

From: Kathleen West [KCW@dbcw.com]
Sent: Monday, July 21, 2014 3:38 PM
To: Lord, Patricia
Cc: Novack, William; Laff, Allison; Louden, Jennifer
Subject: RE: Jefferson Estates Administrative Plat - Landscape Easement Issue

Pat:

Thank you. I will get the plat revised.

Kathy

Kathleen C. West
Attorney at Law
Dommermuth, Cobine, West, Gensler, Philipchuck, Corrigan and Bernhard, Ltd.
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From: Lord, Patricia [<mailto:LordP@naperville.il.us>]
Sent: Monday, July 21, 2014 3:21 PM
To: Kathleen West
Cc: Novack, William; Laff, Allison; Louden, Jennifer
Subject: RE: Jefferson Estates Administrative Plat - Landscape Easement Issue

Kathy, your addition is fine with me.

Pat Lord
Senior Assistant City Attorney
City of Naperville Legal Department
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Naperville, Illinois 60540
Phone: (630) 420-4172
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From: Kathleen West [<mailto:KCW@dbcw.com>]
Sent: Monday, July 21, 2014 3:09 PM
To: Lord, Patricia
Cc: Novack, William; Laff, Allison; Louden, Jennifer
Subject: RE: Jefferson Estates Administrative Plat - Landscape Easement Issue

Pat:

It is fine except for one addition. Please see below in green.

Kathy

Kathleen C. West
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From: Lord, Patricia [<mailto:LordP@naperville.il.us>]
Sent: Monday, July 21, 2014 12:56 PM
To: Kathleen West
Cc: Novack, William; Laff, Allison; Louden, Jennifer
Subject: RE: Jefferson Estates Administrative Plat - Landscape Easement Issue

Kathy, a little different than what I was anticipating. See proposed revised version in red below. I think it's a fair statement.

I deleted the reference from your version to the effect that the City is "requesting the note". The City is fine with the easement being shown on the plat with no note. The idea of a note, raised in my email to you on May 30th, was a proposed solution/compromise so that the plat could be processed & your client's position protected.

Let me know what you think. Thanks.

The landscape easement referenced herein was approved by City of Naperville as an exhibit to Ordinance 03-214 and recorded with the DuPage County Recorder as document R2004-15975. The Owner disputes the validity of the purported landscape easement, and by inclusion of the reference thereto on this plat does not grant or ratify said purported easement, and does not waive any rights to contest the validity or effectiveness of the purported easement document.

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From: Kathleen West [<mailto:KCW@dbcw.com>]
Sent: Friday, July 18, 2014 4:44 PM
To: Lord, Patricia
Cc: Novack, William; Laff, Allison; Louden, Jennifer
Subject: RE: Jefferson Estates Administrative Plat - Landscape Easement Issue

Pat:

Please review the proposed note to include on the plat.

Kathy

Kathleen C. West
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From: Lord, Patricia [<mailto:LordP@naperville.il.us>]
Sent: Friday, May 30, 2014 4:37 PM
To: Kathleen West
Cc: Novack, William; Laff, Allison; Loudon, Jennifer
Subject: Jefferson Estates Administrative Plat - Landscape Easement Issue

Kathy, as a solution to the issue we discussed this afternoon - so we can approve the plat for your client and he can proceed with his fence, we propose that you add a note to the pending consolidation plat referencing the Landscape Easement approved per City of Naperville Ordinance 03-214 and per a Grant of Easement recorded with the DuPage County Recorder as "R2004-159735". Add a Note to the plat to the effect that the owner of the property does not, by inclusion of those references, waive any claim he may have that the easement in question is invalid. Then if your client wants to litigate the issue in the future, he has preserved his position.

If this is an acceptable solution, please advise. Thanks.

Pat Lord
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