

RESOLUTION APPROVING A  
FINAL PLAT OF SUBDIVISION

WHEREAS, on May 11, 2022, in Petition Number 21-009, the Plan Commission of the Village of Arlington Heights conducted a public meeting on a request by RPG Acquisitions LLC to subdivide the property located at 1100 and 1400 W Dundee Rd and 1510-1530 W Dundee Rd, Arlington Heights, Illinois (the “Subject Property”); and

WHEREAS, the Plan Commission has found the final plat of subdivision submitted for the Subject Property to be in full compliance with all applicable Village requirements as provided in Chapter 29 of the Arlington Heights Municipal Code and has approved the final plat; and

WHEREAS, the President and Board of Trustees have considered the report and recommendations of the Plan Commission and have determined that the approval of the final plat of subdivision would be in the best interests of the Village of Arlington Heights,

NOW, THEREFORE, BE IT RESOLVED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF ARLINGTON HEIGHTS:

SECTION ONE: That the final plat of subdivision for 1<sup>st</sup> Amendment to Bob Rohrman’s Arlington Heights Auto Mall, prepared by Pinnacle Engineering Group, Illinois registered land surveyors, dated April 30, 2021 with revisions through April 21, 2022, is hereby approved for the property legally described in Exhibit A, attached hereto.

SECTION TWO: The Village President and Village Clerk shall execute the final plat on behalf of the Village of Arlington Heights.

SECTION THREE: The Village Clerk is hereby directed to cause the final plat to be recorded, together with this Resolution, in the Office of the Cook County Clerk. In the event the final plat is not filed for recording within six months from the date hereof, the final plat shall then become null and void.

SECTION FOUR: This Resolution shall be in full force and effect from and after its passage and approval in the manner provided by law.

AYES:

NAYS:

PASSED AND APPROVED this 21st day of June, 2022.

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Village President

ATTEST:

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Village Clerk

FINALPLAT:1<sup>st</sup> Amendment to Bob Rohrman's AH Auto Mall

## EXHIBIT A

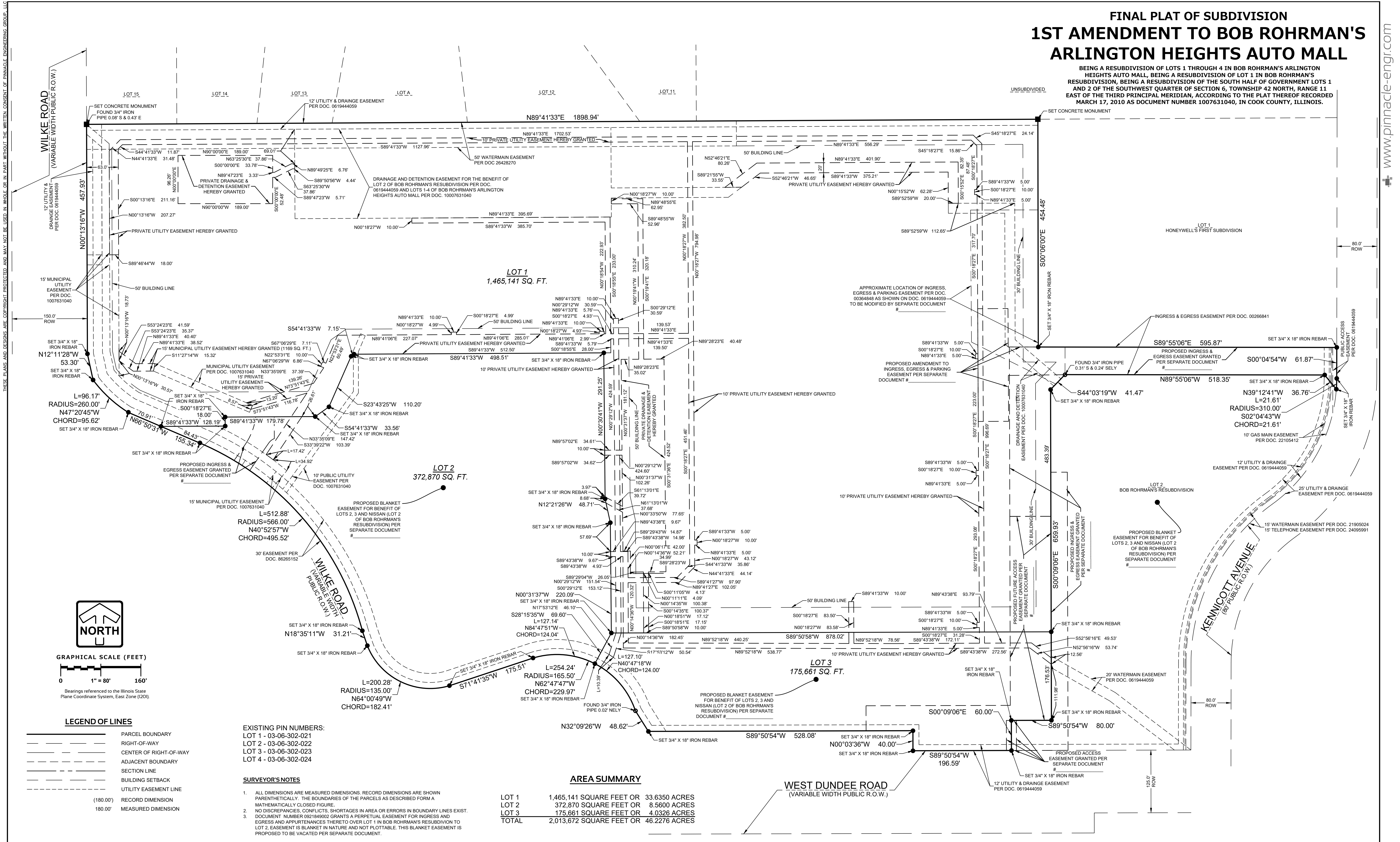
Lots 1 through 4 in Bob Rohrman's Arlington Heights Auto Mall, being a resubdivision of Lot 1 in Bob Rohrman's Arlington Heights Auto Mall, being a resubdivision of the South half of Government Lots 1 and 2 of the Southwest quarter of Section 6, Township 42 North, Range 11 East of the Third Principal Meridian, according to the plat thereof recorded March 17, 2010, as Document Number 1007631040, in Cook County, Illinois.

PIN 03-06-302-021, -022, -023, -024

BEING A RESUBDIVISION OF LOTS 1 THROUGH 4 IN BOB ROHRMAN'S ARLINGTON HEIGHTS AUTO MALL, BEING A RESUBDIVISION OF LOT 1 IN BOB ROHRMAN'S RESUBDIVISION, BEING A RESUBDIVISION OF THE SOUTH HALF OF GOVERNMENT LOTS 1 AND 2 OF THE SOUTHWEST QUARTER OF SECTION 6, TOWNSHIP 42 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MARCH 17, 2010 AS DOCUMENT NUMBER 1007631040, IN COOK COUNTY, ILLINOIS.



THESE PLANS AND DESIGNS ARE COPYRIGHT PROTECTED AND MAY NOT BE USED IN WHOLE OR IN PART WITHOUT THE WRITTEN CONSENT OF PINNACLE ENGINEERING GROUP, LLC.





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DEED OF DEDICATION

STATE OF ILLINOIS) ) S.S.  
COUNTY OF COOK)

We, the undersigned, \_\_\_\_\_, \_\_\_\_\_, and \_\_\_\_\_, owners of the real estate shown and described herein, do hereby lay off, plat and subdivide said real estate in accordance with the within plat. This subdivision shall be known and designated as 1st Amendment to Bob Rohrman's Arlington Heights Auto Mall, an addition to the Village of Arlington Heights, Cook County. All streets and alleys and public open spaces shown and not heretofore dedicated are hereby dedicated to the public. Front and side yard building setback lines are established as shown on this plat, between which lines and the property lines of the streets, there shall be erected or maintained no building or structure. There are strips of ground, as shown on this plat and marked "Easement" reserved for the use of public utilities for the installation of water and sewer mains, poles, ducts, lines and wires, subject at all times to the proper authorities and to the easement herein reserved. No permanent or other structures are to be erected or maintained upon these strips of land, but owners of lots in this subdivision shall take their titles subject to the rights of the public utilities, and to the rights of the owners of other lots in this subdivision.

The foregoing covenants (or restrictions), are to run with the land and shall be binding on all parties and all persons claiming under them until January 1, 20\_\_\_\_, at which time said covenants (or restrictions) shall be automatically extended for successive periods of ten years unless indicated otherwise by negative vote of a majority of the then owners of the building sites covered by these covenants (or restrictions), in whole or in part, which said vote will be evidenced by a petition in writing signed by the owners and duly recorded. Invalidation of any one of the foregoing covenants (or restrictions) by judgment or court order shall in no way affect any of the other various covenants (or restrictions), which shall remain in full force and effect.

The right to enforce these provisions by injunction, together with the right to cause the removal, by due process of law, of any structure or part thereof erected or maintained in violation, is hereby dedicated to the public, and reserved to the several owners of the several lots in this subdivision and to their heirs and assigns.

Also to the best of my knowledge, the lots that are hereby created by the annexed Plat are within the School Districts known as:

CONSOLIDATED COMMUNITY SCHOOL DISTRICT #25  
TOWNSHIP HIGH SCHOOL DISTRICT #214  
HARPER COMMUNITY COLLEGE DISTRICT #512

In witness where I (we) have hereunder set my (our) hand (s) of

Seal (s) this \_\_\_\_\_ day of \_\_\_\_\_, A.D., 20\_\_\_\_.

\_\_\_\_\_  
President  
\_\_\_\_\_  
Secretary

Seal (s) this \_\_\_\_\_ day of \_\_\_\_\_, A.D., 20\_\_\_\_.

\_\_\_\_\_  
President  
\_\_\_\_\_  
Secretary

Seal (s) this \_\_\_\_\_ day of \_\_\_\_\_, A.D., 20\_\_\_\_.

\_\_\_\_\_  
President  
\_\_\_\_\_  
Secretary

NOTARY CERTIFICATE

STATE OF ILLINOIS) ) S.S.  
COUNTY OF COOK)

I, \_\_\_\_\_, a Notary Public in and for said County, in the State aforesaid, do hereby certify that \_\_\_\_\_, personally known to me to be the \_\_\_\_\_ of \_\_\_\_\_ corporation, and \_\_\_\_\_ personally known to me to be the \_\_\_\_\_ of said corporation, and personally known to me to be the same persons whose names are subscribed to the foregoing instrument appeared before me this day in person and severally

acknowledged that as such \_\_\_\_\_ and \_\_\_\_\_ signed and delivered the said instrument as

\_\_\_\_\_ and \_\_\_\_\_ of said corporation, and caused the Corporate Seal of said corporation to be affixed thereto, pursuant to the authority given by the Board of Directors of said corporation as their own free and voluntary act, and as the free and voluntary act and deed of said corporation, for uses and purposes therein set forth, Given under my hand and Notarial

Seal this \_\_\_\_\_ day of \_\_\_\_\_, A.D., 20\_\_\_\_.

Notary Public \_\_\_\_\_ My Commission Expires \_\_\_\_\_

PLAN COMMISSION CERTIFICATE

STATE OF ILLINOIS ) ) S.S.  
COUNTY OF COOK )

Under the authority provided by 65 ILCS 5/11-12 as amended by the State Legislature of the State of Illinois and Ordinance adopted by the Village Board of the Village of Arlington Heights, Illinois, this plat was given approval by the Village of Arlington Heights AND MUST BE RECORDED WITHIN SIX MONTHS OF THE DATE OF APPROVAL BY THE VILLAGE BOARD, OTHERWISE IT IS NULL AND VOID.

APPROVED by the Plan Commission at a meeting held \_\_\_\_\_

\_\_\_\_\_  
Chairman

\_\_\_\_\_  
Secretary

APPROVED by the Village Board of Trustees at a meeting held \_\_\_\_\_

\_\_\_\_\_  
President

\_\_\_\_\_  
Village Clerk

Approved by the Village Collector \_\_\_\_\_

Approved by the Village Engineer \_\_\_\_\_

COUNTY CLERK'S CERTIFICATE

STATE OF ILLINOIS) ) S.S.  
COUNTY OF COOK)

I, \_\_\_\_\_, County Clerk in Cook County, Illinois do hereby certify that there are no delinquent general taxes, no unpaid current general taxes, no unpaid forfeited taxes, and no redeemable tax 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 at \_\_\_\_\_, Illinois,

this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, A.D.

\_\_\_\_\_  
Cook County Clerk

EXISTING OWNERS PER COOK COUNTY GIS

LOT 1 IN BOB ROHRMAN'S ARLINGTON HEIGHTS AUTO MALL  
P9 ARLINGTON NORTHWEST GATEWAY OWNER, LLC  
C/O RIDGELINE PROPERTY CROUP  
3715 NORTHSIDE PARKWAY, BUILDING 200, SUITE 610  
ATLANTA, GA 30327

PART OF LOT 2 IN BOB ROHRMAN'S ARLINGTON HEIGHTS AUTO MALL  
P9 ARLINGTON NORTHWEST GATEWAY OWNER, LLC  
C/O RIDGELINE PROPERTY CROUP  
3715 NORTHSIDE PARKWAY, BUILDING 200, SUITE 610  
ATLANTA, GA 30327

PART OF LOT 2 IN BOB ROHRMAN'S ARLINGTON HEIGHTS AUTO MALL  
ROBERT V ROHRMAN  
1510 W DUNDEE RD  
ARLINGTON HTS, IL 60004-1436

PART OF LOT 3 IN BOB ROHRMAN'S ARLINGTON HEIGHTS AUTO MALL  
P9 ARLINGTON NORTHWEST GATEWAY OWNER, LLC  
C/O RIDGELINE PROPERTY CROUP  
3715 NORTHSIDE PARKWAY, BUILDING 200, SUITE 610  
ATLANTA, GA 30327

PART OF LOT 3 IN BOB ROHRMAN'S ARLINGTON HEIGHTS AUTO MALL  
ROBERT V ROHRMAN  
1510 W DUNDEE RD  
ARLINGTON HTS, IL 60004-1436

PART OF LOT 4 IN BOB ROHRMAN'S ARLINGTON HEIGHTS AUTO MALL  
P9 ARLINGTON NORTHWEST GATEWAY OWNER, LLC  
C/O RIDGELINE PROPERTY CROUP  
3715 NORTHSIDE PARKWAY, BUILDING 200, SUITE 610  
ATLANTA, GA 30327

PART OF LOT 4 IN BOB ROHRMAN'S ARLINGTON HEIGHTS AUTO MALL  
ROHRMAN GENERAL LLC  
3900 SOUTH ST  
LAFAYETTE, IN 47905-4882

WASTEWATER LAND TREATMENT CERTIFICATE

STATE OF ILLINOIS) ) S.S.  
COUNTY OF COOK )

I, \_\_\_\_\_, a Professional Engineer of the State of Illinois, do hereby certify that the wastewater land treatment facility servicing this subdivision has been designed in accordance with generally accepted engineering practices so as (1) to properly treat the wastewater from the service area under all conditions, (2) to prevent any groundwater contamination, (3) to prevent the movement of any effluent from the application site either as runoff or surface flow or as mist and (4) to prevent causing any condition of ill-being to any person.

\_\_\_\_\_  
Registered Professional Engineer of Illinois

PUBLIC UTILITY CERTIFICATE

STATE OF ILLINOIS) ) S.S.  
COUNTY OF COOK)

COMMONWEALTH EDISON COMPANY  
EASEMENT APPROVED AND ACCEPTED

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

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

AMERITECH/SBC  
EASEMENT APPROVED AND ACCEPTED

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

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

COMCAST CABLE  
EASEMENT APPROVED AND ACCEPTED

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

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

NICOR GAS COMPANY  
EASEMENT APPROVED AND ACCEPTED

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

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

WIDE OPEN WEST, LLC  
EASEMENT APPROVED AND ACCEPTED

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

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

NEW LOT ADDRESSES

LOT 1 - 3625 N WILKE RD & 3600 N KENNICOTT AVE

LOT 2 - 1510 W DUNDEE RD

LOT 3 - 1300 W DUNDEE RD

RECORDER'S CERTIFICATE

STATE OF ILLINOIS ) ) S.S.  
COUNTY OF COOK)

This instrument filed for record in the Recorder's Office of Cook

County, Illinois, on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, A.D.,

at \_\_\_\_\_ o'clock \_\_\_\_\_ M. and recorded as Document number \_\_\_\_\_

\_\_\_\_\_  
Cook County Recorder

FINAL PLAT OF SUBDIVISION  
1ST AMENDMENT TO BOB ROHRMAN'S  
ARLINGTON HEIGHTS AUTO MALL

BEING A RESUBDIVISION OF LOTS 1 THROUGH 4 IN BOB ROHRMAN'S ARLINGTON HEIGHTS AUTO MALL, BEING A RESUBDIVISION OF LOT 1 IN BOB ROHRMAN'S RESUBDIVISION, BEING A RESUBDIVISION OF THE SOUTH HALF OF GOVERNMENT LOTS 1 AND 2 OF THE SOUTHWEST QUARTER OF SECTION 6, TOWNSHIP 42 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MARCH 17, 2010 AS DOCUMENT NUMBER 1007631040, IN COOK COUNTY, ILLINOIS.

PRIVATE DRAINAGE, UTILITY AND DETENTION EASEMENT PROVISIONS:

PROVISIONS COVERED UNDER AGREEMENT PER SEPARATE DOCUMENT.

PRIVATE UTILITY EASEMENT PROVISIONS:

PROVISIONS COVERED UNDER AGREEMENT PER SEPARATE DOCUMENT.

MUNICIPAL UTILITY EASEMENT PROVISIONS:

Non-exclusive Easements for serving the subdivision and other private property with domestic water, sanitary sewer and/or storm water drainage is hereby reserved for and granted to the Village of Arlington Heights, Illinois, their successors and assigns, to install, operate, maintain, relocate, renew and remove facilities used in connection with sewer and watermain, in, under, across, along, and upon the surface of the property shown on the plat within the areas marked as "Municipal Utility Easement" (M.U.E.) and those parts designated on the plat as dedicated for public street, together with the right to cut, trim, or remove trees, bushes, and roots as may be reasonably required incident to the rights herein given, and the right to enter upon the property for all such purposes.

Each individual entity or other party accepting title to all or any part of the Municipal Utility Easement (M.U.E.) shall conclusively be deemed to have covenanted and agreed, jointly and severally, to maintain the surface of that portion of the Municipal Utility Easement which is located on such party's property so that it is in good condition for its intended purpose as a Municipal Utility Easement (which maintenance shall include, but shall not be limited to, the regular seeding, watering and mowing of all lawns).

No titleholder of any part or portion of the Municipal Utility Easement (or any party acting on behalf of the titleholder) shall:

- 1) Install, construct, erect, place or plant any building, structures, improvements or vegetation (other than grass or minor plantings approved by the Village) upon the Municipal Utility Easement, including, but not limited to fences, walls, patios, sheds, posts, trees, plants or shrubbery, except as may be approved by the Village, or
- 2) Alter, modify or change in any way the topography or elevations of the Municipal Utility Easement unless authorized by a separate approval from the Village.

Said easements may be used for driveways and parking. However, the grade of the property within the M.U.E. shall not be altered in any manner so as to interfere with the proper operation and maintenance thereof, or with the surface drainage thereon. The property owner and/or the property owner association are completely responsible for landscape and/or paving restoration, should maintenance or repair of the utility be required.

Only perpendicular crossings of the M.U.E. are permitted by other public utilities except as may be approved by the Village. The M.U.E.'s are exclusive of any blanket easement that might exist for other public utilities.

SURVEYOR'S CERTIFICATE

THIS IS TO CERTIFY THAT I, PAUL A. KUBICEK, AN ILLINOIS PROFESSIONAL LAND SURVEYOR, HAVE SURVEYED, SUBDIVIDED AND PLATTED FOR THE OWNERS THEREOF THE FOLLOWING DESCRIBED PROPERTY:

LOTS 1 THROUGH 4 IN BOB ROHRMAN'S ARLINGTON HEIGHTS AUTO MALL, BEING A RE-SUBDIVISION OF LOT 1 IN BOB ROHRMAN'S RE-SUBDIVISION, BEING A SUBDIVISION OF THE SOUTH HALF OF GOVERNMENT LOTS 1 AND 2 OF THE SOUTHWEST QUARTER OF SECTION 6, TOWNSHIP 42 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MARCH 17, 2010 AS DOCUMENT NO. 1007631040, IN COOK COUNTY, ILLINOIS.

CONTAINING 2,013.672 SQUARE FEET OR 46.2276 ACRES, MORE OR LESS.

I FURTHER CERTIFY THAT IRON STAKES HAVE BEEN SET AT ALL LOT CORNERS, POINTS OF CURVATURE AND TANGENCY, EXCEPT WHERE CONCRETE MONUMENTS AND MAG NAILS ARE INDICATED, AND THAT THE PLAT HEREON DRAWN CORRECTLY REPRESENTS SAID SURVEY AND SUBDIVISION. ALL DIMENSIONS ARE GIVEN IN FEET AND DECIMAL PARTS THEREOF.

I FURTHER CERTIFY THAT THE FOREGOING PROPERTY FALLS WITHIN THE CORPORATE LIMITS OF THE VILLAGE OF ARLINGTON HEIGHTS, AND I FURTHER CERTIFY THAT PART OF SAID PROPERTY IS SITUATED WITHIN A FLOOD HAZARD AREA ZONE "AE", WITH THE REMAINDER SITUATED IN ZONE "X", AS PER NATIONAL FLOOD INSURANCE PROGRAM, FLOOD INSURANCE RATE MAP, MAP NUMBER 17031C0063J & 17031C0044J, MAP REVISED AUGUST 19, 2009.

DATED AT EAST DUNDEE, ILLINOIS, THIS 21st DAY OF APRIL, 2022.

\_\_\_\_\_  
PAUL A. KUBICEK, ILLINOIS PROFESSIONAL LAND SURVEYOR 035-003296  
EXPIRES 11/30/2022  
PINNACLE ENGINEERING GROUP, LLC #184006289-0010  
EXPIRES 04/30/2023



REVISIONS					
1	Village comments	5/18/2021	7	Village comments	1/25/2022
2	Village comments	6/24/2021	8	Village comments	3/04/2022
3	Add proposed Ingress & Egress	6/30/2021	9	Village comments	3/25/2022
4	Add existing & future access	7/07/2021	10	Village comments	4/13/2022
5	Village comments	7/29/2021	11	Village comments	4/21/2022
6	Village comments	12/21/2021			

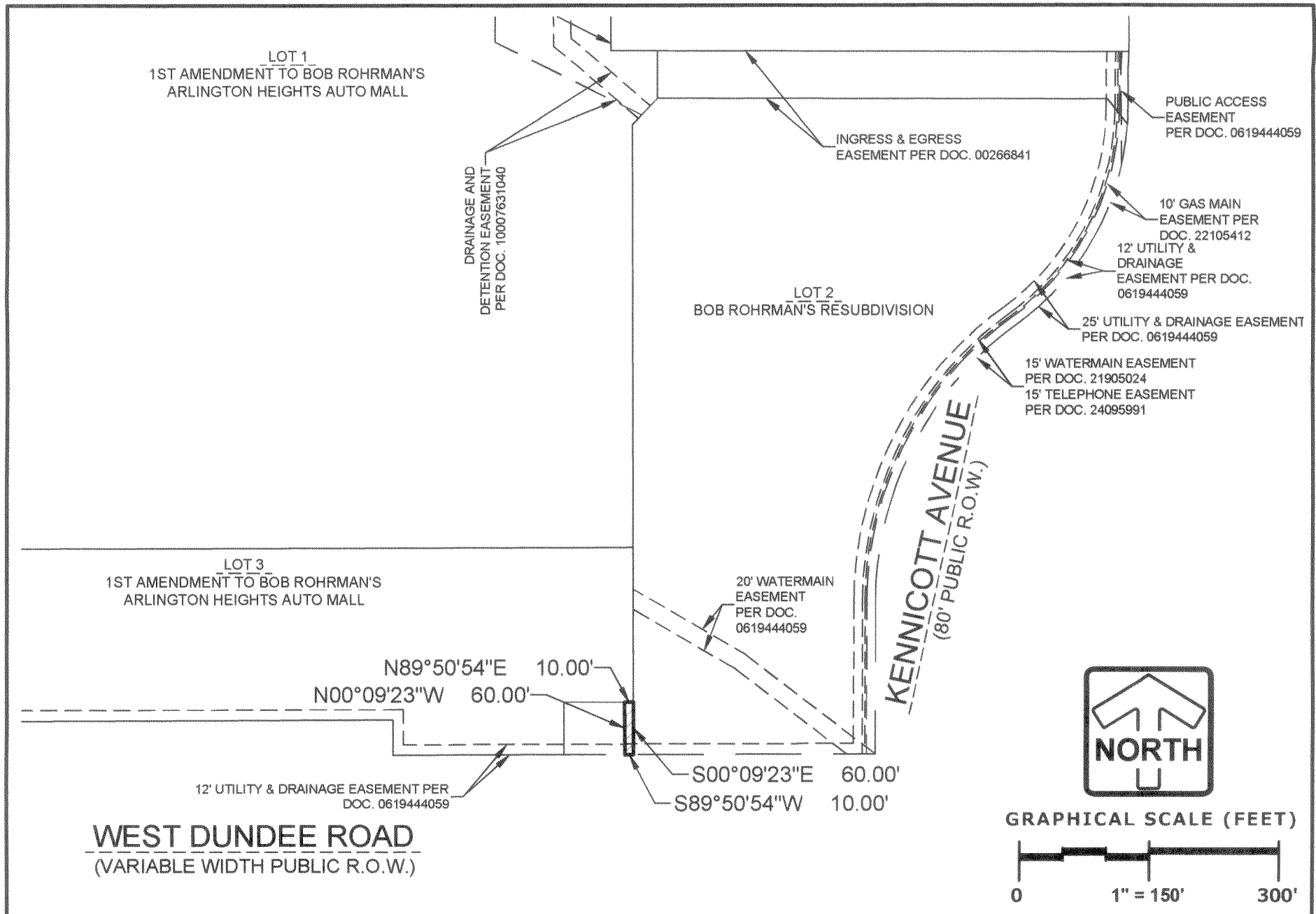
REC JOB No. 2283.00

REC PM \_\_\_\_\_

DATE 4/30/2021

SCALE 1"=80'

SHEET 3 of 3



PROPOSED 10' PRIVATE UTILITY EASEMENT EXHIBIT

5/17/2022

**PINNACLE ENGINEERING GROUP**

**PLAN | DESIGN | DELIVER**

1051 E. MAIN STREET | SUITE 217 | EAST DUNDEE, IL 60118

WWW.PINNACLE-ENGR.COM

PEG JOB#2283.00

## **PRIVATE UTILITY EASEMENT PROVISIONS**

A PERMANENT AND PERPETUAL EASEMENT IS HEREBY GRANTED TO, AND FOR THE BENEFIT AND USE OF, THE OWNER(S) OF LOT 1, LOT 2, AND LOT 3 WITHIN THIS SUBDIVISION, THEIR HEIRS, SUCCESSORS AND ASSIGNS, TO SURVEY, CONSTRUCT, RECONSTRUCT, USE, OPERATE, MAINTAIN, TEST, INSPECT, REPAIR, REPLACE, ALTER, REMOVE OR ABANDON IN PLACE SANITARY SEWER MAINS AND WATER MAINS TOGETHER WITH RELATED ATTACHMENTS, EQUIPMENT AND APPURTENANCES THERETO, IN, UPON, UNDER, ALONG AND ACROSS THE AREAS DESIGNATED ON THE PLAN AND MARKED "PRIVATE UTILITY EASEMENT," TOGETHER WITH THE RIGHT OF ACCESS THERETO FOR THE PERSONNEL AND EQUIPMENT NECESSARY AND REQUIRED FOR SUCH USES AND PURPOSES.

THE SANITARY SEWER MAINS, WATER MAINS AND RELATED ATTACHMENTS, EQUIPMENT AND APPURTENANCES THERETO, IN, UPON, UNDER, ALONG AND ACROSS THE "PRIVATE UTILITY EASEMENT" AREAS SHALL BE OWNED AND MAINTAINED BY THE OWNER(S) OF LOT 1, LOT 2, AND LOT 3. THE OWNERS OF PROPERTY SHOWN ON THIS PLAT OR ANY PART THEREOF HEREBY RESERVE THE RIGHT TO USE THE AREAS DESIGNATED "PRIVATE UTILITY EASEMENT" AND ADJACENT PROPERTY IN ANY MANNER THAT WILL NOT PREVENT OR INTERFERE WITH THE EXERCISE BY THE OWNER(S) OF LOT 1, LOT 2, AND LOT 3 OF THE RIGHTS HEREBY GRANTED.

IN ADDITION,  
AN EASEMENT IS HEREBY RESERVED FOR AND GRANTED TO NORTHERN ILLINOIS GAS COMPANY, AN ILLINOIS CORPORATION, DOING BUSINESS AS NICOR GAS COMPANY, ITS SUCCESSORS AND ASSIGNS ("NICOR") TO INSTALL, OPERATE, MAINTAIN, REPAIR, REPLACE AND REMOVE, FACILITIES USED IN CONNECTION WITH THE TRANSMISSION AND DISTRIBUTION OF NATURAL GAS IN, OVER, UNDER, ACROSS, ALONG AND UPON THE SURFACE OF THE PROPERTY SHOWN ON THIS PLAT MARKED "PRIVATE UTILITY EASEMENT", TOGETHER WITH REASONABLE RIGHT OF ACCESS THERETO, OR ON ADJACENT LOTS AND TO SERVE OTHER PROPERTY, ADJACENT OR OTHERWISE, AND THE RIGHT TO REMOVE OBSTRUCTIONS, INCLUDING BUT NOT LIMITED TO, TREES, BUSHES, ROOTS AND FENCES, AS MAY BE REASONABLY REQUIRED INCIDENT TO THE RIGHTS HEREIN GIVEN, AND THE RIGHT TO ENTER UPON THE PROPERTY FOR ALL SUCH PURPOSES, PROVIDED THAT IMMEDIATELY AFTER ANY CONSTRUCTION OR MAINTENANCE WORK IS PERFORMED ON THE AREA HEREIN DESCRIBED, NICOR, AT ITS SOLE COST AND EXPENSE, SHALL RESTORE THE SURFACE OF THE PROPERTY AND ALL TREES, SHRUBBERY, FENCING AND OTHER SUCH IMPROVEMENTS TO THEIR PREVIOUS CONDITION.. OBSTRUCTIONS SHALL NOT BE PLACED OVER NICOR FACILITIES OR IN, UPON OR OVER THE PROPERTY IDENTIFIED ON THIS PLAT FOR UTILITY PURPOSES WITHOUT PRIOR WRITTEN CONSENT OF NICOR. AFTER INSTALLATION OF ANY SUCH FACILITIES, THE GRADE OF THE PROPERTY SHALL NOT BE ALTERED IN A MANNER SO AS TO INTERFERE WITH THE PROPER OPERATION AND MAINTENANCE THEREOF.