

**ORDINANCE NO. F-2004**

**AN ORDINANCE GRANTING REZONING, PLANNED UNIT DEVELOPMENT AND  
SUBDIVISION APPROVAL OF THE PROPERTY LOCATED AT 616 CHILDS STREET - 616  
CHILDS PROPERTY LLC**

**WHEREAS**, written application has been made requesting rezoning, planned unit development and subdivision approval of the property located at 616 Childs Street, Wheaton, IL ("Subject Property") into two lots; and

**WHEREAS**, pursuant to notice as required by the Illinois Municipal Code and the Wheaton Zoning Ordinance, a public hearing was conducted by the Wheaton Planning and Zoning Board on January 24, 2017 and February 14, 2017 to consider the rezoning, planned unit development and subdivision request.

**NOW, THEREFORE, BE IT ORDAINED** by the City Council of the City of Wheaton, Du Page County, Illinois, pursuant to its home rule powers, as follows:

**Section 1:** Proposed lot 1 of the following described property shall be rezoned and reclassified from the M-1 Manufacturing District to the C-3 Commercial District zoning classification with a special use permit for a planned unit development with proposed lot 2 remaining as two separate zoning classifications, with the M-1 Manufacturing portion of proposed lot 2 as a special use permit for a planned unit development and the R-4 Residential portion of proposed lot 2 excluded from the planned unit development:

THE WEST 90.0 FEET OF THE EAST 475.00 FEET (EXCEPT THE NORTH 181.0 FEET) OF LOT 14 IN COUNTY CLERK'S ASSESSMENT DIVISION OF THE SOUTHEAST QUARTER OF SECTION 17, TOWNSHIP 39 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN ACCORDING TO THE PLAT THEREOF RECORDED NOVEMBER 27, 1890 AS DOCUMENT 43592, AND ALSO THE WEST 84.42 FEET (EXCEPT THE SOUTH 26.0 FEET) OF LOT 3 IN BLOCK 1 IN BARQ'S ADDITION TO WHEATON, IN SECTION 17, TOWNSHIP 39 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED APRIL 15, 1925 AS DOCUMENT 191311, IN DU PAGE COUNTY, ILLINOIS.

P.I.N.: 05-17-418-001, 05-17-418-039

The subject property is commonly known as 616 Childs Street, Wheaton, IL 60187.

**Section 2:** The Plat of Subdivision for 616 Childs Street, as prepared by Warren D. Johnson, an Illinois Professional Land Surveyor, and dated February 27, 2016 is hereby approved, subject to the following conditions and requirements.

- a. The subject plat shall be revised to show all necessary dedication and abrogation of public utility easements as determined by the Director of Engineering.

The Mayor is authorized to sign the approval form and the City Clerk is authorized and directed to attest to the signature of the Mayor on the Plat of Subdivision for 616 Childs Street.

**Section 3:** Pursuant to the Findings of Fact made and determined by the Mayor and City Council, rezoning, planned unit development and subdivision approval is hereby issued on the subject property allowing all buildings, parking areas and landscape areas to remain subject to the conditions contained on

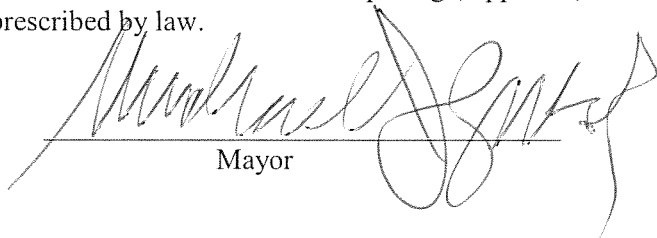
the following plan: "Combined Preliminary and Final P.U.D. Site Plan", prepared by Dave Johnson and Associates, Wheaton, IL, sheet 1 of 3, dated February 27, 2017, subject to the following conditions:

1. The Owner of Lot 2 shall remove any remaining waste and refuse from Lot 2 not later than April 1, 2017; and
2. By June 1, 2017, the Lot 2 owner shall retain an exterminating or animal control service to remove any natural home for rodents or animals; and
3. Storage of recreational vehicles on the site shall be prohibited; and
4. If the "metal frame building" remains on the site, it shall be painted by October 1, 2017.

**Section 4:** The Owner of the subject property shall submit a \$15,000 cash bond or letter of credit upon submittal of a building permit application as security for the performance of obligations at 616 Childs Street subject to the reasonable approval of the City Attorney, attached as Exhibit A.

**Section 5:** All ordinances or parts of ordinances in conflict with these provisions are repealed.

**Section 6:** This ordinance shall become effective from and after its passage, approval, and publication in pamphlet form in the manner prescribed by law.



\_\_\_\_\_

Mayor

ATTEST:



\_\_\_\_\_

City Clerk

Roll Call Vote

Ayes: Councilman Prendiville  
Mayor Gresk  
Councilman Saline  
Councilman Scalzo  
Councilwoman Fitch

Nays: None

Absent: Councilman Rutledge  
Councilman Suess

Motion Carried Unanimously

Passed: March 6, 2017  
Published: March 7, 2017

Exhibit A

CASH BOND UPON BUILDING PERMIT APPLICATION

616 CHILDS PROPERTY, LLC, an Illinois limited liability company, (hereinafter "Owner") hereby deposits with the CITY OF WHEATON, an Illinois home rule municipality, a cash bond or letter of credit in the amount of Fifteen Thousand Dollars and 00/100ths (\$15,000.00) as security for the performance of obligations at 616 Childs Street, Wheaton, DuPage County, Illinois. The CITY may perform or have performed (by others) (a) the installation of shrubs to screen truck/SUV headlights at the north end of the east property line, (b) removal of the south west gate components and (c) installation of the Lot 2 board on board fence (hereinafter the "Work") if 616 CHILDS PROPERTY LLC fails to do so by June 1, 2017. The entirety of the cash bond shall be applicable to any of the above tasks. The CITY shall return the cash bond to 616 CHILDS PROPERTY LLC within 30 days following performance of the tasks. If the CITY performs any of the tasks it may immediately access the cash bond, but it shall return any remaining balance by January 1, 2018. The bond shall not earn interest and it may be deposited in to any account at the City's reasonable, sole discretion. Accessing this cash bond as security does not serve as an election of the CITY'S remedies or to otherwise limit the CITY in its handling of a violation of any conditions, ordinances or site plans applicable to Lot 1, Lot 2 or both. If the cash bond is inadequate to pay for the Work the Owner shall pay the City within fourteen (14) days of written demand that reasonable amount the City invoices to the Owner to complete the Work.

616 CHILDS PROPERTY, LLC

By: \_\_\_\_\_

Its Manager

Accepted: CITY OF WHEATON

By: \_\_\_\_\_

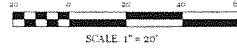
City Manager/Asst. City Manager

COMBINED PRELIMINARY AND FINAL P.U.D.  
**SITE PLAN**  
 FOR

**616 CHILDS STREET, WHEATON, ILLINOIS**

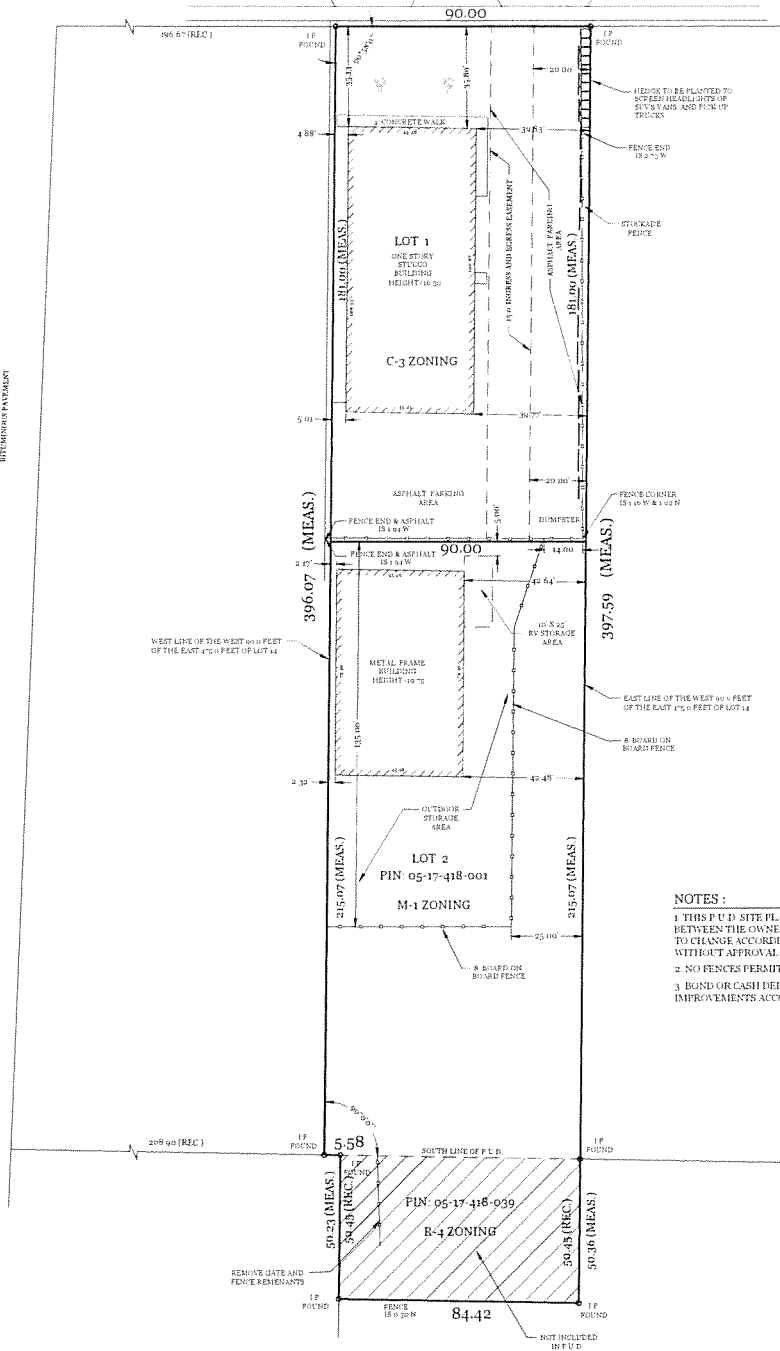
OF THE WEST 90.0 FEET OF THE EAST 475.0 FEET (EXCEPT THE NORTH 181.0 FEET) OF LOT 14 IN COUNTY CLERK'S ASSESSMENT DIVISION OF THE SOUTHEAST QUARTER OF SECTION 17, TOWNSHIP 39 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN ACCORDING TO THE PLAT THEREOF RECORDED NOVEMBER 27, 1980 AS DOCUMENT 43592, AND ALSO THE WEST 84.42 FEET (EXCEPT THE SOUTH 26.0 FEET) OF LOT 3 IN BLOCK 1 IN BARQ'S ADDITION TO WHEATON, IN SECTION 17, TOWNSHIP 39 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED APRIL 15, 1925 AS DOCUMENT 191311, IN DU PAGE COUNTY, ILLINOIS. THIS PROPERTY KNOWN AS: 616 CHILDS STREET WHEATON, ILLINOIS

THIS PLAT HAS BEEN SUBMITTED FOR RECORDING BY AND RETURN TO:  
 NAME: CITY OF WHEATON  
 ADDRESS: 301 W. WESLEY STREET  
 P.O. BOX 727  
 WHEATON, ILLINOIS 60187  
 PHONE: 630-260-2000  
 FAX: 630-260-2017



CHILDS STREET  
 BITUMINOUS PAVEMENT

CARLETON AVENUE  
 BITUMINOUS PAVEMENT



- NOTES:**
1. THIS P.U.D. SITE PLAN DOES NOT CREATE PRIVATE RIGHTS AS BETWEEN THE OWNERS OF LAND WITHIN THE PUD AND IT IS SUBJECT TO CHANGE ACCORDING TO THE WHEATON ZONING ORDINANCE WITHOUT APPROVAL OF BOTH OWNERS.
  2. NO FENCES PERMITTED ON LOT 2 EXCEPT AS SHOWN.
  3. BOND OR CASH DEPOSIT IS REQUIRED FOR LOT 1 AND LOT 2 IMPROVEMENTS ACCORDING TO PUD ORDINANCE (\$5,500.00).

**LEGAL DESCRIPTION FOR INGRESS AND EGRESS EASEMENT:**  
 THE WEST 15.0 FEET OF THE EAST 35.0 FEET OF THE NORTH 181.00 FEET OF THE WEST 90.0 FEET OF THE EAST 475.0 FEET OF LOT 14 IN COUNTY CLERK'S ASSESSMENT DIVISION OF THE SOUTHEAST QUARTER OF SECTION 17, TOWNSHIP 39 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED NOVEMBER 27, 1980 AS DOCUMENT 43592, IN DU PAGE COUNTY, ILLINOIS.

COMBINED PRELIMINARY AND FINAL  
PLAT OF SUBDIVISION  
FOR

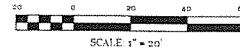
616 CHILDS STREET, WHEATON, ILLINOIS

OF THE WEST 90.0 FEET OF THE EAST 475.0 FEET (EXCEPT THE NORTH 181.0 FEET) OF LOT 14 IN COUNTY CLERK'S ASSESSMENT DIVISION OF THE SOUTHEAST QUARTER OF SECTION 17, TOWNSHIP 39 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN ACCORDING TO THE PLAT THEREOF RECORDED NOVEMBER 27, 1890 AS DOCUMENT 43592, AND ALSO THE WEST 84.42 FEET (EXCEPT THE SOUTH 26.0 FEET) OF LOT 3 IN BLOCK 1 IN BARO'S ADDITION TO WHEATON, IN SECTION 17, TOWNSHIP 39 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED APRIL 15, 1925 AS DOCUMENT 191311, IN DU PAGE COUNTY, ILLINOIS. THIS PROPERTY KNOWN AS: 616 CHILDS STREET, WHEATON, ILLINOIS

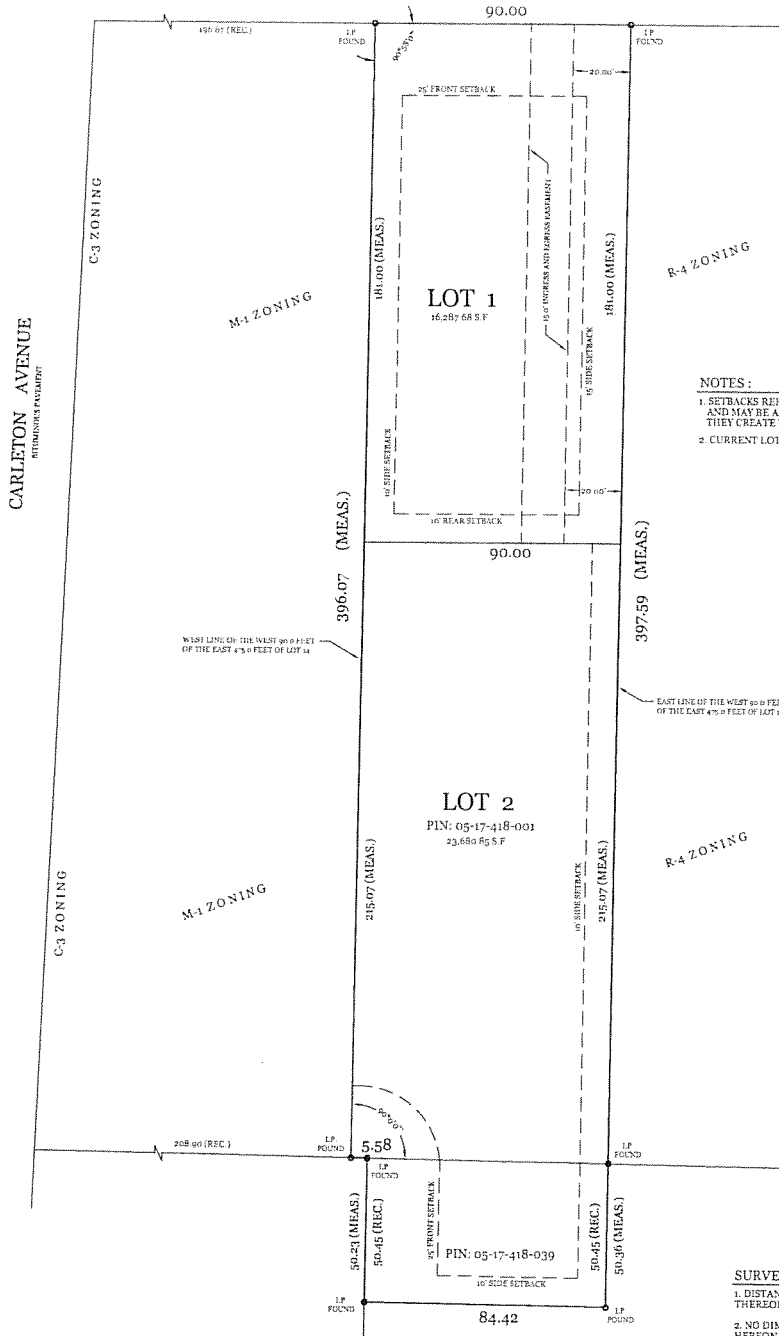
THIS PLAT HAS BEEN SUBMITTED FOR RECORDING BY AND RETURN TO:  
NAME: CITY OF WHEATON  
ADDRESS: 303 W. WESLEY STREET  
P.O. BOX 777  
WHEATON, ILLINOIS 60187  
PHONE: 630-260-2000  
FAX: 630-260-2007



NORTH



CHILDS STREET  
8720.0000 FEET DIST



NOTES:

1. SETBACKS REFLECTED ON THIS PLAT ARE FOR CONVENIENCE ONLY AND MAY BE ADJUSTED UNDER THE WHEATON ZONING ORDINANCE. THEY CREATE NO PRIVATE RIGHT OF ENFORCEMENT.
2. CURRENT LOT 2 BUILDING HEIGHT IS 19.75 FEET.

TOTAL AREA BEING SUBDIVIDED: 39,968.53 SF  
0.9176 AC

PIN NUMBERS BEING SUBDIVIDED: 05-17-418-001  
15-17-418-039

SURVEYORS NOTES

1. DISTANCES ARE MARKED IN FEET AND DECIMAL PLACES THEREOF.
2. NO DIMENSION SHALL BE ASSUMED BY SCALE MEASUREMENT HEREON.
3. THERE MAY BE ADDITIONAL TERMS, POWERS, PROVISIONS AND LIMITATIONS CONTAINED IN AN ABSTRACT DEED, LOCAL ORDINANCES, DEEDS, TRUSTS, COVENANTS OR OTHER INSTRUMENTS OF RECORD.
4. COMPARE ALL POINTS BEFORE BUILDING BY SAME AND IMMEDIATELY REPORT ANY DISCREPANCIES TO THE SURVEYOR.
5. DIMENSIONS ALONG CURVED LINES ARE ARC LENGTHS.
6. O DENOTES IRON PIPE FOUND.
7. 1/2" X 24" LONG PIPES WILL BE SET AT ALL PROPERTY CORNERS AND POINTS OF GEOMETRIC CHANGE.

LEGAL DESCRIPTION FOR INGRESS AND EGRESS EASEMENT:

THE WEST 15.0 FEET OF THE EAST 35.0 FEET OF THE NORTH 181.0 FEET OF THE WEST 90.0 FEET OF THE EAST 475.0 FEET OF LOT 14 IN COUNTY CLERK'S ASSESSMENT DIVISION OF THE SOUTHEAST QUARTER OF SECTION 17, TOWNSHIP 39 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED NOVEMBER 27, 1890 AS DOCUMENT 43592, IN DU PAGE COUNTY, ILLINOIS.

3747

DJA ENGINEERS & SURVEYORS  
1111 N. Main Street  
Wheaton, Illinois 60187  
Tel: 630-260-2000 Fax: 630-260-2007  
E-mail: DJA@DJAengineers.com

# PLAT OF SUBDIVISION FOR 616 CHILDS STREET, WHEATON, ILLINOIS

OF THE WEST 90.0 FEET OF THE EAST 475.0 FEET (EXCEPT THE NORTH 181.0 FEET) OF LOT 14 IN COUNTY CLERK'S ASSESSMENT DIVISION OF THE SOUTHEAST QUARTER OF SECTION 17, TOWNSHIP 39 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN ACCORDING TO THE PLAT THEREOF RECORDED NOVEMBER 27, 1890 AS DOCUMENT 43592, AND ALSO THE WEST 84.42 FEET (EXCEPT THE SOUTH 26.0 FEET) OF LOT 3 IN BLOCK 1 IN BARQ'S ADDITION TO WHEATON, IN SECTION 17, TOWNSHIP 39 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED APRIL 15, 1925 AS DOCUMENT 191311, IN DU PAGE COUNTY, ILLINOIS.

THIS PROPERTY KNOWN AS: 616 CHILDS STREET  
WHEATON, ILLINOIS

THIS PLAT HAS BEEN SUBMITTED FOR RECORDING BY AND RETURN TO:  
NAME: CITY OF WHEATON  
ADDRESS: 303 W. WESLEY STREET  
P.O. BOX 707  
WHEATON, ILLINOIS 60187  
PHONE: 630-260-2000  
FAX: 630-260-2017

**SURFACE WATER CERTIFICATION**

STATE OF ILLINOIS  
COUNTY OF DU PAGE 55

THIS IS TO CERTIFY THAT 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 SUCH SURFACE WATER DRAINAGE WILL BE CHANGED, ADEQUATE PROVISION HAS BEEN MADE FOR COLLECTION AND DIVERSION OF SUCH SURFACE WATERS INTO PUBLIC AREAS OR DRAINAGE WHICH THE SUBDIVIDER HAS A RIGHT TO USE, AND THAT SUCH WATERS WILL NOT BE DISCHARGED ON THE PROPERTY OF ADJOINING LANDOWNERS IN SUCH CONCENTRATIONS AS MAY CAUSE DAMAGE TO THE ADJOINING PROPERTY BECAUSE OF THE CONSTRUCTION OF THE SUBDIVISION.

DATED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2016

WARREN D. JOHNSON, ILLINOIS PROFESSIONAL ENGINEER

OWNER OR ATTORNEY



**SURVEYOR**

STATE OF ILLINOIS  
COUNTY OF DU PAGE 55

THIS IS TO CERTIFY THAT I, WARREN D. JOHNSON, AN ILLINOIS PROFESSIONAL LAND SURVEYOR, HEREBY CERTIFY THAT I HAVE SURVEYED AND SUBMITTED THE PROPERTY DESCRIBED HEREIN AND AS SHOWN BY THE ANNEXED PLAT WHICH IS A CORRECT REPRESENTATION OF SAID SURVEY AND SUBDIVISION. ALL DIMENSIONS ARE SHOWN IN FEET AND DECIMALS THEREOF.

I FURTHER CERTIFY THAT ALL REGULATIONS ENACTED BY THE CITY COUNCIL RELATIVE TO PLATS AND SUBDIVISIONS HAVE BEEN COMPLIED WITHIN THE PREPARATION OF THIS PLAT. THE PROPERTY SHOWN ON THIS PLAT HEREIN DRAWN IS SITUATED WITHIN THE CORPORATE LIMITS OF THE CITY OF WHEATON WHICH HAS ADOPTED A COMPREHENSIVE PLAN AND WHICH IS PATRONING THE SPECIAL POWERS AUTHORIZED BY STATE OF ILLINOIS ACCORDING TO ACTS 511-12-07, FORMERLY KNOWN AS DIVISION 12 OF ARTICLE 11 OF THE ILLINOIS MUNICIPAL CODE.

I FURTHER CERTIFY THAT THE PARCELS INCLUDED IN THIS PLAT ARE NOT LOCATED IN A SPECIAL FLOOD HAZARD AREA AS IDENTIFIED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY ACCORDING TO THE FLOOD RATE MAP, PANEL NUMBER 17097C0504A, DATED JULY 1, 2006.

GIVEN UNDER MY HAND AND SEAL AT WHEATON, ILLINOIS THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D. 2016

WARREN D. JOHNSON, ILLINOIS PROFESSIONAL LAND SURVEYOR #271



**DIRECTOR OF ENGINEERING**

STATE OF ILLINOIS  
COUNTY OF DU PAGE 55

I, \_\_\_\_\_, DIRECTOR OF ENGINEERING FOR THE CITY OF WHEATON, ILLINOIS, DO HEREBY CERTIFY THAT THE PLAT AS APPENDED HERE TO MEETS WITH THE REQUIREMENTS AND THE PLANS AND SPECIFICATIONS OF THE CITY OF WHEATON CITY CODE AND HAS BEEN APPROVED BY ALL PUBLIC AUTHORITIES.

DATED AT WHEATON, ILLINOIS THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2016

DIRECTOR OF ENGINEERING

**CITY COUNCIL**

STATE OF ILLINOIS  
COUNTY OF DU PAGE 55

APPROVED AND ACCEPTED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D. 2016

CITY COUNCIL OF WHEATON, ILLINOIS

MAYOR

ATTEND CITY CLERK

**COUNTY CLERK**

STATE OF ILLINOIS  
COUNTY OF DU PAGE 55

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 RECEIVABLE TAX SALES AGAINST ANY OF THE LANDS 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 DU PAGE COUNTY CLERK AT WHEATON, ILLINOIS.

THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D. 2016

DU PAGE COUNTY CLERK

**DU PAGE COUNTY RECORDING OFFICE**

STATE OF ILLINOIS  
COUNTY OF DU PAGE 55

THIS INSTRUMENT NO. \_\_\_\_\_ WAS FILED FOR RECORD IN THE RECORDERS OFFICE OF DU PAGE COUNTY AFORESAID ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D. 2016 AT \_\_\_\_\_ O'CLOCK \_\_\_\_\_.

DU PAGE COUNTY RECORDER

**OWNER**

STATE OF ILLINOIS  
COUNTY OF DU PAGE 55

THIS IS TO CERTIFY THAT THE UNDERSIGNED IS THE OWNER OF THE LAND DESCRIBED IN THE ANNEXED PLAT, AND HAS AGREED THE SAME TO BE SERVEYED AND SUBDIVIDED AS INDICATED THEREIN FOR THE USES AND PURPOSES THEREIN SET FORTH, AND DOES HEREBY ACKNOWLEDGE AND ADOPT THE SAME UNDER THE STYLE AND TITLE HEREIN INDICATED.

IN ADDITION, THIS IS TO CERTIFY, AS OWNER OF THE PROPERTY DESCRIBED HEREIN AND LEGALLY DESCRIBED ON THE PLAT, HAVE DETERMINED TO THE BEST OF MY KNOWLEDGE THE SCHOOL IN WHICH EACH OF THE SUBJECT LOTS IS WHOLLY WITHIN COMMUNITY UNIT SCHOOL DISTRICT 200.

DATED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D. 2016

BY \_\_\_\_\_

ATTEST \_\_\_\_\_

**NOTARY**

STATE OF ILLINOIS  
COUNTY OF DU PAGE 55

I, \_\_\_\_\_, A NOTARY PUBLIC IN AND FOR SAID COUNTY, IN THE STATE OF ILLINOIS, DO HEREBY CERTIFY

THAT \_\_\_\_\_ PERSONALLY KNOWN TO ME TO BE THE SAME PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AS SUCH OWNER, APPEARED BEFORE ME THIS DAY IN PERSON AND ACKNOWLEDGED THAT HE/SHE SIGNED THE ANNEXED PLAT AS HIS/HER OWN FREE AND VOLUNTARY ACT FOR THE USES AND PURPOSES THEREIN SET FORTH.

GIVEN UNDER MY HAND AND SEAL THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2016

NOTARY PUBLIC

**PUBLIC UTILITY AND DRAINAGE EASEMENT PROVISIONS**

ALL EASEMENTS FOR SERVING THE SUBDIVISION AND OTHER PROPERTY INDICATED AS EASEMENTS, UTILITY EASEMENTS OR COMBINED DRAINAGE AND UTILITY EASEMENTS ON THIS PLAT ARE HEREBY RESERVED FOR, AND GRANTED TO THE CITY OF WHEATON, AND TO AMERITECH COMPANY, NICOR, COMED, AND THE CABLE TV VENDOR, AND THEIR SUCCESSORS AND ASSIGNS JOINTLY AND SEVERALLY, TO INSTALL, OPERATE, MAINTAIN, REPAIR, RELocate AND REMOVE, FROM TIME TO TIME, FACILITIES USED IN CONNECTION WITH OVERHEAD AND UNDERGROUND TRANSMISSION AND DISTRIBUTION OF GAS AND WATER, ELECTRICITY AND SIGNALS, TOGETHER STORM WATER, SANITARY SEWER, AND ANY OTHER FACILITIES USED IN THE TRANSMISSION, DISTRIBUTION, OR TRANSPORTATION OF ANY COMMODITY BY A LIQUID OR GASEOUS STATE, IN OVER, UNDER, ACROSS, ALONG AND UPON THE SURFACE OF THE PROPERTY SHOWN WITHIN THE LINES ON THE PLAT MARKED "EASEMENT", AND THE PROPERTY DESIGNATED FOR STREETS AND ALLEYS, TOGETHER WITH THE RIGHT TO INSTALL REQUIRED SERVICE CONNECTIONS OVER OR UNDER THE SURFACE OF EACH LOT TO SERVE IMPROVEMENTS THEREON, OR ON ADJACENT LOTS, THE RIGHT TO CUT, TRIM OR REMOVE TREES, BUSHES AND ROOTS AS MAY REASONABLY BE 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 LINE MARKED "EASEMENT" WITHOUT THE PRIOR WRITTEN CONSENT OF THE GRANTEE. AFTER THE 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 MAINTENANCE THEREOF. THE ABOVE EASEMENT PROVISIONS ALSO APPLIES TO THOSE PUBLIC COMMUNICATIONS SYSTEMS UNDER FRANCHISE TO THE CITY OF WHEATON.

EASEMENTS INDICATED ARE HEREBY DENIED.