



BP Pipelines (North America) Inc
150 W. Warrenville Road
Naperville, IL 60563

November 21, 2014

Kevin Lehmann
Engineer – Development Dept.
Village of Orland Park
14700 S. Ravinia Avenue
Orland Park, IL 60462

**Re: Consent for 16-inch Watermain Crossing
Parkview Senior Living
Section 32, T36N, R12E**

CHICAP Ref: CHI-LAT2 - 3 / Log # 8232

Thank you for having notified Chicap Pipe Line Company. (hereafter referred to as “CHICAP”) of your proposed project that involves crossing CHICAP’s pipeline with a watermain, (hereinafter referred to as “FOREIGN LINE”) in Cook County, Illinois.

Proposed Scope of Work: Install a 16-inch watermain crossing approximately 3 feet above Chicap Pipe Line Company’s 14-inch pipeline.

CHICAP is agreeable to the proposed FOREIGN LINE crossing per the attached Exhibit A and Proposed Scope, provided the Village of Orland Park (hereafter referred to as “ORLAND”) and its contractors, agents or other representatives adhere to the following terms and conditions;

1. **ORLAND**, or its contractor, must contact the local “One-Call Center” at least 48 hours (two working days) prior to initiating any excavation or construction activities so CHICAP can arrange to have a representative present when the owner, operator, or their contractor, is working in close proximity to CHICAP’s pipeline.
2. In addition to the “One-Call”, CHICAP’s Damage Prevention Specialist, **David Atkins (708) 341-5526** must be contacted at least 48 hours prior to any activities within the pipeline right of way. No construction work within the pipeline right of way may commence without his presence or prior approval.
3. If the CHICAP representative, in his/her sole discretion, determines that **ORLAND**’s construction activities could result in damage to the CHICAP pipeline, such representative will so notify **ORLAND**, or its contractors, agents or other representatives. **ORLAND** herein acknowledges that the CHICAP representative shall have full authority to stop any of **ORLAND**’s excavation or construction related activities in close proximity to the CHICAP pipeline if in the CHICAP representative’s sole opinion, **ORLAND**’s activities could result in damage to the CHICAP pipeline.
4. The FOREIGN LINE will be installed above the CHICAP pipeline with a minimum of three feet (36”) clearance, and at an angle as close to 90 degrees as feasible, but not less than 45 degrees.
5. **ORLAND** shall require its contractors, agents or other representatives to adhere to the conditions set forth herein.

6. Backfilling over the pipeline(s) shall be as per the following requirements (in areas where there will be no intended traffic over the pipeline):
- Acceptable excavated (good quality) fill can be used to backfill i.e. sand.
 - Backfill in one foot lifts up to five feet of the pipeline. Each lift being compacted by tamping as close as possible to 95% compaction.
 - To obtain proper compaction, moisture shall be added to the backfill as necessary, however ponding is not permitted.
 - Within five feet of the pipeline, lifts should be decreased to six inches, not to exceed eight inches.
 - Within six inches of the pipeline(s), there should be a layer of sand that extends six inches above the pipeline(s); the sand layer also is to be compacted as much as practical.
 - The remaining good quality fill shall be compacted in six inch lifts (not to exceed eight inches) until surface grade is achieved.
7. All excavations within two feet (24") of the BP pipeline(s) will be done by hand.
8. As-builts of the FOREIGN LINE crossing shall be submitted to CHICAP within 12 months after construction of said crossing is completed.
9. ORLAND, or its contractor shall follow the excavation and general construction requirements as set forth in the Exhibit B attached hereto.

ORLAND SHALL RELEASE, DEFEND, INDEMNIFY AND HOLD HARMLESS CHICAP PIPE LINE COMPANY AND THEIR AFFILIATES, THEIR AGENTS, EMPLOYEES, OFFICERS, DIRECTORS, INSURERS, CONTRACTORS, SUBCONTRACTORS, REPRESENTATIVES, SUCCESSORS AND ASSIGNS (THE "CHICAP PARTIES") FROM AND AGAINST ANY AND ALL ACTIONS, CLAIMS, SETTLEMENTS, JUDGMENTS, DEMANDS, LIENS, LOSSES, LIABILITIES, DAMAGES, FINES, PENALTIES, INTEREST, COSTS, EXPENSES (INCLUDING, WITHOUT LIMITATIONS, EXPENSES ATTRIBUTABLE TO THE DEFENSE OF ANY ACTIONS OR CLAIMS), AND REASONABLE ATTORNEY'S FEES AND OTHER LEGAL EXPENSES AND COSTS, (COLLECTIVELY "LOSSES") ARISING OUT OF (A) INJURY, OR DEATH OF PERSONS (INCLUDING ANY CHICAP PARTY OR ANY EMPLOYEE, CONTRACTOR OR SUBCONTRACTOR OF ORLAND OR (B) DAMAGE TO OR LOSS OF ANY PROPERTY (INCLUDING THAT OF ANY CHICAP PARTIES OR ANY EMPLOYEE, CONTRACTOR OR SUBCONTRACTOR OF ORLAND OR (C) HARM TO THE ENVIRONMENT, CAUSED BY, ARISING OUT OF, OR RESULTING FROM, EITHER DIRECTLY OR INDIRECTLY, THE ACTIVITIES CONTEMPLATED UNDER THIS AGREEMENT, REGARDLESS OF WHETHER SUCH LOSSES ARE CAUSED OR CONTRIBUTED TO (OR ALLEGEDLY CAUSED OR CONTRIBUTED TO) BY THE JOINT, CONCURRENT OR ANY OTHER FORM OF NEGLIGENCE, STRICT LIABILITY (STATUTORY OR OTHERWISE) OR OTHER FAULT OF ANY CHICAP PARTY, OR A PREEXISTING CONDITION, BUT EXCLUDING ANY LOSSES TO THE EXTENT CAUSED BY THE SOLE, OR GROSS NEGLIGENCE OR WILLFUL MISCONDUCT OF ANY CHICAP PARTY.

Chicap Pipe Line Company
By: BP Pipelines (North America) Inc., its Agent

Blake Patrick
Right of Way Agent

Please signify your concurrence to and acceptance of the herein described terms and conditions by signing and returning both copies of this letter. CHICAP will then sign and return one original copy of the letter for your records. Thank you for your anticipated cooperation and understanding in this matter.

Village of Orland Park

By: _____

Name: _____
Please print

Title: _____

Date: _____

EXHIBIT A

Attached to and becoming a part of this Letter Agreement by and between
Chicap Pipe Line Company and the Village of Orland Park

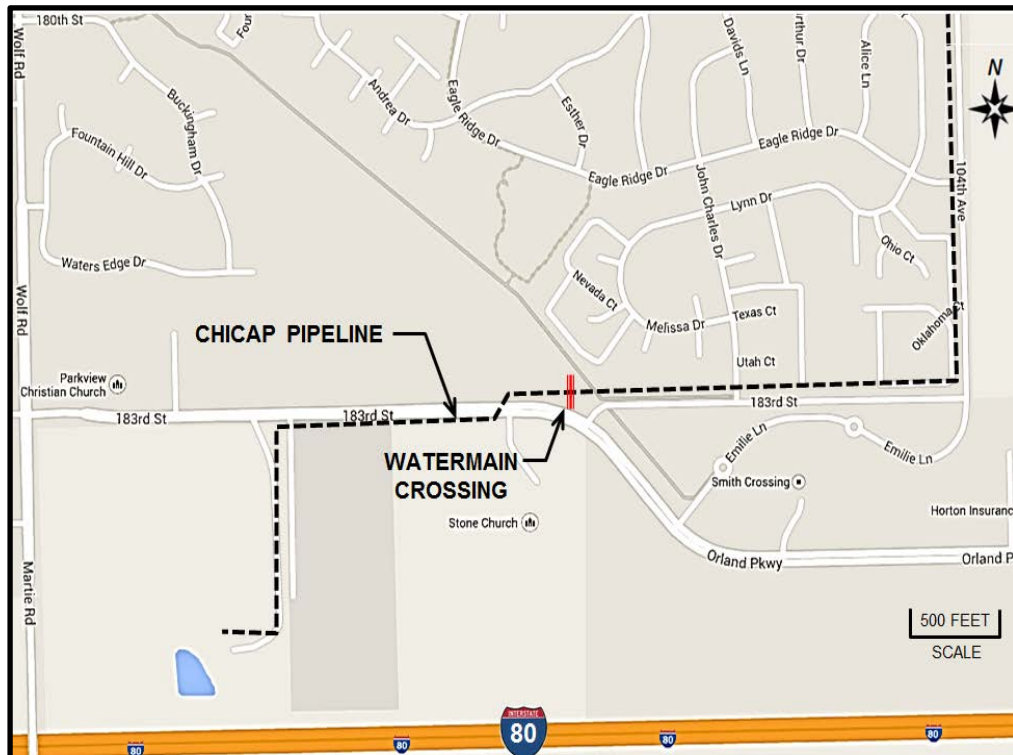
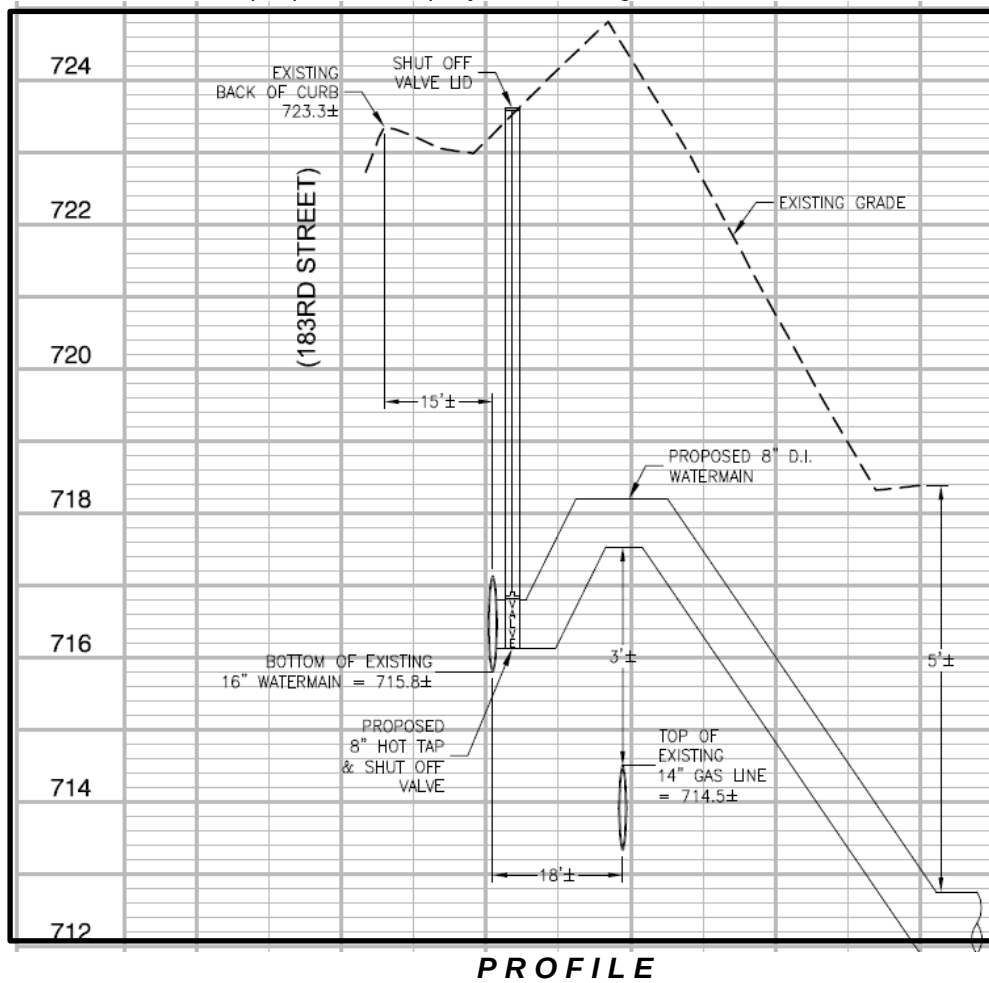


EXHIBIT B

Attached to and becoming a part of this Letter Agreement by and between
Chicap Pipe Line Company and the Village of Orland Park

Excavation Specific Requirements

- No excavation or construction activity will be permitted in the vicinity of a pipeline until all appropriate communications have been made with CHICAP's field operations and the Right-of-Way Department. A formal engineering assessment may be required.
- There shall be no excavation or backfilling within the pipeline right-of-way for any reason without a representative of CHICAP on site giving permission.
- In some instances, excavation and other construction activities around certain pipelines can be conducted safely only when the pipeline operating pressure has been reduced. Contractors are therefore cautioned that excavation which exposes or significantly reduces the cover over a pipeline may have to be delayed until the reduced operating pressures are achieved.

General Construction Activities

- The contractor shall not be permitted to transport construction materials or equipment longitudinally over the pipeline.
- Where it is necessary for construction equipment (*i.e.*, tractors, backhoes, dump trucks, etc.) or equipment transporting construction materials to cross the pipeline, the crossing of the pipeline right-of-way shall be at, or as near to, a 90° angle as is feasible.
- To gain access to the job site, the contractor shall submit a plan indicating where construction equipment will cross the pipeline, along with the depth of the pipe at the crossings, any proposed ramping over the pipeline, together with the following specifications for the equipment: type and weight of equipment; for track equipment – track width and length; for wheeled equipment – number of axles (single or tandem axles). CHICAP will perform a stress factor calculation to determine if the equipment can safely cross the pipeline. If crossing of the pipeline is allowed, special measures may need to be taken to ensure the integrity of the pipeline.
- No track type construction equipment shall be permitted to pivot or turn directly over the top of the pipeline.
- A scraper or pan type tractor shall not be used for removal of soil within ten feet (10') of the centerline of the pipeline. Rubber tire or small track type equipment is an acceptable alternative.
- A sheepsfoot roller shall not be used for compaction purposes within five feet (5') or directly above the centerline of the pipeline.
- No vibratory rollers shall be used within three feet (3') of the centerline of the pipeline until the compacted cover over the pipeline has reached a depth of three and one-half feet (3 ½').