

ORIGINAL

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

RECEIVED
CLERK'S OFFICE

MAR - 7 2005

STATE OF ILLINOIS
Pollution Control Board

VILLAGE OF LAKE BARRINGTON,)
CUBA TOWNSHIP, PRAIRIE RIVERS)
NETWORK, SIERRA CLUB, BETH)
WENTZEL and CYNTHIA SKRUKRUD)

Petitioners)

v.)

ILLINOIS ENVIRONMENTAL)
PROTECTION AGENCY and)
VILLAGE OF WAUCONDA,)

Respondents.)

PCB 05-55
(Permit Appeal -NPDES)

SLOCUM LAKE DRAINAGE)
DISTRICT OF LAKE COUNTY,)
ILLINOIS.)

Petitioner)

v.)

ILLINOIS ENVIRONMENTAL)
PROTECTION AGENCY and)
VILLAGE OF WAUCONDA.)

Respondents.)

PCB 05-58
(Permit Appeal-NPDES)

AL PHILLIPS, VERN MEYER, GAYLE)
DEMARCO, GABRIELLE MEYER,)
LISA O'DELL, JOAN LESLIE,)
MICHAEL DAVEY, NANCY DOBNER)
MIKE POLITO, WILLIAMS PARK)
IMPROVEMENT ASSOCIATION,)
MAT SCHLUETER, MYLITH PARK)
LOT OWNERS ASSOCIATION,)
DONALD KREBS, DON BERKSHIRE)
JUDY BRUMME, TWIN POND FARMS)
HOMEOWNERS ASSOCIATION,)
JULIA TUDOR, CHRISTINE DEVINEY)

Petitioners)

v.)

ILLINOIS ENVIRONMENTAL)
PROTECTION AGENCY and)
VILLAGE OF WAUCONDA,)

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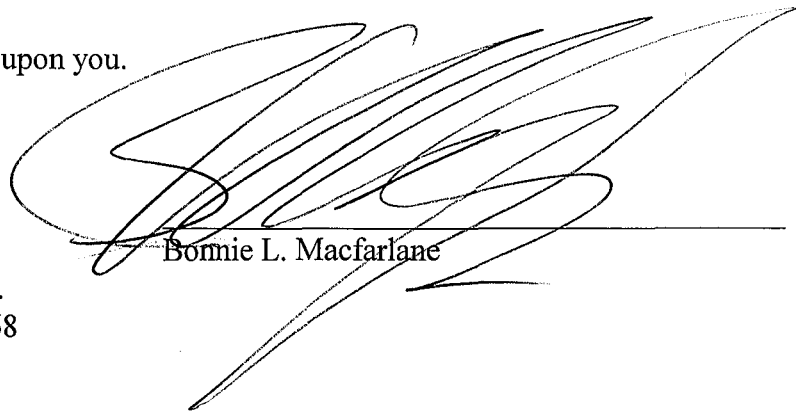
PCB 05-59
(Permit Appeal-NPDES)

NOTICE OF FILING

TO: See attached Certificate of Service

Please take notice that on March 7, 2005, I filed with the Illinois Pollution Control Board an original and nine copies of this Notice of Filing and attached REPLY BRIEF ON BEHALF OF THE SLOCUM LAKE DRAINAGE DISTRICT OF LAKE COUNTY, which are hereby served upon you.

Dated: March 7, 2005



Bonnie L. Macfarlane

BONNIE MACFARLANE, P.C.
106 W. State Road, P.O. Box 268
Island Lake, IL 60042
847-487-0700

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MAR -7 2005

STATE OF ILLINOIS
Pollution Control Board

ORIGINAL
CERTIFICATE OF SERVICE

It is hereby certified that true copies of the foregoing BRIEF IN LIEU OF HEARING was mailed, by federal express, on March 7, 2005 to each of the following person:

Dorothy M. Gunn
Bradley P. Halloran
Illinois Pollution Control Board
James R. Thompson Center
100 W. Randolph St., Suite 11-500
Chicago, Illinois 60601

Sanjay Kumar Sofat
James Allen Day
Division of Legal Counsel
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Springfield, IL 62794-9276

Percy L. Angelo
Russell R. Eggert
Kevin G. Deshamais
Mayer, Brown, Rowe & Maw, L.L.P.
190 S. LaSalle Street
Chicago, Illinois 60603

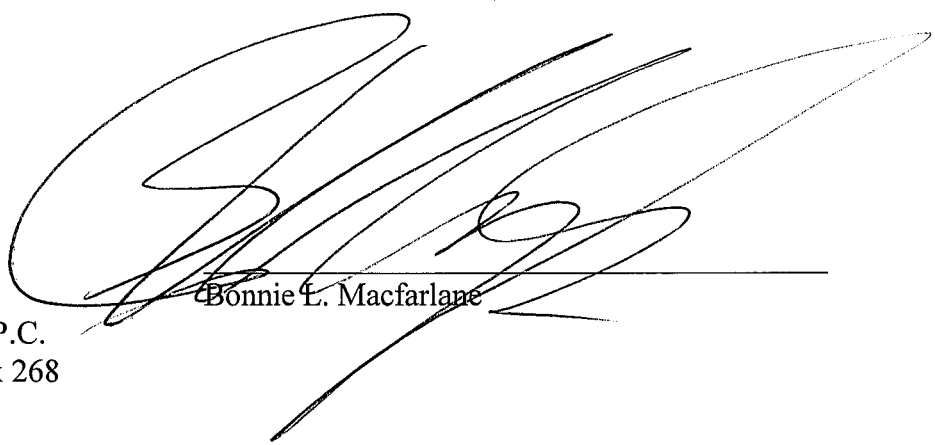
William D. Seith
Total Environmental Solutions, P.C.
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Lombard, IL 60148

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495 N. Riverside Dr., Suite 201
Gurnee, IL 60031

Jay J. Glenn
Attorney at Law
2275 Half Day Road, Ste. 350
Bannockburn, IL 60015

Dated: March 7, 2005



Bonnie L. Macfarlane

BONNIE MACFARLANE, P.C.
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v.)

ILLINOIS ENVIRONMENTAL)
 PROTECTION AGENCY and)
 VILLAGE OF WAUCONDA,)

Respondents.)

PCB 05-59
 (Permit Appeal-NPDES)

**REPLY OF SLOCUM LAKE DRAINAGE DISTRICT OF LAKE COUNTY
 TO THE AGENCY'S POST-HEARING BRIEF**

NOW COMES, **Petitioner**, Slocum Lake Drainage District of Lake County's ("District"), by its attorney, BONNIE MACFARLANE, of the law firm of BONNIE MACFARLANE, P.C., and hereby submits this Reply to the Agency's Post-Hearing Brief, and states as follows:

A. The District, for clarification purposes, has drainage jurisdiction and control over the channelized drainage ditch which flows West for approximately 625 feet from the Wauconda outfall; the ditch which continues West for approximately 5,250 feet, and South for approximately 1,250 feet, and which continues West for approximately 1,125 feet. The District's "territory" also extends through the LAKE COUNTY FOREST PRESERVE'S ("LCGPD")

property which is approximately 2,600 linear feet, which constitutes the northern border of the 517-acre Fox River Preserve. See the legal description for said property attached hereto as Exhibit "A". The LCGPD appropriated that property by eminent domain and the legal description which was attached to the Lake County Judgment erroneously did not contain the complete description which included the easements for the benefit of the Slocum Lake Drainage District of Lake County, Illinois.

B. Secondly, the Agency consistently contends that the Petitioner has not submitted evidence which supports the contentions of their Appeal of the NPDES Permit. Such evidence was in the Record and referred to by Footnote in the Hearing Brief of Petitioner. The fact that the Agency contends that it addressed and responded to the evidence provided by the various engineers resulting in a "special condition" contained in the modified permit issued in August, 2004, itself substantiates that the evidence given was credible. The Agency misses the crucial point that each "special condition" or "requirement" added to the modified permit, after review by the Agency of the various engineers' reports, fails to adequately remedy the engineers' conclusions, i.e., for example, testing and monitoring on a "semi-annual" basis.

C. In addition, the Agency contends that they are not the proper authority to approve a Pre-treatment program fails miserably, since the Attorney General filed a complaint against the Village of Wauconda just prior to issuing the modified permit. The Consent Judgment filed with the Lake County District Court on December 10, 2004, establishes a formal pre-treatment program which Wauconda is now required to follow. It is apparent that the pre-treatment "permit," espoused by the Agency's brief, attempts to shift the Board's focus from the need for such pre-treatment, and attempting to have this Board believe that the Petitioner was discussing a "permit" when the Petitioner was only seeking to have an established Village of Wauconda pre-

treatment ordinance enforced. Ultimately, the Lake County Court is now requiring the Village of Wauconda to be responsible for a formal pre-treatment of wastewater into the Wauconda Wastewater Treatment Plant by the industrial users using USEPA standards.

For the reasons and arguments provided herein, the District respectfully requests that this Board disallow those sections of the Agency's brief that are refuted herein, and grant such other relief as deemed necessary and proper under the circumstances.

SLOCUM LAKE DRAINAGE DISTRICT
OF LAKE COUNTY

BONNIE MACFARLANE, P.C.

BY: 

Bonnie L. Macfarlane, its attorney

DATED: March 7, 2005

BONNIE MACFARLANE, P.C.
106 W. State Road, P.O. Box 268
Island Lake, IL 60042
847-487-0700

EXHIBIT "A"

THE WEST HALF OF LOT 1 OF THE NORTH WEST QUARTER OF SECTION 3,
TOWNSHIP 43 NORTH, RANGE 9, EAST OF THE THIRD PRINCIPAL MERIDIAN,
IN LAKE COUNTY, ILLINOIS.

THAT PART OF THE SOUTH EAST QUARTER OF THE NORTH EAST QUARTER AND
OF THE WEST HALF OF THE NORTH EAST QUARTER OF SECTION 4, TOWNSHIP
43 NORTH, RANGE 9, EAST OF THE THIRD PRINCIPAL MERIDIAN, LYING
NORTHERLY AND EASTERLY OF FOX RIVER, IN LAKE COUNTY, ILLINOIS.

THAT PART OF THE EAST HALF OF THE EAST HALF OF THE NORTH WEST QUARTER
OF SECTION 4, TOWNSHIP 43 NORTH, RANGE 9, EAST OF THE THIRD PRINCIPAL
MERIDIAN, LYING NORTHERLY OF THE FOX RIVER, IN LAKE COUNTY, ILLINOIS.

THAT PART OF THE WEST HALF OF THE SOUTHWEST QUARTER OF SECTION 33,
TOWNSHIP 44 NORTH, RANGE 9, EAST OF THE THIRD PRINCIPAL MERIDIAN,
LYING SOUTH OF THE NORTH LINE OF THE SOUTH 5 ACRES AND 132 PERCHES
OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION
AND SOUTHWESTERLY OF THE CENTERLINE OF THE PUBLIC HIGHWAY KNOWN AS
STATE AID ROUTE # 35, AS SHOWN ON PLAT OF SURVEY RECORDED AS DOCUMENT
#523755 IN BOOK 29 OF PLATS, PAGE 12, (EXCEPT THE WEST 2 RODS THEREOF
AND EXCEPT THAT PART THEREOF DESCRIBED AS FOLLOWS, TO-WIT: COMMENCING
AT THE INTERSECTION OF THE CENTERLINE OF THE PUBLIC HIGHWAY AS FORMERLY
LOCATED AND THE NORTH LINE OF THE SOUTH 5 ACRES AND 132 PERCHES OF THE
NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 33, THENCE
WEST 74 RODS; THENCE SOUTH 8 RODS; THENCE EAST 2 RODS; THENCE NORTH 6
RODS; THENCE EAST 72 RODS AND THENCE NORTH 2 RODS TO THE PLACE OF
BEGINNING) AND (EXCEPTING THEREFROM FOX RIVER ESTATES, ACCORDING TO
THE PLAT THEREOF RECORDED OCTOBER 9, 1959, AS DOCUMENT # 1047902 IN
LAKE COUNTY, ILLINOIS). ALL CONTAINING 27.70 ACRES MORE OR LESS,
IN LAKE COUNTY, ILLINOIS.

THE WEST HALF OF THAT PART OF THE EAST HALF OF THE NORTH WEST QUARTER
LYING NORTH OF FOX RIVER IN SECTION 4, TOWNSHIP 43, NORTH, RANGE 9,
EAST OF THE THIRD PRINCIPAL MERIDIAN, IN LAKE COUNTY, ILLINOIS.

THAT PART OF THE SOUTH WEST QUARTER OF THE SOUTH EAST QUARTER OF
SECTION 33, TOWNSHIP 44 NORTH, RANGE 9, EAST OF THE THIRD PRINCIPAL
MERIDIAN, LYING SOUTH WESTERLY OF THE CENTER LINE OF STATE AID ROUTE
#35, IN LAKE COUNTY, ILLINOIS.

THAT PART OF THE FRACTIONAL NORTH HALF OF THE SOUTH EAST QUARTER OF
SECTION 4, TOWNSHIP 43 NORTH, RANGE 9, EAST OF THE THIRD PRINCIPAL
MERIDIAN, LYING EAST ^{AND NORTH} OF THE FOX RIVER IN LAKE COUNTY, ILLINOIS.

LOT B IN FOX RIVER ESTATES, A SUBDIVISION IN LAKE COUNTY, ILLINOIS.
According to the plat recorded October 9, 1959 as document 1047902.

SUBJECT TO: See attached.

Street Address
27034 Roberts Road
Barrington Lake IL, 60010

2825909

THAT PART OF THE EAST 1/2 OF THE SOUTH WEST 1/4 OF SECTION
33, TOWNSHIP 44 NORTH, RANGE 9, EAST OF THE THIRD PRINCIPAL MERIDIAN,
LYING SOUTHWESTERLY OF THE CENTER LINE OF STATE AID ROUTE NO. 35
(ROBERTS ROAD) AS SHOWN ON THE PLAT OF SURVEY RECORDED AS DOCUMENT
523755, IN BOOK 29 OF PLATS, PAGE 12, IN LAKE COUNTY, ILLINOIS.

* (excepting therefrom the West 450 feet of the
East 725 feet thereof)

SUBJECT TO:

RIGHTS OF WAY FOR DRAINAGE TILES, DITCHES, FEEDERS AND LATERALS.

**RIGHTS OF THE PUBLIC AND THE ADJOINING OWNERS TO THE FREE AND UNOBSTRUCTED FLOW OF THE WATERS OF ANY UNNAMED STREAM OR BODY OF WATER LOCATED ON THE LAND AND THE USE OF THE SURFACE OF SAID STREAM OR BODY OF WATER.
(AFFECTS PARCELS 2, 3, 4, 5, 7 AND 9).**

**RIGHTS OF THE UNITED STATES OF AMERICA, STATE OF ILLINOIS, THE MUNICIPALITY AND THE PUBLIC IN AND TO THAT PART OF THE LAND LYING WITHIN THE BED OF THE FOX RIVER AND THE RIGHTS OF OTHER OWNERS OF LAND BORDERING ON THE RIVER IN RESPECT TO THE WATER OF SAID RIVER.
(AFFECTS PARCELS 2, 3, 7 AND 9).**

**RIGHTS OF THE PUBLIC AND OF THE STATE OF ILLINOIS, IN AND TO SO MUCH OF THE LAND AS DEDICATED FOR ROAD PURPOSES BY INSTRUMENTS, ONE DATED AUGUST 14, 1942 AND RECORDED FEBRUARY 1, 1943 AS DOCUMENT 523775; AND ONE DATED SEPTEMBER 19, 1942 AND RECORDED FEBRUARY 2, 1943 AS DOCUMENT 523829 AND ANOTHER DATED DECEMBER 28, 1942 AND RECORDED FEBRUARY 2, 1943 AS DOCUMENT 523828 AND SHOWN ON PLATS OF SURVEY RECORDED FEBRUARY 1, 1943 AS DOCUMENTS 523754, 523755 AND 523775 IN BOOK 29 OF PLATS PAGES 11 AND 12.
(AFFECTS PART OF PARCELS 4, 5 AND 6 LYING WITHIN 40 FEET OF THE CENTER LINE OF ROBERTS ROAD).**

RIGHTS, IF ANY, OF THE SLOCUM DRAINAGE DISTRICT, LAKE COUNTY, ILLINOIS, IN AND TO THAT PART OF THE LAND CONDEMNED FOR DRAINAGE DITCHES AND DRAINAGE RIGHTS OF WAY OR TAKEN OR USED FOR DRAINAGE PURPOSES BY PROCEEDINGS HAD IN THE COUNTY COURT OF LAKE COUNTY, ILLINOIS, (GENERAL NO. 6828) ON PETITION FILED SEPTEMBER 17, 1914.

~~**RIGHT OF NORTHERN ILLINOIS GAS COMPANY, AN ILLINOIS CORPORATION, ITS SUCCESSORS AND ASSIGNS, TO A PERPETUAL EASEMENT AND RIGHT OF WAY FOR THE PURPOSE OF LAYING, MAINTAINING, OPERATING, RENEWING, REPLACING AND REMOVING A GAS MAIN AND ANY NECESSARY GAS FACILITIES APPURTENANT THERETO, TOGETHER WITH THE RIGHT OF ACCESS THERETO FOR SAID PURPOSES IN, UPON, UNDER, ALONG AND ACROSS THE LAND HEREIN IN A LOCATION SHOWN ON EXHIBIT "A" ATTACHED THERETO, AS GRANTED BY THE INSTRUMENT DATED MARCH 24, 1965 AND RECORDED APRIL 13, 1965 AS DOCUMENT 1259529.
(AFFECTS PARCEL 5).**~~

EXISTING LEASES.

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4

EASEMENT FOR UTILITIES OVER THE EAST 10 FEET OF LOT "B" AS SHOWN ON THE PLAT OF SAID SUBDIVISION.
(AFFECTS PARCEL 10).

RIGHT OF INGRESS AND EGRESS OVER 20 FEET OF LAND LYING SOUTH OF LOT "A" IN FOX RIVER ESTATES TO CHANNEL EAST OF LOT 12 TOGETHER WITH THE RIGHT TO BUILD A PIER OR MOOR A BOAT IN THIS CHANNEL, AS GRANTED IN THE AGREEMENT RECORDED JUNE 9, 1960 AS DOCUMENT 1071653 AND DEED RECORDED FEBRUARY 10, 1965 AS DOCUMENT 1253885, AND AS AMPLIFIED BY AFFIDAVIT RECORDED APRIL 5, 1989 AS DOCUMENT 2780058.
(AFFECTS THE NORTH 10 FEET OF PARCEL 10 AND PART OF THE LAND HEREIN COVERED BY THE CHANNEL.).

EASEMENT FOR INGRESS AND EGRESS OVER A TWENTY FOOT STRIP BETWEEN GERALDINE LANE AND THE CHANNEL EAST OF FOX RIVER ESTATES DESCRIBED AS COMMENCING AT A POINT ON THE WEST LINE AND 10 FEET NORTH OF THE SOUTHWEST CORNER OF LOT "A" IN SAID SUBDIVISION; THENCE SOUTH ALONG THE WEST LINE OF SAID LOT "A" AND LOT "B" A DISTANCE OF 20 FEET; THENCE EAST PARALLEL WITH THE SOUTH LINE OF SAID LOT "A" 245 FEET; THENCE NORTH 40 FEET, MORE OR LESS, TO THE WATERS EDGE OF THE CHANNEL; THENCE WESTERLY ALONG THE WATERS EDGE OF SAID CHANNEL 20 FEET, MORE OR LESS, TO A POINT 25 FEET EAST OF THE EAST LINE OF SAID LOT "A"; THENCE SOUTH 20 FEET, MORE OR LESS, TO A POINT WHICH IS 10 FEET NORTH OF THE EXTENSION EAST OF THE SOUTH LINE OF SAID LOT "A", SAID POINT ALSO BEING 25 FEET EAST OF THE EAST LINE OF SAID LOT "A"; THENCE WEST 225 FEET, ALONG A LINE 10 FEET NORTH OF AND PARALLEL WITH THE SOUTH LINE OF SAID LOT "A" TO THE POINT OF BEGINNING; TOGETHER WITH THE RIGHT TO BUILD A PIER IN THE CHANNEL AND THE RIGHT TO MOOR BOAT IN THE CHANNEL, AS GRANTED BY WARRANTY DEED RECORDED JULY 26, 1966 AS DOCUMENT 1311302, CONVEYING LOT 13 IN SAID SUBDIVISION AND ALSO CONTAINED IN VARIOUS OTHER GRANTS AND CONVEYANCES OF LOTS IN SAID SUBDIVISION, AND AS AMPLIFIED BY AFFIDAVIT RECORDED APRIL 5, 1989 AS DOCUMENT 2780058.
(AFFECTS THE NORTH 10 FEET OF PARCEL 10 AND PART OF PARCEL 4 AND PART OF THE LAND FALLING IN THE CHANNEL).

RIGHT OF COMMONWEALTH EDISON COMPANY AND ILLINOIS BELL TELEPHONE COMPANY, THIS SUCCESSORS AND ASSIGNS, TO AN EASEMENT TO CONSTRUCT, MAINTAIN, ETC., THEIR FACILITIES USED IN CONNECTION WITH OVERHEAD AND UNDERGROUND TRANSMISSION AND DISTRIBUTION OF ELECTRICITY, SOUNDS AND SIGNALS, TOGETHER WITH RIGHT OF ACCESS THERETO, OVER THE SOUTH 10 FEET OF THE NORTH 30 FEET OF PARCEL 1 AND THE SOUTH 10 FEET OF THE NORTH 30 FEET OF PART OF PARCEL 2 IN THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 4 AND ALSO OVER THE SOUTH 10 FEET OF THE NORTH 30 FEET OF THE EAST 140 FEET OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 4 AS GRANTED BY INSTRUMENT RECORDED MAY 6, 1977 AS DOCUMENT 1834912 AND CORRECTED BY GRANT RECORDED APRIL 10, 1989 AS DOCUMENT 2781084.
(AFFECTS PARCELS 1 AND 2).

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RIGHT OF COMMONWEALTH EDISON COMPANY, ITS SUCCESSORS AND ASSIGNS, TO AN EASEMENT TO CONSTRUCT, MAINTAIN, ETC., THEIR FACILITIES USED IN CONNECTION WITH OVERHEAD AND UNDERGROUND TRANSMISSION AND DISTRIBUTION OF ELECTRICITY, SOUNDS AND SIGNALS, TOGETHER WITH RIGHT OF ACCESS THERETO, OVER THAT PORTION OF PARCELS 2 AND 9 AS SHOWN ON EXHIBIT "A" OF THE INSTRUMENT AS GRANTED BY INSTRUMENT RECORDED JUNE 14, 1984 AS DOCUMENT 2289835. (AFFECTS PARCELS 2 AND 9).

ATTENTION IS DIRECTED TO ORDINANCES BY THE COUNTY OF LAKE ONE RECORDED AS DOCUMENT 2037978, OTHERS RECORDED FROM TIME TO TIME, RELATING TO THE PAYMENT OF CERTAIN CHARGES AS A CONDITION PRECEDENT TO PERMISSION TO TAP INTO A SEWER OR WATER SYSTEM. SAID INSTRUMENTS SHOULD BE CONSIDERED WHEN DEALING WITH THE PROPERTY INSURED HEREIN.

SLOCUM DRAINAGE DISTRICT, WARRANT NO. 73 MR 107 (68 MR 3626 COUNTY COURT, LAKE COUNTY, ILLINOIS) FOR DRAINAGE PURPOSES CONFIRMED OCTOBER 9, 1968 FOR \$16.00 ON THE NORTH 1/2 OF THE EAST 1/2 OF THE EAST 1/2 OF THE NORTH OF RIVER OF SECTION 4, TOWNSHIP 43 NORTH, RANGE 9, PAYABLE WITH GENERAL REAL ESTATE TAXES. THE 1976 ANNUAL INSTALLMENT HAS BEEN PAID (NOT LEVIED FOR THE YEARS 1977 THROUGH 1987).

SLOCUM DRAINAGE DISTRICT, WARRANT NO. 73 MR 107 (68 MR 3626 COUNTY COURT, LAKE COUNTY, ILLINOIS) FOR DRAINAGE PURPOSES CONFIRMED OCTOBER 9, 1968 FOR \$14.00 ON THE EAST 20 ACRES (EXCEPT FOX RIVER ESTATES AND EXCEPT THE WEST 2 RODS) SOUTH WEST SOUTH WEST SECTION 33, TOWNSHIP 44 NORTH, RANGE 9, PAYABLE WITH GENERAL REAL ESTATE TAXES. THE 1987 ANNUAL INSTALLMENT HAS BEEN PAID (NOT LEVIED FOR THE YEAR 1977 THROUGH 1984).

SLOCUM DRAINAGE DISTRICT, WARRANT NO. 73 MR 107 (68 MR 3626 COUNTY COURT, LAKE COUNTY, ILLINOIS) FOR DRAINAGE PURPOSES CONFIRMED OCTOBER 9, 1968 FOR \$14.00 (EXCEPT CASHMORE ROBERTS ROAD ACRE) PART LYING SOUTHERLY SLOCUM DRAINAGE DISTRICT PART OF THE EAST 1/2 OF THE SOUTH WEST 1/4 OF SECTION 33, TOWNSHIP 44 NORTH, RANGE 9, EAST OF THE THIRD PRINCIPAL MERIDIAN; PAYABLE WITH GENERAL REAL ESTATE TAXES. THE 1987 ANNUAL INSTALLMENT HAS BEEN PAID. (NOT LEVIED YEARS 1977 THROUGH 1984).

2825909

SLOCUM DRAINAGE DISTRICT, WARRANT NO. 73 MR 107 (68 MR 3626 COUNTY COURT, LAKE COUNTY, ILLINOIS) FOR DRAINAGE PURPOSES CONFIRMED OCTOBER 9, 1968 FOR \$14.00 ON PERMANENT INDEX NUMBER 1304100003, PAYABLE WITH GENERAL REAL ESTATE TAXES. THE 1987 ANNUAL INSTALLMENT HAS BEEN PAID.

~~ENCROACHMENT OF A FRAME BARN AND METAL SHED OVER THE NORTHERN ILLINOIS GAS MAIN GRANTED BY DOCUMENT 1259529 AS DISCLOSED BY A SURVEY IN FILE.~~

RIGHTS OF PUBLIC SERVICE COMPANY OF NORTHERN ILLINOIS, ITS SUCCESSORS AND ASSIGNS, TO CONSTRUCT, MAINTAIN AND RENEW "POLE LINE EQUIPMENT" AND "GAS MAIN EQUIPMENT" IN THE PUBLIC HIGHWAY KNOWN AS ROBERTS ROAD AS GRANTED BY AN UNRECORDED EASEMENT DATED MARCH 15, 1940, A COPY OF WHICH IS IN OUR FILE.
(AFFECTS PART OF PARCELS 2, 4, AND 5 IN ROBERTS ROAD).

RIGHTS OF THE COMMONWEALTH EDISON COMPANY AND ILLINOIS BELL TELEPHONE COMPANY, THEIR SUCCESSORS AND ASSIGNS, TO CONSTRUCT, LAY, MAINTAIN, ETC., THEIR EQUIPMENT CONSISTING OF POLES, ETC., IN, UPON, UNDER AND ALONG THE WEST 10 FEET OF THE EAST 160 FEET OF THE NORTH 1500 FEET OF THE WEST HALF OF THE NORTHEAST QUARTER OF SECTION 4, AS GRANTED BY INSTRUMENT DATED JUNE 12, 1957 AND RECORDED JUNE 19, 1957 AS DOCUMENT 954371.
(AFFECTS PARCEL 2).

~~BUILDING LINE 30 FEET EAST OF THE WEST LINE OF LOT "B" AS SHOWN ON THE PLAT OF SAID SUBDIVISION.
(AFFECTS PARCEL 10).~~

~~MATTERS OF SURVEY AS THEY RELATE TO THE EASTERLY BOUNDARY LINE OF PARCEL 1 ONLY.
(AFFECTS PARCEL 1).~~

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