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Cook County Recorder

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Prepared by & after recording, mail to:

0020138298

Kevin P. Breslin Katz Randall Weinberg & Richmond Suite 1800 333 West Wacker Drive Chicago, Physic is 60606

DEPARTMENT OF THE ARMY PERMIT NUMBER 200100128

The undersigned, as owner of the hereinafter described real property, certifies that attached hereto is a true and correct copy of Department of The Army Permit Number 200100128, which permit pertains to the real property located in the City of Chicago. County of Cook, State of Illinois, legally described in the attached Exhibits A-1 and A-2.

CenterPoint Realty Services Corporation

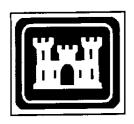
By:

Its: President

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Its: Vice President

122 + 340



DEPARTMENT OF THE ARMY PERMIT

Permittes.

CENTERPOINT PROPERTIES

Application No.:

200100128

Issuing Office: CHICAGO DISTRICT, U.S. ARMY CORPS OF ENGINEERS

The term "you" and its derivatives, as used in this DEFINITIONS: permit, means the permittee or any future transferee. The term "this office" refers to the appropriate district or division office of the Corps of Engineers having jurisdiction over the permitted activity or the appropriate official of that office acting under the authority of the commanding officer.

You are authorized to perform the work in accordance with the terms and conditions specified below.

Project Description: Construction of the Ford Chicago Manufacturing Campus Northwest of Avenue O and 126th Avenue in the City of Chicago, Cook County, Illinois. Filling 5.58 acres of wetland and waters of the U.S. in conjunction with the development of the Ford Manufacturing Campus with 6.13 acres of wetland created and 0.50 acres of wetland enhancement. 1.18 acres of creek reconstruction and 1.26 acres of creek enhancement with 2.95 acres of upland buffers. The approved mitigation plan is entitled Wetland Mitigation Plan Summary and Management and Monitoring Plan, dated November 27, 2000 (revised May 11, 2001), prepared by V3 Consultants.

Project Location: Northwest of Avenue O and 126th Avenue in the City of Chicago, Cook County, Illinois (Section 29, Township 37 North, Range 15 East).

Permit Conditions:

General Conditions

1. The time limit for completing the authorized work ends on December 31, 2006. If you find that you need more time to complete the authorized activity(s), submit your request for a

time extension to this office for consideration at least one month before the above date is reached.

- 2. You must maintain the activity authorized by this permit in good condition and in conformance with the terms and conditions of this permit. You are not relieved of this requirement if you abandon the permitted activity, although you may make a good faith transfer to a third party in compliance with General Condition 4 below. Should you wish to cease to maintain the authorized activity or should you desire to abandon it without a good faith transfer, you must obtain a modification of this permit from this office, which may require restoration of the area.
- 3. If you discover any previously unknown historic or archaeological remains while accomplishing the activity authorized by this permit, you must immediately notify this office of what you have found. We will initiate the Federal and State coordination required to determine if the remains warrant a recovery effort or if the site is eligible for listing in the National Register of Historic Places.
- 4. If you sell the property associated with this permit, you must obtain the signature of the new owner in the space provided and forward a copy of the permit to this office to validate the transfer of this authorization.
- 5. If a conditioned water quality cercification has been issued for your project, you must comply with the conditions specified in the certification as special conditions to this permit. For your convenience, a copy of the certification is attached if it contains such conditions.
- 6. You must allow representatives from this office to inspect the authorized activity at any time deemed necessary to ensure that it is being accomplished in accordance with the terms and conditions of your permit.

Special Conditions

- 1. This permit is based on all material submitted as part of application number 200100128. You must comply with all applicable regulations, and the Mitigation Requirements dated April 30, 1998, in carrying out this project. Failure to comply with the terms and conditions of this permit may result in suspension and revocation of your permit.
- 2. You shall fully implement the project mitigation document entitled Wetland Mitigation Plan Summary and Management and Monitoring Plan for the Chicago Manufacturing Campus dated November 27, 2000 (revised May 11, 2001 with revised wetland mitigation plan drawing dated September 18, 2001), prepared by V3

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Consultants, concurrent with project construction. All created wetlands shall meet the performance criteria in accordance with the Chicago District Mitigation Guidelines and Requirements dated April 30, 1998.

- 3. Throughout the project's duration, you shall adhere to all soil erosion and sediment control plans as proposed.
- 4. You shall insure that all remaining wetlands, created wetlands and adjacent upland buffers are protected through permanent deed restriction(s). The deed restriction(s) shall be recorded authorization-against the USACE authorization number (200100128), as depicted on mass grading plans dated June 15, 2001, with the Registrar of Deeds or other appropriate office charged with the responsibility for maintaining records of title or interest in real property. Within 30 days of receipt of this authorization, you shall submit to this office a draft copy of the deed restriction for review. Recordation of the approved deed restriction shall occur upon approval from this office.
- 5. You shall record this authorization against with the registrar of deeds or other appropriate office charged with the responsibility for maintaining records of title or interest in real property. Recordation of the authorization must occur before commencing work.
- 6. You shall insure that the lot(s) with the remaining wetlands, created wetlands and adjacent upland buffers is transferred to an agency or organization that will be responsible for its long-term management as a natural area. If a homeowners or landowners association is to be responsible for management, protection and maintenance measures for the natural area shall be stipulated in the association's covenants, deeds and restrictions. The association's covenant must provide a mechanism for accruing funds for wetland management. Draft language for the covenants, deeds and restrictions must be submitted to this office for review within thirty (30) days of the date of this authorization. The covenants, deeds and restrictions must be approved by this office before commencing work.
- 7. You shall provide written notification to this office at least ten (10) days prior to the commencement of work indicating the start date and estimated end date of construction. Notification must also include:
- 1. a copy of the final site/grading plans showing the remaining wetlands, created wetlands, adjacent upland buffers, and deed restricted areas;
- 2. a copy of the water quality certification issued by IEPA;
- 3. a copy of the recorded deed restriction;

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4. a copy of the recorded authorization;

You may not commence work authorized herein until all of the above items have been received by this office.

- 8. You shall fully implement the Project Mitigation Document dated November 27, 2000 (revised May 11, 2001), prepared by V3, concurrent with project construction. All created wetlands must meet performance criteria in accordance with the Chicago District Mitigation Guidelines and Requirements dated April 30, 1998.
- 9. You shall use clean material imported from an off-site location to be used as topdress material for wetland/enhancement areas.
- 10. The existing creek shall remain intact until the new creek channel and wetland mitigation areas are mass graded, fine graded, topdressed with the specified bank run aggregate material, sand, or topscil, and stabilized. After the new creek channel and wetland mitigation areas are mass graded, fine graded, topdressed and stabilized, the creek flow will be diverted into the new channel.
- 11. You shall install signs which identify the presence of Federally-protected wetlands and the prohibited activities in these areas. The signs shall be spaced every 200 feet at the boundary of all adjacent upland buffers.
- 12. You shall transfer the created wetlards area to the (City of Chicago or the State of Illinois), following the five-year maintenance and monitoring period and a determination by this office that all performance criteria have been met. You must ensure that the created wetlands are maintained and protected as a natural area in perpetuity.
- 13. You shall prepare and submit to this office and the (City of Chicago or the State of Illinois) a long-term management plan for the created wetlands and adjacent upland buffers in the rifth year of the maintenance and monitoring period. The management plan must outline a maintenance strategy for enhancing the quality of the wetlands.
- 14. You shall comply with the water quality certification issued under Section 401 of the Clean Water Act by the Illinois Environmental Protection Agency for the project. Conditions of the certification are conditions of this authorization.
- 15. You shall ensure that any wetland areas created or preserved as mitigation shall not be made subject of a future Department of the Army application, except for the purposes of enhancing or restoring the mitigation area associated with this authorization as approved by this office.

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16. You are responsible for all work authorized herein and for ensuring that all contractors are aware of the terms and conditions of this authorization. A copy of this authorization must be present at the project site during all phases of construction.

- 17. You shall notify this office of any proposed modifications to the project, including revisions to any of the plans or documents cited in this authorization. You must receive approval from this office before work affected by the proposed modification is performed.
- 18. You shall notify this office prior to the transfer of this authorization and liabilities associated with compliance with its terms and conditions. The transferee must sign the authorization in the space provided and forward a copy of the authorization to this office.

Further Information:

- 1. Congressional Authorities. You have been authorized to undertake the activity described above pursuant to:
- () Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403).
 - (X) Section 404 of the Clean Water Act (33 U.S.C. 1344).
- () Section 103 of the Marine Protection. Research and Sanctuaries Act of 1972 (33 U.S.C. 1413).
- 2. Limits of this Authorization.
- a. This permit does not obviate the need to obtain other federal, state, or local authorizations required by law.
- b. This permit does not grant any property rights or exclusive privileges.
- c. This permit does not authorize any injury to the property or rights of others.
- d. This permit does not authorize interference with any existing or proposed Federal project.
- 3. Limits of Federal Liability. The Federal Government does not assume any liability for the following:
- a. Damages to the permitted project or uses thereof as a result of other permitted or unpermitted activities or from natural causes.

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- b. Damages to the permitted project or uses thereof as a result of current or future activities undertaken by or on the behalf of the United States in the public interest.
- c. Damages to persons, property, or to other permitted or unpermitted activities or structures caused by the activity authorized by this permit.
- d. Design or construction deficiencies associated with the permitted work.
- e. Damage claims associated with any future modifications, suspension or revocation of this permit.
- 4. Reliance on Applicant's Data: The determination of this office that issuance of this permit is not contrary to the public interest was made in the reliance on the information you provided.
- 5. Reevaluation of Permit Decision. The office may reevaluate its decision on this permit at any time the circumstances warrant. Circumstances that could require a reevaluation include, but are not limited to, the following:
- a. You fail to comply with the terms and conditions of this permit.
- b. The information provided by you in support of your permit application proves to have been false, incomplete, or inaccurate (see 4 above).
- c. Significant new information surfaces which this office did not consider in reaching the original public Interest decision.

Such a reevaluation may result in a determination that it is appropriate to use the suspension, modification, and revocation procedures contained in 33 CFR 325.7 or enforcement procedures such as those contained in 33 CFR 326.4 and 326.5. The referenced enforcement procedures provide for the issuance of an administrative order requiring you to comply with the terms and conditions of your permit and for the initiation of legal action where appropriate. You will be required to pay for any corrective measures ordered by this office, and if you fail to comply with such directive, this office may in certain situations (such as those specified in 33 CFR 209.170) accomplish the corrective measures by contract or otherwise and bill you for the

6. Extensions. General Condition 1 established a time limit for the completion of the activity authorized by this permit. Unless there are circumstances requiring either a prompt completion of the authorized activity or a reevaluation of the public interest

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decision, the Corps will normally give favorable consideration to a request for an extension of this time limit.

Proberty of Cook County Clerk's Office

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Your signature below, as a permittee, indicates that you accept and agree to comply with the terms and conditions of this permit.

CA A	10/22/2001
PERMITTEE	DATE
Mr. Edward Harrington	
Centerpoint Properties	
1808 Swift Drive	
Oak Brook, Illinois 60523-1501	
This authorization becomes effective wh	nen the Federal official,
designated to act for the Secretary of	the Army, has signed
below.	-
Luih. Bad	28 Nov 01
FOR AND ON BEHALF OF	ATE
Mark A. Roncoli	
Colonel, U.S. Army	
District Engineer	
9/,	
	5
When the structures or work authorized	ry this permit are still
in existence at the time the property	is transferred, the terms
and conditions of this permit will cont new owner(s) of the property. To valid	date the transfer of this
permit and the associated liabilities a	associated with compliance
with its terms and conditions, have the	transfer a sign and date
below.	S SZGIISZSZZZZZZZZZZZZZZZZZZZZZZZZZZZZZZ
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	7/5
TRANSFEREE	DATE
	
ADDRESS	
TELEPHONE	-

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EXHIBIT A-1

THAT PART OF THE NORTHWEST QUARTER OF SECTION 30, TOWNSHIP 37 NORTH, RANGE 15 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT ON THE SOUTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 30, A DISTANCE OF 581.02 FEET EASTERLY FROM THE INTERSECTION OF THE SALO SOUTH LINE OF THE NORTHWEST QUARTER OF SECTION 30 WITH THE NORTHEASTERLY RIGHT OF WAY LINE OF THE CALUMET WESTERN RAILWAY (NOW ABANDONED, THENCE NORTH 89 DEGREES 55 MINUTES 36 SECONDS EAST, ALONG AN ASSUMED BEARING, BEING THE SOUTH LINE OF SAID NORTHWEST QUARTER 181.98 FEET; THENCE NORTH 00 DEGREES 04 MINUTES 24 SECONDS WEST PERPENDICULAR TO THE LAST DESCRIBED LINE 125.80 FEET, TO A POINT ON THE NORTH LINE OF THE PROPOSED 126TH STREET RIGHT OF WAY, SAID POINT ALSO BEING THE POINT OF BEGINNING; THENCE NORTH 37 DEGREES 57 MINUTES 04 SECONDS WEST 16.39 FEET; TUFNCE SOUTH 88 DEGREES 05 MINUTES 52 SECONDS WEST 159.71 FEET; THENCE NORTH 60 DEGREES 20 MINUTES 01 SECOND WEST 12.61 FEET: THENCE NORTH 27 DEGREES 36 MINUTES 09 SECONDS WEST 43.67 FEET; THENCE NORTH 05 DEGREES 02 MINUTES 21 SECONDS WEST 35.80 FEET; THENCE NORTH 13 DEGREES 02 MINUTES 37 SECONDS EAST 28.66 FEET; THENCE NORTH 31 DEGREES 53 MINUTES 09 SECONDS EAST 33.61 FEET; THENCE NORTH 50 DEGREES 45 MINUTES 00 SECONDS EAST 37.15 FEET; THENCE MORTH 62 DEGREES 41 MINUTES 03 SECONDS EAST 120.16 FEET; THENCE NORTH 53 DF GREES 28 MINUTES 49 SECONDS EAST 32.68 FEET; THENCE NORTH 34 DEGREES 25 MINUTES 16 SECONDS EAST 32.81 FEET; THENCE NORTH 15 DEGREES 32 MINUTES 27 SECONDS EAST 32.81 FEET: THENCE NORTH 03 DEGREES 20 MINUTES 41 SECONDS WEST 32.81 FEET; THENCE NORTH 12 DEGREES 47 MINUTES 04 SECONDS WEST 479.88 FELT; THENCE NORTH 16 DEGREES 22 MINUTES 03 SECONDS WEST 54.54 FEET; THENCE NORTH 23 DEGREES 32 MINUTES 09 SECONDS WEST 54.57 FEET; THENCE NORTH 27 DEGREES 13 MINUTES 24 SECONDS WEST 986.94 FEET; THENCE NORTH 59 DEGREES 57 MINUTE'S Co SECONDS EAST 280.89 FEET, TO A POINT ON A LINE LYING 4.00 FEET WEST OF AND PARALLEL WITH THE WESTERLY LINE OF PROPERTY CONVEYED BY ALLIED CORPORATION TO PVS CHEMICALS, INC. (ILLINOIS) PER DOCUMENT NUMBER 26025945; THENCE SOUTH 12 DEGREES 29 MINUTES 21 SECONDS EAST ALONG LAST DESCRIBED LINE 579.54 FEET; THENCE SOUTH 51 DEGREES 26 MINUTES 00 SECONDS EAST 18.26 FEET; THENCE NORTH 89 DEGREES 33 MINUTES 48 SECONDS EAST 211.62 FEET: THENCE SOUTH 04 DEGREES 13 MINUTES 13 SECONDS EAST 141.15 FEET; THENCE SOUTH 29 DEGREES 34 MINUTES 50 SECONDS EAST 11.68 FEET; THENCE SOUTH 04 DEGREES 04 MINUTES 22 SECONDS EAST 57.53 FEET; THENCE SOUTH 00 DEGREES 38 MINUTES 14 SECONDS EAST 162.28 FEET; THENCE SOUTH 06 DEGREES 33 MINUTES 38 SECONDS

EAST 20.64 FEET; THENCE SOUTH 12 DEGREES 28 MINUTES 30 SECONDS EAST 742.75 FEET; THENCE SOUTH 02 DEGREES 04 MINUTES 00 SECONDS WEST 39.98 FEET; THENCE SOUTH 17 DEGREES 54 MINUTES 48 SECONDS WEST 27.69 FEET; THENCE SOUTH 36 DEGREES 27 MINUTES 26 SECONDS WEST 65.68 FEET; THENCE SOUTH 43 DEGREES 05 MINUTES 08 SECONDS WEST 134.82 FEET; THENCE SOUTH 29 DEGREES 57 MINUTES 41 SECONDS WEST 14.86 FEET TO A POINT ON THE NORTH LINE OF THE PROPOSED 126TH STREET RIGHT OF WAY; THENCE SOUTH 89 DEGREES 33 MINUTES 00 SECONDS WEST ALONG LAST DESCRIBED LINE 43.04 FEET TO THE POINT OF BEGINNING, ALL IN COOK COUNTY, ILLINOIS.

CONTAINING 411,134 SQUARE FEET OR 9.438 ACRES MORE OR LESS.

PINs:

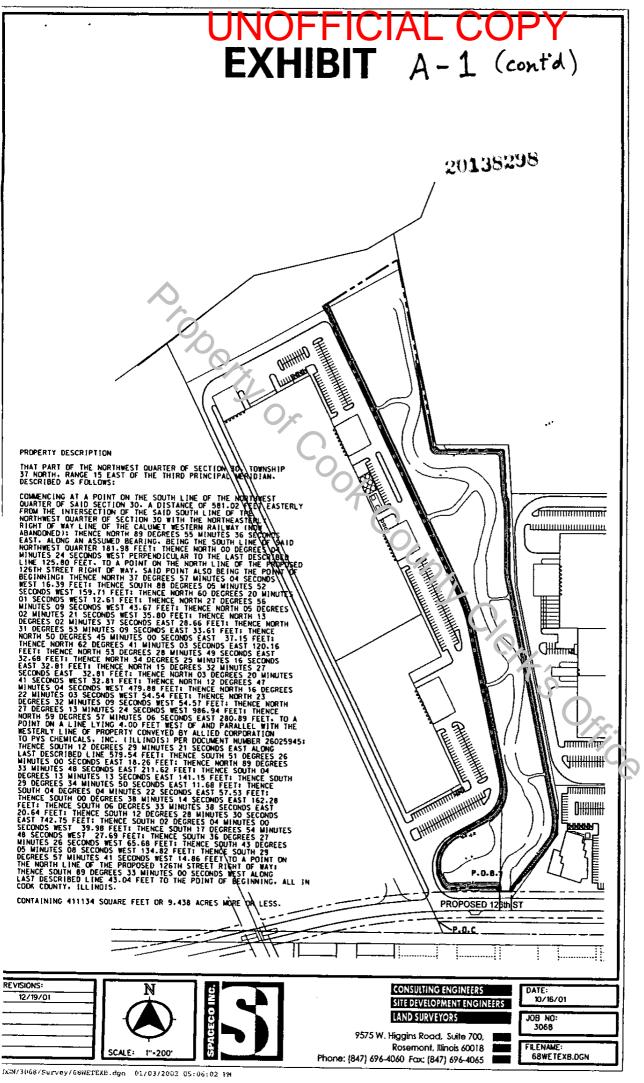
26-30-100-006

26-30-100-039

26-30-100-044

Common Address:

Vicinity of Carondolet Avenue and 126th Street



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EXHIBIT A-2

THAT PART OF THE SOUTHEAST QUARTER OF SECTION 30, TOWNSHIP 37 NORTH, RANGE 15 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS (IF THE LINES OF THE ORIGINAL GOVERNMENT SURVEY BE EXTENDED SO AS TO EMBRACE AND SQUARE OUT A FULL QUARTER SECTION) WHICH LIES EAST OF THE EAST LINE OF BURLEY AVENUE AND WEST OF THE RIGHT OF WAY CONVEYED TO THE SOUTH CHICAGO AND SOUTHERN RAILROAD COMPANY BY DEED DATED NOVEMBER 28, 1899 AND RECORDED DECEMBER 12, 1899 AS DOCUMENT 2907147 DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE EAST LINE OF BURLEY AVENUE AND THE NORTH LINE OF \$.40 SOUTHEAST QUARTER; THENCE NORTH 89 DEGREES 56 MINUTES 26 SECONDS EAST ALONG AN ASSUMED BEARING, BEING THE NORTH LINE OF SAID SOUTHEAST QUARTER, 97.47 FEET TO A POINT ON THE EAST LINE OF THE PROPOSED NORTH/SOUTH ROAD, SAID POINT ALSO BEING THE POINT OF BEGINNING; THENCE NORTH 04 DEGREES 20 MEVOTES 25 SECONDS EAST ALONG SAID EAST LINE 11.62 FEET: THENCE NORTH 54 DEGKS S 46 MINUTES 38 SECONDS EAST 28.54 FEET TO A POINT ON THE SOUTHERLY LINE OF THE PROPOSED 126TH STREET; THENCE SOUTH 74 DEGREES 47 MINUTES 15 SECONDS EAST ALONG THE LAST DESCRIBED SOUTHERLY LINE 573.92 FEET TO A POINT OF CURVATURE; THENCE EASTERLY 174.94 FEET ALONG SAID SOUTHERLY LINE, BEING THE ARC OF A CIRCLE TO THE LEFT, HAVING A RADIUS OF 640.00 FEET AND WHOSE CHORD BEARS SOUTH 82 DEGREES 37 MINUTES 05 SECONDS EAST 174.39 FEET TO A POINT OF TANGENCY; THENCE NORTH 89 DEGREES 33 MINUTES 04 SECONDS EAST 274.93 FEET; THENCE SOUTH 07 DEGREES 15 MINUTES 20 SECONDS WEST 100.71 FEET; THENCE SOUTH 89 DEGREES 33 MINUTES 04 SECONDS WEST 161.08 FEET; THENCE SOUTH 8/DEGREES 04 MINUTES 51 SECONDS WEST 86.62 FEET; THENCE SOUTH 89 DEGREES 00 MOJUTES 15 SECONDS WEST 118.61 FEET; THENCE NORTH 89 DEGREES 32 MINUTES 08 SECOND 3 WEST 180.55 FEET; THENCE SOUTH 87 DEGREES 04 MINUTES 17 SECONDS WES7 236.69 FEET; THENCE SOUTH 88 DEGREES 12 MINUTES 29 SECONDS WEST 209.00 FEF1; THENCE NORTH 87 DEGREES 30 MINUTES 46 SECONDS WEST 86.64 FEET; THENCE SOUTH 88 DEGREES 22 MINUTES 10 SECONDS WEST 40.06 FEET TO A POINT ON THE EAST LINE OF SAID PROPOSED NORTH/SOUTH ROAD; THENCE NORTH 00 DEGREES 00 MINUTES 04 SECONDS EAST ALONG LAST DESCRIBED LINE 176.28 FEET TO A POINT OF CURVATURE; THENCE NORTHERLY 20.22 FEET ALONG SAID EASTERLY LINE, BEING THE ARC OF A TANGENT CIRCLE TO THE RIGHT, HAVING A RADIUS OF 267.00 FEET AND WHOSE CHORD BEARS NORTH 02 DEGREES 10 MINUTES 14 SECONDS EAST 20.22 FEET TO A POINT OF TANGENCY; THENCE CONTINUING ALONG SAID EAST LINE

NORTH 04 DEGREES 20 MINUTES 25 SECONDS EAST 63.58 FEET TO THE POINT OF BEGINNING, ALL IN COOK COUNTY, ILLINOIS.

CONTAINING 169,871 SQUARE FEET OR 3.900 ACRES MORE OR LESS.

PINs:

26-30-416-005

Common Address:

Droperty of Cook County Clerk's Office Vicinity of Burley Avenue and 126th Street (proposed)

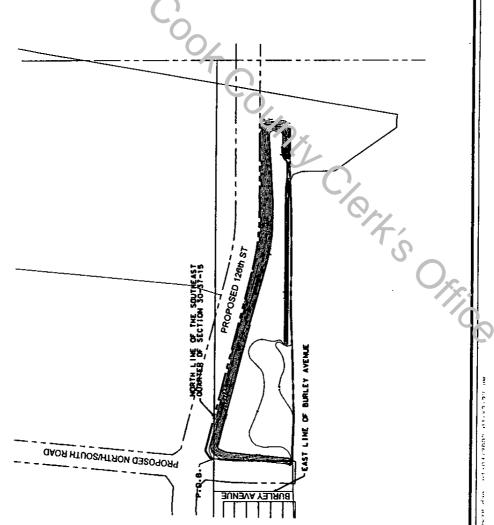
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A-2 (contid

EXHIBIT

THAT PART DF THE SOUTHEAST QUARTER OF SECTION 30. TOWNSHIP 37 MORTH.
RANGE 15 EAST OF THE THIRD COVERNMENT SURVEY BE EXTENDED SO AS TO THE CLINE SOFT THE COVERNMENT SURVEY BE EXTENDED SO AS TO THE CHORAL COVERNMENT SURVEY BE EXTENDED SO AS TO THE CHORACE AND SOUTHER SECTION) WHICH LIES EAST OF THE SOUTH CHISCO AND SOUTHERN WEST OF THE RIGHT OF WAY CONVEYED TO THE SOUTH CHISCO AND SOUTHERN RAILRON CONVANY BY DEED DATED NOVEMBER FOLLOWS:

COMMENCE ING DAT THE INTERSECTION OF THE EAST LINE OF BURLEY AVENUE AND THE MORTH LINE OF SALD SCULLEGAST QUARTER. THENCE NORTH 89 DEGREES 56 MINUTES 26 SECONDS EAST ALONG "ASSUMED BEAR IN THE SECONDS EAST ALONG "ASSUMED BEAR IN THE SECONDS EAST ALONG "HE SPACE ALONG "ASSUMED BEAR IN THE SECONDS EAST ALONG "HE SPACE ALONG "ASSUMED BEAR IN THE SECONDS EAST ALONG "HE SECONDS EAST ALONG "HE SECONDS EAST ALONG "HE SECONDS EAST ALONG "HE SECONDS EAST AND "HE SECONDS "EST I HENCE SOUTH "HE SECONDS "EST I HENCE SOUTH "BE SECONDS "EST I HENCE



RE VISIONS: 12/19/01





CONSULTING ENGINEERS SITE DEVELOPMENT ENGINEERS LAND SURVEYORS

9575 W. Higgins Road, Suite 700, Rosemont, Illinois 60018 Phone: (847) 696-4060 Fax: (847) 696-4065

10/16/01

JOB NO: 3068

FILENAME: 68WETEXB.DGA CONTRACTOR OF THE