFORESAID AND. TO THE BEST OF OWNER'S KNOWLEDGE AND BELIEF, SAID SUBDIVISION LIES ENTIRELY WITHIN THE LIMITS OF OSWEGO COMMUNITY DISTRICT 308. DATED THIS \_\_\_\_\_, A.D., 20\_\_\_\_. PLEASE PRINT NAME, TITLE COMPANY NAME AND ADDRESS:

#### NOTARY CERTIFICATE

STATE OF ILLINOIS )

COUNTY OF COOK )

INSTRUMENT.

STATE OF \_\_\_\_\_)

COUNTY OF \_\_\_\_\_)

I, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR THE AFORESAID COUNTY AND STATE, DO HEREBY CERTIFY THAT THE FOREGOING SIGNATOR OF THE OWNER'S CERTIFICATE IS PERSONALLY KNOWN TO ME TO BE THE SAME PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT. AND THAT SAID INDIVIDUAL APPEARED AND DELIVERED SAID INSTRUMENT AS A FREE AND VOLUNTARY ACT OF THE CORPORATION AND THAT SAID INDIVIDUAL DID ALSO THEN AND THERE ACKNOWLEDGE THAT HE OR SHE IS A CUSTODIAN OF THE CORPORATE SEAL OF SAID CORPORATION AND DID AFFIX SAID SEAL OF SAID CORPORATION TO SAID INSTRUMENT AS HIS OR HER OWN FREE AND VOLUNTARY ACT AND AS THE FREE AND VOLUNTARY ACT OF SAID CORPORATION, AS OWNER, FOR THE USES AND PURPOSES THEREIN SET FORTH IN THE AFORESAID

GIVEN UNDER MY HAND AND NOTARIAL SEAL THIS \_\_\_\_\_, A.D., 20\_\_\_\_. NOTARY AFFIX SEAL PLEASE TYPE/PRINT NAME

#### PLANNING AND ZONING COMMISSION CERTIFICATE

STATE OF ILLINOIS ) COUNTY OF KANE )

I. THE UNDERSIGNED. AS CHAIRMAN OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF AURORA, KANE, DUPAGE, WILL AND KENDALL COUNTIES, ILLINOIS, DO HEREBY CERTIFY THAT THIS DOCUMENT HAS BEEN APPROVED BY SAID PLANNING AND ZONING COMMISSION THIS \_\_\_\_\_ DAY OF

\_\_\_\_\_, A.D., 20\_\_\_\_. PLANNING AND ZONING COMMISSION, CITY OF AURORA CHAIRMAN PLEASE TYPE/PRINT NAME

#### SURFACE WATER STATEMENT

STATE OF ILLINOIS)

COUNTY OF DUPAGE)

TO THE BEST OF OUR KNOWLEDGE AND BELIEF THE DRAINAGE OF SURFACE WATERS WILL NOT BE CHANGED BY THE CONSTRUCTION OF THIS 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 WILL BE PLANNED FOR IN ACCORDANCE WITH GENERALLY ACCEPTED ENGINEERING PRACTICES SO AS TO REDUCE THE LIKELIHOOD FOR DAMAGE TO THE ADJOINING PROPERTY BECAUSE OF THE CONSTRUCTION OF THE SUBDIVISION.

> OWNER OR ATTORNEY PLEASE TYPE /PRINT NAME **ENGINEER** PLEASE TYPE/PRINT NAME

## STORMWATER CONTROL EASEMENT

A STORMWATER CONTROL EASEMENT IS HEREBY RESERVED FOR AND GRANTED TO THE CITY OF

AURORA ("CITY") FOR ALL AREAS HEREON PLATTED AND DESIGNATED AS "STORMWATER CONTROL EASEMENT". FOR A STORMWATER CONTROL FACILITY TO BE MAINTAINED BY THE OWNER OF SAID FACILITY IN ACCORDANCE WITH CITY ORDINANCES, APPROVED ENGINEERING PLANS AND APPROVED MAINTENANCE PLAN FOR THE CITY CASEFILE NUMBER \_. SAID EASEMENT SHALL FURTHER GRANT AND ALLOW THE CITY, ITS CONTRACTORS AND OR ASSIGNS, THE RIGHT TO CONSTRUCT, INSTALL, RECONSTRUCT, REPAIR, REMOVE, REPLACE AND OPERATE STORM SEWER PIPES AND STRUCTURES WITHIN SAID EASEMENT AND TO CONVEY STORMWATER WITHIN ANY SAID STORM SEWERS. NO ENCROACHMENT OF ANY KIND SHALL BE ALLOWED WITHIN SAID EASEMENT UNLESS THE CITY HAS DETERMINED THAT SAID ENCROACHMENT SHALL NOT INTERFERE WITH THE PROPER FUNCTIONING OF SUCH FACILITY. SUCH AS GARDENS, SHRUBS AND OTHER LANDSCAPING

THE CITY SHALL HAVE THE RIGHT TO ENTER UPON SAID EASEMENT AT ANY TIME FOR THE PURPOSES OF ACCESS TO AND INSPECTION OF THE STORMWATER CONTROL FACILITIES LOCATED WITHIN SAID EASEMENT. IF, UPON INSPECTION, THE CITY DISCOVERS THAT THE OWNER HEREOF ("OWNER") HAS FAILED TO MAINTAIN SAID FACILITIES. THE CITY SHALL NOTIFY OWNER OF ITS FINDINGS, AND OWNER SHALL MAKE REQUIRED REPAIRS WITHIN 15 DAYS AFTER THE CITY'S NOTICE. IF SUCH REPAIRS ARE NOT CAPABLE OF BEING COMPLETED WITHIN 15 DAYS, OWNER SHALL HAVE AS LONG AS IS REASONABLY NECESSARY TO COMPLETE SUCH REPAIRS, PROVIDED THAT THE CITY HAS GIVEN ITS APPROVAL.

IN THE EVENT THAT THE OWNER HAS NOT RESPONDED TO THE CITY'S NOTICE. THEN THE CITY MAY CAUSE SUCH REPAIRS TO BE MADE AND BILL OWNER FOR ALL COSTS THEREOF. AND SHALL HAVE THE RIGHT TO CUT TRIM OR REMOVE ANY TREES. SHRUBS OR OTHER PLANTS WITHIN THE AREAS DESIGNATED "STORMWATER CONTROL EASEMENT" WHICH INTERFERE WITH THE CONSTRUCTION, INSTALLATION, RECONSTRUCTION, REPAIR, REMOVAL, REPLACEMENT, MAINTENANCE AND OPERATION OF SAID FACILITIES AND STRUCTURES.

FOLLOWING ANY WORK TO BE PERFORMED BY THE CITY IN THE EXERCISE OF ITS EASEMENT RIGHTS GRANTED HEREIN. THE CITY SHALL HAVE NO OBLIGATION WITH RESPECT TO SURFACE RESTORATION, INCLUDING BUT NOT LIMITED TO, THE LAWN OR SHRUBBERY, PROVIDED, HOWEVER, THAT SAID CITY SHALL BE OBLIGATED FOLLOWING SUCH MAINTENANCE WORK TO BACKFILL AND MOUND ANY TRENCH CREATED SO AS TO RETAIN SUITABLE DRAINAGE. TO COLD PATCH ANY ASPHALT OR CONCRETE SURFACE, TO REMOVE ALL EXCESS DEBRIS AND SPOIL AND TO LEAVE THE MAINTENANCE AREA IN A GENERALLY CLEAN AND WORKMANLIKE CONDITION.

#### CITY ENGINEER'S CERTIFICATE

STATE OF ILLINOIS ) COUNTY OF KANE )

I, THE UNDERSIGNED, AS CITY ENGINEER OF THE CITY OF AURORA, KANE, DUPAGE, KENDALL AND WILL COUNTIES, ILLINOIS, DO HEREBY CERTIFY THAT THIS DOCUMENT IS APPROVED UNDER MY OFFICES THIS \_\_\_\_\_DAY OF \_\_\_\_\_, A.D., 20\_\_\_.

CITY ENGINEER

PLEASE TYPE/PRINT NAME

#### CITY COUNCIL CERTIFICATE

STATE OF ILLINOIS) COUNTY OF KANE)

APPROVED THIS \_\_\_\_ DAY OF \_\_\_\_\_, A.D., 20\_\_ BY THE CITY COUNCIL OF THE CITY OF AURORA. PURSUANT TO ORDINANCE/RESOLUTION NO.

> MAYOR CITY CLERK

#### KENDALL COUNTY CLERK'S CERTIFICATE

STATE OF ILLINOIS)

COUNTY OF KENDALL)

I, THE UNDERSIGNED, AS COUNTY CLERK OF KENDALL COUNTY, ILLINOIS, DO HEREBY CERTIFY THAT THERE ARE NO DELINQUENT GENERAL TAXES, NO UNPAID OR FORFEITED TAXES, AND NO REDEEMABLE TAX SALES AGAINST ANY OF THE LAND DEPICTED HEREON. I FURTHER CERTIFY THAT I HAVE RECEIVED ALL STATUTORY FEES IN CONNECTION WITH THE PLAT DEPICTED HEREON.

GIVEN UNDER MY HAND AND SEAL OF THE COUNTY CLERK AT YORKVILLE, ILLINOIS, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D., 20\_\_\_.

COUNTY CLERK

PLEASE TYPE/PRINT NAME

#### KENDALL COUNTY RECORDER'S CERTIFICATE

STATE OF ILLINOIS ) COUNTY OF KENDALL)

I, THE UNDERSIGNED, AS THE RECORDER OF DEEDS FOR KENDALL COUNTY DO HEREBY CERTIFY THAT INSTRUMENT NUMBER \_\_\_\_ \_\_ WAS FILED FOR RECORD IN THE RECORDER'S OFFICE OF KENDALL COUNTY, ILLINOIS, ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D., 20\_\_\_ AT \_\_\_\_\_ O'CLOCK \_\_\_.M.

RECORDER OF DEEDS

PLEASE TYPE/PRINT NAME

# BLANKET CITY EASEMENT PROVISIONS (C.E.)

A BLANKET CITY EASEMENT IS HEREBY RESERVED FOR AND GRANTED TO THE CITY OF AURORA ("CITY") AND ITS FRANCHISEES, PERMITEES OR LICENSEES FOR ALL AREAS HEREON PLATTED AND DESIGNATED "BLANKET CITY EASEMENT". TO CONSTRUCT, INSTALL. RECONSTRUCT, REPAIR, REMOVE, REPLACE, INSPECT, MAINTAIN AND OPERATE UTILITY TRANSMISSION AND DISTRIBUTION SYSTEMS AND LINES IN, UNDER, OVER, ACROSS, ALONG AND UPON THE SURFACE OF SAID EASEMENT, INCLUDING BUT NOT LIMITED TO THE FOLLOWING WITHOUT LIMITATION, WATER MAINS, STORMWATER RUNOFF, STORM SEWERS, SANITARY SEWERS, GAS MAINS, TELEPHONE CABLES, ELECTRICAL LINES. AND CABLE TELEVISION AND WHERE ADJACENT TO PUBLIC RIGHT OF WAY OR STORMWATER CONTROL EASEMENTS FOR PUBLIC PEDESTRIAN EGRESS AND INGRESS TO SIDEWALKS OR PATHWAY SYSTEMS. NO ENCROACHMENT OF ANY KIND SHALL BE ALLOWED WITHIN SAID EASEMENT. UNLESS THE CITY DETERMINES THAT SAID ENCROACHMENT SHALL NOT INTERFERE WITH THE PROPER FUNCTIONING OF ALL SUCH PERMITTED USES, SUCH AS ENCROACHMENT BY NON-INTERFERING GARDENS, SHRUBS AND OTHER LANDSCAPING MATERIAL. THE CITY AND ITS FRANCHISEES, PERMITEES OR LICENSEES WITH PERMITS FROM THE CITY MAY ENTER UPON SAID EASEMENT FOR THE USES HEREIN SET FORTH AND HAVE THE RIGHT TO CUT. TRIM OR REMOVE ANY TREES, SHRUBS OR OTHER PLANTS WITHIN THE AREAS DESIGNATED "BLANKET CITY EASEMENT" WHICH ENCROACH ON AND INTERFERE WITH THE CONSTRUCTION. INSTALLATION, RECONSTRUCTION, REPAIR, REMOVAL, REPLACEMENT, MAINTENANCE AND OPERATION OF THE UNDERGROUND TRANSMISSION AND DISTRIBUTION SYSTEMS AND SUCH FACILITIES APPURTENANT THERETO.

FOLLOWING ANY WORK TO BE PERFORMED BY CITY FRANCHISEES, PERMITEES OR LICENSEES WITH PERMITS FROM THE CITY, IN THE EXERCISE OF THE EASEMENT RIGHTS GRANTED HEREIN, SAID ENTITIES SHALL MAKE SURFACE RESTORATIONS, INCLUDING BUT NOT, LIMITED TO THE FOLLOWING: BACKFILL ANY TRENCH, RESTORE CONCRETE AND ASPHALT SURFACES, TOPSOIL AND SEED. REMOVE EXCESS DEBRIS. MAINTAIN AREA IN A GENERALLY CLEAN AND WORKMANLIKE CONDITION. ALL SAID RESTORATION SHALL BE COMPLETED IN ACCORDANCE WITH CITY STANDARDS AND SUBJECT TO CITY APPROVAL.

FOLLOWING ANY WORK TO BE PERFORMED BY THE CITY IN THE EXERCISE OF ITS EASEMENT RIGHTS GRANTED HEREIN, THE CITY SHALL HAVE NO OBLIGATION WITH RESPECT TO SURFACE RESTORATION, INCLUDING BUT NOT LIMITED TO, THE LAWN OR SHRUBBERY.

#### CITY EASEMENT PROVISIONS (C.E.)

A CITY EASEMENT IS HEREBY RESERVED FOR AND GRANTED TO THE CITY OF AURORA ("CITY") AND ITS FRANCHISEES, PERMITEES OR LICENSEES FOR ALL AREAS HEREON PLATTED AND DESIGNATED "CITY EASEMENT", TO CONSTRUCT, INSTALL, RECONSTRUCT, REPAIR, REMOVE, REPLACE, INSPECT, MAINTAIN AND OPERATE UTILITY TRANSMISSION AND DISTRIBUTION SYSTEMS AND LINES IN, UNDER, OVER, ACROSS, ALONG AND UPON THE SURFACE OF SAID EASEMENT, INCLUDING BUT NOT LIMITED TO THE FOLLOWING WITHOUT LIMITATION, WATER MAINS, STORMWATER RUNOFF, STORM SEWERS, SANITARY SEWERS, GAS MAINS, TELEPHONE CABLES, ELECTRICAL LINES, AND CABLE TELEVISION AND WHERE ADJACENT TO PUBLIC RIGHT OF WAY OR STORMWATER CONTROL EASEMENTS FOR PUBLIC PEDESTRIAN EGRESS AND INGRESS TO SIDEWALKS OR PATHWAY SYSTEMS. NO ENCROACHMENT OF ANY KIND SHALL BE ALLOWED WITHIN SAID EASEMENT UNLESS THE CITY DETERMINES THAT SAID ENCROACHMENT SHALL NOT INTERFERE WITH THE PROPER FUNCTIONING OF ALL SUCH PERMITTED USES, SUCH AS ENCROACHMENT BY NON-INTERFERING GARDENS, SHRUBS AND OTHER LANDSCAPING MATERIAL. THE CITY AND ITS FRANCHISEES, PERMITEES OR LICENSEES WITH PERMITS FROM THE CITY MAY ENTER UPON SAID EASEMENT FOR THE USES HEREIN SET FORTH AND HAVE THE RIGHT TO CUT TRIM OR REMOVE ANY TREES, SHRUBS OR OTHER PLANTS WITHIN THE AREAS DESIGNATED "CITY EASEMENT" WHICH ENCROACH ON AND INTERFERE WITH THE CONSTRUCTION. INSTALLATION, RECONSTRUCTION, REPAIR, REMOVAL, REPLACEMENT, MAINTENANCE AND OPERATION OF THE UNDERGROUND TRANSMISSION AND DISTRIBUTION SYSTEMS AND SUCH FACILITIES APPURTENANT THERETO.

FOLLOWING ANY WORK TO BE PERFORMED BY CITY FRANCHISEES, PERMITEES OR LICENSEES WITH PERMITS FROM THE CITY, IN THE EXERCISE OF THE EASEMENT RIGHTS GRANTED HEREIN, SAID ENTITIES SHALL MAKE SURFACE RESTORATIONS, INCLUDING BUT NOT, LIMITED TO THE FOLLOWING: BACKFILL ANY TRENCH, RESTORE CONCRETE AND ASPHALT SURFACES, TOPSOIL AND SEED, REMOVE EXCESS DEBRIS, MAINTAIN AREA IN A GENERALLY CLEAN AND WORKMANLIKE CONDITION. ALL SAID RESTORATION SHALL BE COMPLETED IN ACCORDANCE WITH CITY STANDARDS AND SUBJECT TO CITY APPROVAL.

FOLLOWING ANY WORK TO BE PERFORMED BY THE CITY IN THE EXERCISE OF ITS EASEMENT RIGHTS GRANTED HEREIN, THE CITY SHALL HAVE NO OBLIGATION WITH RESPECT TO SURFACE RESTORATION, INCLUDING BUT NOT LIMITED TO, THE LAWN OR SHRUBBERY.

#### SCREEN PLANTING EASEMENT PROVISIONS (S.P.E.)

A SCREEN PLANTING EASEMENT IS HEREBY RESERVED FOR THE BENEFIT OF AND GRANTED TO D.R. HORTON, INC.-MIDWEST, A CALIFORNIA CORPORATION AND THEIR RESPECTIVE SUCCESSORS AND ASSIGNS, OVER LOTS 1-15 (INCLUSIVE) WITHIN THE AREA SHOWN BY DASHED LINES ON THE PLAT AND MARKED "SCREEN PLANTING EASEMENT" TO PLANT TREES, SHRUBS, BUSHES AND OTHER FORMS OF VEGETATION AND CONSTRUCTING BERMS FOR THE PURPOSES OF SCREENING, PROTECTING AND SEPARATING SAID LOTS FROM MISTY CREEK MULTI-FAMILY SUBDIVISION. NO PERMANENT BUILDINGS, STRUCTURES, FENCES, DRIVEWAYS OR OTHER MEANS OF VEHICULAR ACCESS SHALL BE CONSTRUCTED OR MAINTAINED ON, ACROSS, OR THROUGH ANY OF THE AREAS MARKED ON THE PLAT AS "SCREEN PLANTING EASEMENT".

INITIAL PLANTING AND MAINTENANCE OF THE SCREEN PLANTING EASEMENT SHALL BE THE RESPONSIBILITY OF D.R. HORTON, INC.-MIDWEST, A CALIFORNIA CORPORATION. UPON NOTIFICATION BY D.R. HORTON, INC.-MIDWEST, A CALIFORNIA CORPORATION TO THE SUCCESSOR OWNERS HEREOF AND OR LAND OWNERS ASSOCIATION. MAINTENANCE OF THE SCREEN PLANTING EASEMENT SHALL BECOME THE RESPONSIBILITY OF SAID OWNERS OF SAID LOTS AND/OR LAND OWNERS ASSOCIATION.

IN THE EVENT THAT THE SUCCESSOR OWNERS AND/OR THE LANDOWNERS ASSOCIATION FAIL TO MAINTAIN SAID EASEMENT. THE CITY MAY ESTABLISH A SPECIAL SERVICE AREA OVER THE PROPERTY SUBJECT OF THIS PLAT TO MAINTAIN SAID EASEMENT.



PREPARED BY:

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