

UNOFFICIAL COPY



VILLAGE OF  
**SCHILLER PARK**

SMALL TOWN FEEL WITH A WORLD AT ITS TOUCH

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Cook County Recorder 63.50



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SCHIL 00026933

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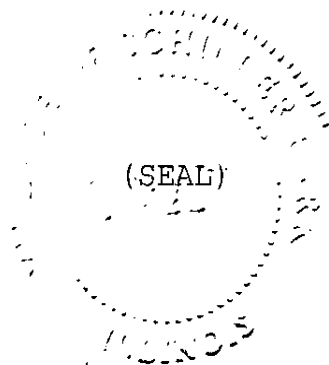
STATE OF ILLINOIS )  
COUNTY OF COOK ) SS  
VILLAGE OF SCHILLER PARK )

**CERTIFICATION**

I, CLAUDIA L. IRSUTO, HEREBY CERTIFY that I am the Village Clerk of the Village of Schiller Park, an Illinois municipal corporation and home rule unit located in the County of Cook, and as such Village Clerk, I am the keeper of the records, ordinances, official files and seal of said Village; and

I HEREBY FURTHER CERTIFY that the attached is a true and correct copy of the **"Waiver of Rights"**, dated December 28, 1999; regulating the development of property generally located at the commonly known address of **4200 N. River Road, Schiller Park, Cook County, Illinois.**

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official Corporate Seal of the Village of Schiller Park this 5th day of January, 2000.



*Claudia L. Irsuto*  
Claudia L. Irsuto  
Village Clerk

08/27/99 Signature Version

WAIVER OF RIGHTS

THIS AGREEMENT made this Second day of September, 1999, by and between the VILLAGE OF SCHILLER PARK, Illinois (hereinafter referred to as "**Village**") and ANTHONY NAVARRO and THERESA NAVARRO and THOMAS J. KATSOULIS and TARRA INVESTMENT INTERNATIONAL, L.L.C. and AMERICAN NATIONAL BANK AND TRUST COMPANY OF CHICAGO, as Successor Trustee to Associated Bank Chicago, successor Trustee to Gladstone-Norwood Trust and Savings Bank as Trustee under a Trust Agreement dated July 13, 1985, and known as Trust Number 940 (hereinafter, American National Bank and Trust Company Of Chicago, as Successor Trustee to Associated Bank Chicago, successor Trustee to Gladstone-Norwood Trust and Savings Bank as Trustee under a Trust Agreement dated July 13, 1985, and known as Trust Number 940 is referred to as "**American National**") and REPUBLIC BANK OF CHICAGO, as Trustee under a Trust Agreement dated February 17, 1996, and known as Trust Numbers 1337 and 1339 and (hereinafter Anthony Navarro and Theresa Navarro and Thomas J. Katsoulis and Tarra Investment International, L.L.C., American National and Republic Bank of Chicago, as Trustees aforesaid are referred to collectively as "**Owner**");

WHEREAS, the Village and the Owner have entered into a certain Agreement dated the Second day of September, 1999, the text of which has been recorded with the Cook County Recorder of Deeds as Document <sup>#</sup> 09199499 on the day of DEC. 28, 1999 (hereinafter referred to as "**Agreement**");

WITNESSETH:

FOR AND IN CONSIDERATION of the Village's execution of the Agreements well as the mutual covenants and conditions contained therein, to which a copy of the form of this Waiver of Rights is attached, it is agreed by and between the parties hereto:

1. That in accordance with the applicable provisions of the Agreement, the property owned by the Owner (hereinafter referred to as "**Subject Property**") shall be subject to one or more special service areas created by the Village pursuant to and in the manner provided by law, which Subject

Property is legally described as follows:

PARCEL 1: THAT PART OF THE SOUTH SECTION OF ROBINSON'S RESERVATION IN TOWNSHIP 40 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN LYING SOUTHWESTERLY OF THE SOUTHWEST LINE OF DES PLAINES RIVER ROAD AND LYING NORTH OF THE NORTH LINE OF BLOCK 6 IN SUPERIOR COURT PARTITION OF PART OF THE SOUTH SECTION OF ROBINSON'S RESERVATION IN TOWNSHIP 40 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS;

PARCEL 2: THAT PART OF BLOCK 6 IN SUPERIOR COURT PARTITION OF PART OF THE SOUTH SECTION OF ROBINSON'S RESERVATION IN TOWNSHIP 40 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, LYING NORTH AND NORTHWESTERLY OF THE NORTH AND NORTHWESTERLY LINE OF THAT PART OF SAID BLOCK 6, DEDICATED FOR PUBLIC STREET, IN COOK COUNTY, ILLINOIS;

PARCEL 3: THAT PART OF LOT 1 IN KOLZE'S SUBDIVISION OF THE SOUTHWEST FRACTIONAL 1/4 OF SECTION 15 AND PART OF THE SOUTHEAST 1/4 OF SECTION 16, ALL IN TOWNSHIP 40 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, LYING SOUTH OF THE FOLLOWING DESCRIBED LINE: BEGINNING AT A POINT IN THE EAST LINE OF SAID LOT 1, 12 FEET SOUTH OF AND PARALLEL WITH THE SOUTHERLY LINE OF SAID LOT 1, SAID POINT BEING DISTANT 155 FEET, SOUTHEASTERLY FROM THE INTERSECTION OF THE WEST LINE OF LOT 7 IN KOLZE'S SUBDIVISION WITH SAID LINE (12 FEET SOUTHERLY OF AND PARALLEL TO THE SOUTH LINE OF SAID LOT 1), IN COOK COUNTY, ILLINOIS;

PARCEL 4: ALL THAT PART OF LOTS OR BLOCKS 1 AND 7 IN KOLZE'S SUBDIVISION OF THE SOUTHWEST FRACTIONAL 1/4 OF SECTION 15 AND PART OF THE SOUTHEAST 1/4 OF SECTION 16, ALL IN TOWNSHIP 40 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, LYING EAST OF THE WISCONSIN RAILROAD RIGHT-OF-WAY, ACCORDING TO THE PLAT THEREOF RECORDED JULY 6, 1896, BOOK 70 OF PLATS, PAGE 25, DOCUMENT 2412430 BOUNDED AND DESCRIBED AS FOLLOWS: COMMENCING AT A POINT IN THE EAST LINE OF SAID LOT 1, 44.96 FEET NORTH OF THE SOUTHEAST CORNER OF SAID LOT 7 AND RUNNING SOUTHWESTERLY TO A POINT ON A LINE 12 FEET SOUTHERLY OF AND PARALLEL WITH THE SOUTHERLY LINE OF SAID LOT, SAID POINT BEING DISTANT 155 FEET SOUTHEASTERLY FROM THE INTERSECTION OF THE WEST LINE OF SAID LOT 7 WITH THE SAID LINE (12 FEET SOUTHERLY OF AND PARALLEL TO THE SOUTH LINE OF SAID LOT 1); THENCE NORTHWESTERLY ALONG SAID LINE 12 FEET SOUTHERLY OF AND PARALLEL TO THE SOUTHERLY LINE OF SAID LOT 1 TO THE WEST LINE OF SAID LOT 7; THENCE NORTHERLY ALONG THE WEST LINE OF SAID LOTS 7 AND 1 TO THE NORTH LINE OF THE SOUTH 1 ACRE OF SAID LOT 1; THENCE SOUTHEASTERLY ALONG SAID NORTH LINE TO THE EAST LINE OF SAID LOT 1; THENCE SOUTH ALONG THE EAST LINE TO THE POINT OF BEGINNING (EXCEPTING FROM THE ABOVE DESCRIBED LAND THAT PART THEREOF FALLING WITH LOT 7 OF KOLZE'S SUBDIVISION AFORESAID), IN COOK COUNTY, ILLINOIS;

PARCEL 5: THAT PART OF THE EAST 1/2 OF THE SOUTHWEST 1/4 OF SECTION 15, TOWNSHIP 40 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL

MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF LOT 1 IN OLD GROVE SHOPPING CENTER SUBDIVISION RECORDED APRIL 25, 1961 AS DOCUMENT NUMBER 18144541, THENCE NORTH ALONG THE EAST LINE OF DES PLAINES RIVER ROAD AS LOCATED ACCORDING TO VOLK BROS. SECOND ADDITION TO SCHILLER PARK RECORDED AUGUST 23, 1923, AS DOCUMENT NUMBER 8075065, AN ASSUMED BEARING OF NORTH 00 DEGREES 00 MINUTES 00 SECONDS A DISTANCE OF 142.61 FEET TO THE POINT OF BEGINNING, SAID POINT OF BEGINNING BEING THE INTERSECTION OF THE NORTHERLY LINE OF THE SOUTH 1 ACRE OF LOT 1 IN THE SUBDIVISION OF THE FRACTIONAL SOUTHWEST 1/4 OF SAID SECTION 15 WITH SAID EAST LINE OF RIVER ROAD; THENCE SOUTH 75 DEGREES 54 MINUTES 29 SECONDS EAST ALONG SAID NORTHERLY LINE OF SAID SOUTH 1 ACRE OF LOT 1 A DISTANCE OF 374.10 FEET TO THE EAST LINE OF LOT 1 IN THE SUBDIVISION OF FRACTIONAL SOUTHWEST 1/4 OF SECTION 15, THENCE NORTH ALONG THE AFORESAID EAST LINE OF LOT ONE TO THE SOUTHWESTERLY RIGHT OF WAY LINE OF DES PLAINES RIVER ROAD; THENCE NORTH 42 DEGREES, 14 MINUTES, 34 SECONDS WEST ALONG SAID SOUTHWESTERLY RIGHT OF WAY LINE 87.99 FEET TO THE SOUTHERLY LINE OF OLD RIVER ROAD CUTOFF; THENCE NORTH 77 DEGREES, 37 MINUTES, 30 SECONDS, WEST ALONG SAID SOUTHERLY LINE OF OLD RIVER ROAD CUTOFF 294.56 FEET TO THE INTERSECTION WITH A LINE 17.0 FEET EAST OF AND PARALLEL WITH SAID EAST LINE OF DES PLAINES RIVER ROAD AS LOCATED ACCORDING TO VOLK BROTHERS SECOND ADDITION TO SCHILLER PARK; THENCE NORTH 00 DEGREES, 00 MINUTES, 00 SECONDS ALONG SAID PARALLEL LINE 337.93 FEET TO THE INTERSECTION WITH THE SOUTHWESTERLY LINE OF DES PLAINES RIVER ROAD ACCORDING TO EASEMENT RECORDED DECEMBER 19, 1934 AS DOCUMENT NUMBER 11527429 SAID LINE BEING A CURVED LINE CONVEXED TO THE SOUTHWEST WITH A RECORDED RADIUS OF 1049.72 FEET (MEASURED 1069.10 FEET); THENCE NORTHWESTERLY ALONG SAID CURVED LINE 44.78 FEET TO THE INTERSECTION WITH SAID EAST LINE OF RIVER ROAD AS LOCATED ACCORDING TO SAID VOLK BROS. SECOND ADDITION; THENCE SOUTH 00 DEGREES 00 MINUTES, 00 SECONDS ALONG SAID EAST LINE OF RIVER ROAD 455.23 FEET TO THE POINT OF BEGINNING, ALL IN COOK COUNTY, ILLINOIS;

PARCEL 6: THE NORTH 15 FEET OF LOT 7 IN KOLZE'S SUBDIVISION OF THE SOUTHWEST FRACTIONAL 1/4 OF SECTION 15 AND PART OF THE SOUTHEAST 1/4 OF SECTION 16, ALL IN TOWNSHIP 40 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS;

PARCEL 7: LOT 11 IN VOLK BROS., SECOND ADDITION TO SCHILLER PARK, BEING PART OF LOT 3 IN THE SUBDIVISION OF THE SOUTHWEST FRACTIONAL 1/4 OF SECTION 15, TOWNSHIP 40 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN IN COOK COUNTY, ILLINOIS.

2. The Owner shall and does hereby waive, relinquish, release, and/or forfeit any and all rights which it may have, now or in the future, to protest and/or object in any manner, shape, or form to the special service areas so created, their creation, their boundaries and/or the extension of taxes pursuant to the creation thereof.

3. In addition to the foregoing, the Owner understands that, in connection with the aforesaid special service areas, the Village will issue certain bonds secured by the full faith and credit of

the real property included in the special service areas— all as contemplated and set forth in the Agreement.

4. Within ten (10) days of the signing hereof, this Waiver of Rights shall be filed for recordation in the Office of the Recorder of Deeds of Cook County against the title to the Subject Property.


5. In the event any portion of this Agreement or part thereof shall be deemed invalid, such invalidity of said provision or part thereof shall not affect the validity of any other provision hereof.

6. This Waiver of Rights shall bind the heirs, successors, and assigns of the Owner and the Village, its corporate officials and their successors in office. This Agreement shall insure to the benefit of the parties hereto, their successors and assigns provided that the Owner shall have no right to assign this Agreement except in connection with conveyances of portions of the Subject Property.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed the day and year first above written.

OWNER:


  
ANTHONY NAVARRO


  
THERESA NAVARRO

  
THOMAS J. KATSOULIS

TARRA INVESTMENT INTERNATIONAL, L.L.C

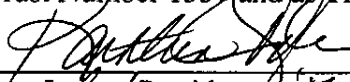
(SEAL)

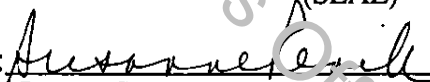
By:   
Its President

Attest:   
Its Secretary

REPUBLIC BANK OF CHICAGO as Trustee under Trust Agreements dated February 17, 1996, Known as Trust Number 1337 and as Trust Number 1339


(SEAL)

By:   
Its Trust Officer

Attest:   
Its Secretary

AMERICAN NATIONAL BANK AND TRUST COMPANY OF CHICAGO, as Successor Trustee to Associated Bank Chicago, successor Trustee to Gladstone-Norwood Trust And Savings Bank as Trustee under a Trust Agreement dated July 13, 1985, and known as Trust Number 940

(SEAL)

By:   
Its Trust Officer

Attest:   
Its Secretary

Attestation not required by American National Bank and Trust Company of Chicago Bylaws

This instrument is executed by the undersigned Trustee, not personally but solely as Trustee in the exercise of the power and authority conferred upon and vested in it as such Trustee. It is expressly understood and agreed that all of the warranties, indemnities, representations, covenants, and other provisions herein made on the part of the Trustee, in its capacity as Trustee, shall be deemed to be made by or for the Trustee and not personally. No personal liability or personal responsibility shall be deemed to be asserted or entered into by or for the Trustee on account of any warranty, indemnity, representation, covenant, condition or agreement of the Trustee in this instrument.



STATE OF ILLINOIS )  
COUNTY OF COOK ) SS.

I, the undersigned, a notary public in and for said County, in the State aforesaid, DO HEREBY CERTIFY that ANTHONY NAVARRO and THERESA NAVARRO, personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that she signed, sealed and delivered the said instrument as her free and voluntary act, for the uses and purposes therein set forth.

GIVEN under my hand and official seal, this 16th day of December, 1999.

(Seal) "OFFICIAL SEAL"  
Jeffrey Lawrence Norberte  
Notary Public, State of Illinois  
My Commission Expires 01/31/00

Notary Public

Commission Expires: 1/31/00

STATE OF ILLINOIS )  
COUNTY OF COOK ) SS.

I, the undersigned, a notary public in and for said County, in the State aforesaid, DO HEREBY CERTIFY that THOMAS J. KATSOULIS, personally known to me to be the same person whose name is subscribed to the foregoing instrument appeared before me this day in person and acknowledged that she signed, sealed and delivered the said instrument as her free and voluntary act, for the uses and purposes therein set forth.

GIVEN under my hand and official seal, this 16th day of December, 1999.

(Seal) "OFFICIAL SEAL"  
Jeffrey Lawrence Norberte  
Notary Public, State of Illinois  
My Commission Expires 01/31/00

Notary Public

Commission Expires: 1/31/00

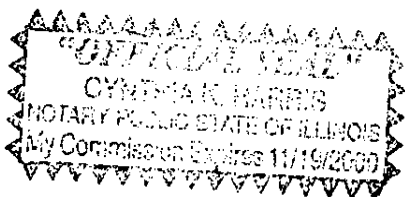
STATE OF ILLINOIS )  
COUNTY OF COOK ) SS

I, the undersigned, a Notary Public in and for the County and State aforesaid, DO HEREBY CERTIFY, that ANITA M. LUTKUS, ASST. V.P. 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 American National Bank and Trust Company of Chicago, they signed and delivered the said instrument as \_\_\_\_\_ and \_\_\_\_\_

\_\_\_\_\_ and \_\_\_\_\_, respectively, and caused the corporate seal of said corporation to be affixed thereto, pursuant to authority given by the Board of Directors of said corporation as their free and voluntary act, and as the free and voluntary act and deed of said corporation, for the uses and purposes therein set forth.

GIVEN under my hand and official seal, this DEC 20, 1999 day of \_\_\_\_\_.



Notary Public

STATE OF ILLINOIS )  
COUNTY OF COOK )SS

I, the undersigned, a Notary Public in and for the County and State aforesaid, DO HEREBY CERTIFY, that KATHLEEN C. COYLE, HVP + T.O. (AMERICAN NATIONAL BANK TRUST); and SUSANNE RENIK, SEC. 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 \_\_\_\_\_, they signed and delivered the said instrument as KATHLEEN C. COYLE and \_\_\_\_\_ and SUSANNE RENIK, respectively, and caused the corporate seal of said corporation to be affixed thereto, pursuant to authority given by the Board of Directors of said corporation as their free and voluntary act, and as the free and voluntary act and deed of said corporation, for the uses and purposes therein set forth.

GIVEN under my hand and official seal, this 27th day of DEC., 1999.

Cindy L. Rupp  
Notary Public

STATE OF ILLINOIS )  
COUNTY OF COOK )SS

OFFICIAL SEAL  
CINDY L. RUPP

NOTARY PUBLIC, STATE OF ILLINOIS  
MY COMMISSION EXPIRES 05/06/03

I, the undersigned, a Notary Public in and for the County and State aforesaid, DO HEREBY CERTIFY, that ANTHONY NAVARRO, THESSA NAVARRO, THOMAS J. KATSOUKIS and TARRA INVESTMENT INTERNATIONAL, LLC 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 ANTHONY NAVARRO, THESSA NAVARRO, THOMAS J. KATSOUKIS and TARRA INVESTMENT INTERNATIONAL, LLC, they signed and delivered the said instrument as ANTHONY NAVARRO and THESSA NAVARRO and THOMAS J. KATSOUKIS and TARRA INVESTMENT INTERNATIONAL, LLC, respectively, and caused the corporate seal of said corporation to be affixed thereto, pursuant to authority given by the Board of Directors of said corporation as their free and voluntary act, and as the free and voluntary act and deed of said corporation, for the uses and purposes therein set forth.

GIVEN under my hand and official seal, this 27th day of Dec., 1999.

"OFFICIAL SEAL"  
Jeffrey Lawrence Norberte  
Notary Public, State of Illinois  
My Commission Expires 01/31/00

Jeffrey Lawrence Norberte  
Notary Public

Accepted:

VILLAGE OF SCHILLER PARK, Illinois

Attest:

Claudia L. Irsuto

By:

Anna Montana (SEAL)



Clerk Office

Attn: Claudia L. Irsuto  
9526 W. Irving Pk. Rd.  
Schiller Park, IL  
60176-1984