THIS INSTRUMENT WAS PREPARED BY:
Sharon L. Dickson
7170 W. 159th Street
Orland Park, IL 60462

AFTER RECORDING RETURN TO:

RECORDER'S BOX 324

E. Kenneth Friker
KLEIN, THORPE & JENKINS, LTD.
20 N. Wacker Drive - Suite 1660
Chicago, IL 60606-2903

1626645104

Doc#: 1626645104 Fee: $64.00
Karen A.Yarbrough
Cook County Recorder of Deeds
Date: 09/22/2016 02:18 PM Pg: 1 of 14

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Commercial Re-Development @ 7170 W. 159th Street; Orland Park

MONITORING AND MANAGEMENT PLAN FOR NATURALIZED LANDSCAPE AREAS ("M&M PLAN")

SECTION 1.0 GENERAL

1.1 CONTACT INFORMATION

Net3 (Orland Park), LLC will be responsible for the timely execution of all near and long-term maintenance activities within the naturalized landscape, unless otherwise noted, as set forth in this Plan for the naturalized landscape areas located at 7170 W. 159th Street; Orland Park, IL ("Subject Property"). The following party should be contacted regarding management activities and is the party responsible for compliance with this Plan:

Names, addresses, contacts, and telephone numbers of the property owner(s):
Net3 (Orland Park), LLC
Attn: Jennifer Berk
220 North Green Street
Chicago, IL 60607
678-409-3413

Names, addresses, contacts, and telephone numbers of the party or parties legally responsible for operations and maintenance:
Net3 (Orland Park), LLC
Attn: Jennifer Berk
220 North Green Street
Chicago, IL 60607
678-409-3413

CCRD REVIEW

1.9 SEVERABILITY

If any provision of this Plan is held invalid by a court of competent jurisdiction or in the event such a court shall determine that the Village does not have the power to perform any such provision, such provision shall be deemed to be excised herefrom and the invalidity thereof shall not affect any of the other provisions contained herein, and such judgment or decree shall relieve Village from performance under such invalid provision of this Plan.

1.10 AMENDMENTS TO COVENANTS AND RESTRICTIONS

Any amendment to covenants or restrictions pertaining to the Subject Property must be submitted to the Village for approval if the amendment(s) alters the site beyond the original condition.

1.11 AMENDMENTS TO MANAGEMENT ACTIONS

Potential issues and management requirements are likely to change over time. Owner may have additional responsibilities which may include, but are not limited to, access restriction enforcement (e.g. fly dumping, fishing, recreational vehicles) and wildlife management (e.g., including control of carp, muskrats, and geese). Owner and Village will evaluate the need for other management actions when performing other maintenance visits and inspections.

SECTION 2.0 MONITORING, REPORTING, & PERFORMANCE STANDARDS

2.1 RESPONSIBLE PARTIES

Net3 (Orland Park), LLC ("Owner") will be responsible for funding and implementing a near-term monitoring and management plan (typically three years in length) and for the long-term monitoring and managements set forth in Section 4.0 for establishing a naturalized landscape area(s) associated with the proposed commercial re-development, stormwater management area. If the performance standards are not achieved after the initial three-year monitoring and management period, then annual monitoring and management activities shall continue until the minimum performance standards are met. The Owner may elect to contract management and maintenance services to a third party to ensure proper implementation in accordance with the following standards.

2.2 MONITORING METHODOLOGY

Owner will monitor areas of naturalized landscaping following methodologies as outlined herein. The planting areas will be monitored two times per year (June/July and September/October) for a three-year period to ensure successful establishment of the native plantings. The primary objective of the monitoring program is to track the success of the planted species over the 3-year period, through regularly scheduled monitoring sessions. The monitoring documentation shall include observations of the planted areas by conducting semi-annual meander surveys. The monitoring documentation shall also include:

a. Dominant vegetative species within each planting zone

b. Vegetative coverage by native species within each planting zone

c. General drainage conflicts.

d. Photographic inventory of site conditions.

e. Recommendations to modify management strategies in order to achieve performance criteria.

- None of the three-most dominant species may be non-native or weedy, including but not limited to the following:

Woody Plants

Acer negundo	Box elder
Alnus glutinosa	Black Alder
Elaeagnus umbellata	Autumn olive
Euonymus alatus	Burning bush
Lonicera spp.	Honeysuckle
Rhamnus spp.	Buckthorn
Robinia pseudoacacia	Black locust
Rosa multiflora	Multiflora rose
Ulmus pumila	Siberian elm

Broadleaf Plants

Alliaria petiolata	Garlic mustard
Ambrosia spp.	Ragweed
Arctium spp.	Burdock
Carduus nutans	Musk thistle
Centaurea maculosa	Spotted knapweed
Cirsium arvense	Canada thistle
Conium maculatum	Spotted hemlock
Coronilla varia	Crown vetch
Daucus carota	Wild carrot
Dipsacus spp.	Teasel
Euphorbia escula	Leafy spurge
Hesperis matrionalis	Dame's rocket
Lotus corniculatus	Bird's-foot trefoil
Lythrum salicaria	Purple loosestrife
Medicago spp.	Alfalfa/medick
Melilotus spp.	Sweetclover
Pastinaca sativa	Wild parsnip
Polygonum cuspidatum	Japanese knotweed
Solidago altissima	Tall goldenrod
Solidago sempervirens	Seaside goldenrod
Trifolium spp.	Clover
Typha spp.	Cattails

Grass-like Plants

Agropyron repens	Quackgrass
Bromus tectorum	Cheatgrass
Bromus japonicus	Japanese brome
Bromus inermis	Smooth brome
Phalaris arundinacea	Reed canarygrass
Phragmites australis	Common reed
Poa pratensis	Kentucky bluegrass

- Common Reed (*Phragmites australis*) is an aggressive invasive species that is especially problematic in the Orland Park region and is extremely difficult to control once established. Therefore, particular attention should be made for the early detection and eradication of Common Reed across the entire project property.

Owner shall use various means of weed control, as appropriate, and may include mechanical control, chemical control, and/or biological control.

Mechanical Control: Mechanical control of nuisance plant species typically includes cutting, mowing and/or the digging up individual plants by hand. In many cases, cutting or mowing a plant before its seeds mature will minimize further spread. Cutting or mowing close to the ground surface with a weed-eater or hand-scythe can be an effective means of control for species such as sweet clover, various thistles, and ragweed. For general mowing of swaths of vegetation, mowers will be set to a height of 12+ inches above the ground surface or to a height that treats weedy species yet minimizes impacts on desirable plants.

For species such as Common Reed, Purple Loosestrife, Canada Thistle, and Reed Canary Grass, mowing actually encourages the spread of underground stems. Hand digging these species and woody undesirables such as Multiflora Rose can result in control, if there are fewer than 100 plants throughout the entire site. Where more than 100 individuals of such plants are present, chemical control will be the primary method of control. (Note: Pulling and digging out weeds generally is discouraged because the soil disturbance can uproot desirable plants and encourage the growth of more weeds.)

Chemical Control: When employed in conjunction with prescribed burning and mechanical control, the judicious use of herbicides can be an important component of management programs for controlling weeds. Some weeds such as Purple Loosestrife, Buckthorn *(Rhamnus* spp.) and Honeysuckle (*Lonicera* spp.), Reed Canary Grass, Common Reed, Sandbar Willow, and Cattails are controlled more effectively by chemical treatment than by most mechanical control measures.

For aggressive weeds, an appropriate herbicide will be applied. Because of the potential for damage to native plant communities, the use of preventative herbicides will be limited to problem areas and problem species for which manual control is ineffective. Aquatic herbicides will not be used to treat algal blooms.

Glyphosate herbicide (trade names Rodeo or Roundup) is often recommended for use in naturalized landscape areas. Other herbicides such as Transline, Plateau, and Garlon are also used. The application of herbicides will be performed only by persons licensed or certified in the State of Illinois for pesticide/herbicide application. Herbicide use will be in strict compliance with all application rates, procedures, warning labels and applicable codes, standards and best management practices.

Generally, wick application will be preferred over spray application, which is less selective. Wicking applies herbicide only to individual plants, typically using hand application or pipe dispersal methods. The hand-wicking method specifically targets weedy plants, while protecting higher quality plants in sensitive habitats. Pipe dispersal methods are also appropriate for targeting weedy plants, while avoiding desirable plants growing alongside them, by using a canvas-covered, perforated, chemical filled PVC pipe. Trained personnel walk the area, swinging pipe (commonly 8-feet long) from side to side above the native plants but deliberately striking invasive species. The pipe strikes and bends the weeds, smearing them with the chemical and destroying them within a few days. If used, spray applications will not occur on gusty days because non-target species could be affected.

Biological Control: An alternative to chemical treatment, use of biological controls for Purple Loosestrife will be considered, provided site conditions are appropriate to support and maintain the insect population. Through this method, host-specific insects (one a root infesting Weevil; others are leaf-eating Chrysomelid Beetles) are released to feed on the roots or leaves of Purple Loosestrife. If Purple Loosestrife becomes abundant, biological control can prove a cost-effective means of management.

Owner will avoid weeding practices that damage the native plantings and will time the practices to prevent development of weed seeds. For aggressive weeds, herbicide will be selectively applied (e.g., wick application, not spraying). Turf management chemicals will not be used on native plantings except as directed by an ecologist.

Debris and litter (e.g., paper, plastic, metal, concrete, grass clippings, brush, etc.) will be removed every other month between March thru October, to prevent floating materials from clogging the outlet. Debris will be disposed of at an appropriate off-site trash receptacle.

Other potential responsibilities may include, but are not limited to, access restriction enforcement, insect/pest control, erosion repairs, and wildlife management (e.g., control of carp, muskrats, geese, etc. as needed). The Owner will determine the need for other management actions on a quarterly basis when performing general maintenance visits for dam embankments and control structures.

3.2.3 Second-Year Management Actions

During the second growing season, Owner will mow the seeded area as close to the ground as possible in early spring and the cuttings raked or bagged. If annual weeds remain a problem, Owner will perform an additional mow during mid to late June, with the mow height set to 12 inches.

Weed management will emphasize control of biennial and perennial weeds. Biennial weeds targeted for control include Sweet Clovers (*Melilotus* spp), Queen Anne's Lace (*Daucus carota*), and Teasel (*Dipsacus* spp.). Proper weed control may require multiple treatments, and Owner will perform the treatments at times that will provide maximum treatment effectiveness.

Other management practices will include debris and litter removal, access restriction enforcement, and erosion control and repairs (as needed). Additional management tasks may include insect/pest control, reseeding/replanting in targeted areas, wildlife management as determined on a quarterly basis. If there is sufficient fuel, a prescribed burn may be attempted at the end of the second growing season, provided Owner obtains proper permits from the Illinois Environmental Protection Agency (IEPA) and provides notice to the Village and local authorities.

3.2.4 Third-Year Management Actions

Typical management in the third growing season will involve the use of prescribed fire in combination with mechanical and chemical methods for controlling aggressive biennial and perennial weeds.

Owner will obtain a permit from the Illinois Environmental Protection Agency, Cook/Will County and Village prior to conducting a prescribed burn. Burns must be performed by a qualified contractor. All other required permits need to be in place before the Village will issue a permit. The burn will occur between mid-October and April as weather and site conditions permit. Prior to conducting a prescribed burn, Owner must provide notice to the Village and local authorities. If prescribed burning is not practical, Owner will substitute mowing in late fall or very early spring. The burn-replacement mow will be done at a height of two inches, with cut material bagged for off-site disposal.

1. *Prescribed Burning:* If possible, established naturalized landscapes should be burned every two to three years or as directed by an ecologist. Large areas can be divided into management sections and burned on a rotational basis, with only a portion burned each year and the entire area burned over a three-year period. The timing of the burn should be determined based on weather conditions and management goals as recommended by an ecologist.

   A permit must be obtained from the IEPA prior to conducting a prescribed burn. The burn should occur between mid-October and April as weather and site conditions permit. Burning should only be conducted by a qualified burn contractor experienced in grassland fire control and only upon receipt of a permit from the IEPA. Prior to conducting a prescribed burn, Owner must provide notice to the Village and local authorities. If prescribed burning is not practical, Owner will mow in late fall or very early spring to substitute for burning. The burn-replacement mow will be done at a height of two inches, with cut material bagged for off-site disposal.

2. *Weed Management:* Aggressive plants can overtake naturalized landscapes in the absence of management intervention. Common aggressive plants typically include Purple Loosestrife (*Lythrum salicaria*), Cattails (*Typha* spp.), Bush Honeysuckles (*Lonicera* spp.), Buckthorn (*Rhamnus* spp.), Multiflora Rose (*Rosa multiflora*), Black Locust (*Robinia pseudoacacia*), teasel (*Dipsacus* spp.), Garlic Mustard (*Alliaria petiolata),* Wild Parsnip (*Pastinaca sativa*), Thistles (*Cirsium* and *Carduus* spp.), Common Reed (*Phragmites australis*), and Reed Canary Grass (*Phalaris arundinacea*).

   Owner will perform mechanical, chemical, or biological control of these and other aggressive weeds as directed by an ecologist.

3. *Mechanical Control* — Mechanical control of nuisance plant species typically includes mowing and/or the digging up individual plants by hand.

   The timing and height of the mow depends on the species being controlled, but typically is between 12 to 18 inches high. Owner will use a rotary or flail mower to chop the cut material into fine pieces that will not smother native plants

   Hand pulling or digging of these species and woody undesirables can provide control if there are fewer than 100 plants.

4. *Chemical Control* — Owner will limit use of preventative herbicides to selected problem areas with a dominance of plant species that do not respond well to prescribed burning and/or mechanical control measures.

   Herbicide application must be performed by a licensed professional applicator in strict compliance with all warning labels and applicable codes, standards and best management practices.

   Herbicides will be applied selectively (e.g., wick application rather than spraying).

5.0 APPROVAL

VILLAGE OF ORLAND PARK

Approved By: Timothy J. McCarthy

Printed Name: TIMOTHY J. MCCARTHY

Title: INTERIM VILLAGE MANAGER

Date: Sept. 9, 2016

PROJECT LANDSCAPE ARCHITECT

Submitted By: Sharon L. Dickson

Printed Name: Sharon L. Dickson

Property Address: 7170 W. 159th Street

Contact Phone: (847) 878-4019

Contact Email: sdickson@dicksondesignstudio.com

Date: 8/19/16

PROPERTY ADDRESS
7170 WEST 159th STREET
ORLAND PARK, IL

COOK COUNTY
PROPERTY INDEX NUMBER
P.I.N.
28-18-300-002

LEGAL DESCRIPTION

THAT PART OF THE WEST 270 FEET OF THE SOUTH 260 FEET OF THE SOUTHWEST 1/4 OF SECTION 18, TOWNSHIP 36 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, BOUNDED AND DESCRIBED AS FOLLOWS: BEGINNING AT THE POINT OF INTERSECTION GENERATED BY THE EAST LINE OF THE WEST 70 FEET OF THE SOUTHWEST QUARTER OF SAID SECTION 18 (SAID LINE ALSO BEING THE EAST RIGHT-OF-WAY LINE OF HARLEM AVENUE AS ESTABLISHED BY CONDEMNATION CASE 69L18887 FILED WITH THE CLERK OF THE CIRCUIT COURT OF COOK COUNTY, ON JUNE 23, 1971) AND THE NORTH LINE OF THE SOUTH 260 FEET OF THE SOUTHWEST QUARTER OF SAID SECTION 18; THENCE SOUTH 89 DEGREES 58 MINUTES 6 SECONDS EAST, ON THE LAST DESCRIBED LINE, FOR A DISTANCE OF 200 FEET TO A POINT ON THE EAST LINE OF THE WEST 270 FEET OF THE SOUTHWEST QUARTER OF SAID SECTION 18; THENCE SOUTH 0 DEGREES 0 MINUTES 0 SECONDS EAST, ALONG THE LAST DESCRIBED LINE, FOR A DISTANCE OF 195.56 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF 159TH STREET, AS ESTABLISHED BY SAID CONDEMNATION CASE NO. 69L18887; THENCE (THE FOLLOWING THREE COURSES BEING ALONG THE NORTH LINE OF 159TH STREET AND ALONG THE EAST LINE OF HARLEM AVENUE AS ESTABLISHED BY SAID CONDEMNATION CASE NO. 69L18887) NORTH 89 DEGREES 43 MINUTES 33 SECONDS WEST FOR A DISTANCE OF 150.24 FEET TO A POINT OF CURVE; THENCE NORTHWESTERLY, ALONG THE ARC OF A CIRCLE CONVEX TO THE SOUTHWEST, HAVING A RADIUS OF 50 FEET, FOR A DISTANCE OF 78.30 FEET TO A POINT OF TANGENCY; THENCE NORTH 0 DEGREES 0 MINUTES 0 SECONDS EAST, ON A LINE TANGENT TO THE LAST DESCRIBED ARC OF A CIRCLE, AND SAID LINE ALSO BEING THE EAST LINE OF THE WEST 70 FEET OF THE SOUTHWEST QUARTER OF SAID SECTION 18, FOR A DISTANCE OF 144.95 FEET TO THE POINT OF BEGINNING; ALL IN COOK COUNTY, ILLINOIS (EXCEPTING THEREFROM PARCEL 04X0009 CONDEMNED IN CASE 93L51337 DESCRIBED AS FOLLOWS: THAT PART OF THE SOUTHWEST QUARTER OF SECTION 18, TOWNSHIP 36 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS, DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF LOT 1 IN SILVER LAKE GARDENS UNIT NO. 7, A SUBDIVISION OF PART OF SAID SOUTHWEST QUARTER ACCORDING TO THE PLAT THEREOF RECORDED NOVEMBER 2, 1973, AS DOCUMENT 22532993, SAID SOUTHWEST CORNER BEING ON THE NORTH RIGHT-OF-WAY LINE OF 159TH STREET; THENCE ON AN ASSUMED BEARING OF NORTH 1 DEGREE 47 MINUTES 0 SECONDS WEST, ON THE WEST LINE OF SAID LOT 1, A DISTANCE OF 10.00 FEET; THENCE SOUTH 88 DEGREES 30 MINUTES 30 SECONDS WEST, PARALLEL WITH SAID NORTH RIGHT-OF-WAY LINE, 104.51 FEET TO A 5/8 INCH REBAR WITH AN ALLIED CAP STAMPED "STATE OF ILLINOIS DIVISION OF HIGHWAYS ROW CORNER P.L.S. 2377"; THENCE NORTH 67 DEGREES 39 MINUTES 53 SECONDS WEST 104.49 FEET TO A 5/8 INCH REBAR WITH AN ALLIED CAP STAMPED "STATE OF ILLINOIS DIVISION OF HIGHWAYS ROW CORNER P.L.S. 2377", AND TO THE EAST RIGHT-OF-WAY LINE OF HARLEM AVENUE, SAID EAST RIGHT-OF-WAY LINE BEING PARALLEL WITH AND 70.00 FEET EAST OF, AS MEASURED PERPENDICULAR TO, THE WEST LINE OF SAID SOUTHWEST QUARTER; THENCE SOUTH 1 DEGREE 47 MINUTES 0 SECONDS EAST, ON SAID EAST RIGHT-OF-WAY LINE, 2.47 FEET TO A POINT OF CURVATURE; THENCE SOUTHEASTERLY, ON SAID EAST RIGHT-OF-WAY LINE AND ON A 50.00 FOOT RADIUS CURVE CONCAVE TO THE NORTHEAST THROUGH A CENTRAL ANGLE OF 89 DEGREES 42 MINUTES 30 SECONDS, 78.29 FEET TO THE POINT OF TANGENCY OF SAID CURVE ON THE NORTH RIGHT-OF-WAY LINE OF SAID 159TH STREET; THENCE NORTH 88 DEGREES 30 MINUTES 30 SECONDS EAST, ON SAID NORTH RIGHT-OF-WAY LINE, 150.14 FEET TO THE POINT OF BEGINNING).