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Cook County Recorder 33.50



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Above Space for Recorder Use Only

**COVENANT**

Know all men by these presents that the undersigned, First Bank and Trust Company of Illinois as trustee u/t/a dated November 12, 1998 a/k/a Trust No. 10-2201, legal owner of the property legally described on Exhibit A attached hereto (the "Property") by and through its sole beneficiary, 850 N. Ogden, L.L.C., does hereby covenant and agree for itself, its successors and assigns, that the maintenance and repair of the common sewer lines located anywhere on the property from the point of connection to the sewer main in the public street at the property boundary line shall be the responsibility of the St John's Townhomes Homeowners' Association as the representative of the individual owners of the townhomes being constructed on the Property as approved by the City of Chicago and amended from time to time, and shall not be the responsibility of the City of Chicago. The undersigned further states that this covenant shall run with the land and shall be binding upon all subsequent grantees. This covenant is made to induce the City of Chicago to furnish sewer and water service to the above described premises.

FIRST BANK AND TRUST COMPANY OF ILLINOIS as trustee  
u/t/a dated November 12, 1998 a/k/a Trust No. 10-2201

By: 850 N. Ogden L.L.C.

By: Rezmar Corporation, Manager

By: Steven L. Mandell  
Steven L. Mandell, Assistant Secretary

Subscribed and sworn before me  
This \_\_\_\_\_ Day of March 2000

\_\_\_\_\_  
This document prepared by  
and should be returned to:  
Michael J. Sreenan  
Attorney at Law  
853 N. Elston Ave.  
Chicago, IL 60622

PARCEL 1:

LOTS 16, 15, 14, 13, 12, 11, 10, 9, 8, 7, 6, 5, 4, 3 AND LOT 2 (EXCEPT THE NORTH 23 FEET THEREOF) IN BLOCK 6 IN ELSTON'S ADDITION TO CHICAGO IN THE WEST 1/2 OF THE SOUTH EAST 1/4 OF SECTION 5, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS

ALSO

LOT 17 IN BLOCK 6 IN ELSTON'S ADDITION TO CHICAGO IN SECTIONS 4 AND 5, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

ALSO

LOT 18 IN BLOCK 6 IN ELSTON'S ADDITION TO CHICAGO IN SECTIONS 4 AND 5, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS;

ALSO

PARCEL 2:

LOT 1 (EXCEPT THAT PART THEREOF WHICH LIES WEST OF A LINE 100 FEET WEST OF THE WEST LINE OF CARPENTER STREET) IN JOHN J. KOWALSKI'S SUBDIVISION OF LOT 16-1/2 IN ASSESSOR'S DIVISION OF BLOCK 6 IN ELSTON'S ADDITION TO CHICAGO, A SUBDIVISION IN SECTION 5, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS

ALSO

LOT 2 (EXCEPT THAT PART THAT WHICH LIES WEST OF A LINE 100 FEET WEST OF THE WEST LINE OF CARPENTER STREET AND EXCEPT THAT PART OF SAID LOT 2 TAKEN FOR THE OPENING OF OGDEN AVENUE) IN JOHN J. KOWALSKI'S SUBDIVISION OF LOT 16-1/2 IN ASSESSOR'S DIVISION OF BLOCK 6 IN ELSTON'S ADDITION TO CHICAGO, A SUBDIVISION IN SECTION 5, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS

ALSO

THE SOUTH 30.40 FEET OF THE EAST 100 FEET OF BLOCK 6 (EXCEPT THAT PART THEREOF TAKEN FOR THE OPENING OF OGDEN AVENUE) IN ELSTON'S ADDITION TO CHICAGO IN SECTION 5, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, OTHERWISE DESCRIBED AS LOT 3 (EXCEPT SO MUCH AS LIES WEST OF A LINE 100 FEET WEST OF CARPENTER STREET AND EXCEPT THAT PART OF SAID LOT 3 TAKEN FOR THE OPENING OF OGDEN AVENUE) IN JOHN KOWALSKI'S SUBDIVISION OF LOT 16-1/2 IN THE ASSESSOR'S DIVISION OF BLOCK 6 IN ELSTON'S ADDITION TO CHICAGO IN SECTION 5, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS;

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ALSO

PARCEL 3:

LOTS 1, 2, 3 AND THE SOUTH 16 FEET OF LOT 4 (EXCEPT THAT PART OF SAID LOTS TAKEN AND CONDEMNED FOR THE OPENING AND EXTENDING OF OGDEN AVENUE IN THE COUNTY COURT OF COOK COUNTY, ILLINOIS AS CASE NO. 42162) IN CHICAGO LAND COMPANY'S SUBDIVISION OF LOTS 7, 10, 11 AND THAT PART OF LOTS 3 AND 6 LYING SOUTH OF THE RAILROAD RIGHT OF WAY IN BLOCK 8 IN WRIGHT'S ADDITION TO CHICAGO, AND THAT PART OF BLOCK 3 IN ELSTON'S ADDITION TO CHICAGO, LYING NORTH OF THE SOUTH 100 FEET THEREOF AND SOUTH OF SAID RAILROAD RIGHT OF WAY IN SECTION 5, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN;

ALSO

PARCEL 4:

LOTS 19, 20 AND 21 IN BLOCK 6 IN ELSTON'S ADDITION TO CHICAGO, IN SECTION 5, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN;

ALSO

PARCEL 5:

LOTS 22, 23, 24, 26 TO 31 INCLUSIVE, TAKEN AS A TRACT (EXCEPT THAT PART OF SAID LOTS LYING NORTH OF THE SOUTHERLY WALL OF THE SOUTHERLY LINE OF THE RIGHT OF WAY OF THE CHICAGO AND NORTH WESTERN RAILWAY COMPANY) IN ASSESSOR'S DIVISION OF BLOCK 6 IN ELSTON'S ADDITION, AFORESAID;

ALSO

PARCEL 6:

THAT PART OF CORNELL STREET (FORMERLY GEORGE STREET) LYING NORTH OF THE NORTH LINE OF LOTS 27 TO 31 INCLUSIVE, IN THE ASSESSOR'S DIVISION OF BLOCK 6, AS AFORESAID, AND SOUTH OF THE SOUTHERLY WALL ON THE SOUTHERLY LINE OF THE RIGHT OF WAY OF THE CHICAGO AND NORTH WESTERN RAILWAY COMPANY, AFORESAID, BEING A TRIANGULAR TRACT BOUNDED ON THE WEST BY THE WEST LINE EXTENDED NORTH OF SAID LOT 31;

ALSO

PARCEL 7:

THAT PART OF NORTH CARPENTER STREET BOUNDED ON THE NORTH BY THE SOUTHERLY WALL ON THE SOUTHERLY LINE OF THE RIGHT OF WAY OF THE CHICAGO AND NORTH WESTERN RAILWAY COMPANY AND BOUNDED ON THE SOUTH BY THE SOUTH LINE EXTENDED EAST OF LOT 19 IN BLOCK 6 IN

ELSTON'S ADDITION TO CHICAGO;

ALSO

PARCEL 8:

THAT PORTION OF LOT 25 LYING SOUTH OF A LINE 26 FEET NORTH OF AND PARALLEL TO THE SOUTH LINE OF LOT 25 AND THAT PART OF LOT 25 LYING NORTH OF A LINE 53 FEET NORTH OF AND PARALLEL TO SAID SOUTH LINE OF LOT 25 IN THE ASSESSOR'S DIVISION OF BLOCK 6 IN ELSTON'S ADDITION TO CHICAGO IN THE SOUTH EAST 1/4 OF THE SOUTH EAST 1/4 OF SECTION 5, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN;

ALSO

PARCEL 9:

THE NORTH 23 FEET OF LOT 2 IN BLOCK 6 IN ELSTON'S ADDITION TO CHICAGO IN THE WEST 1/2 OF THE SOUTH EAST 1/4 OF SECTION 5, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN;

ALSO

PARCEL 10:

THAT PART OF LOT 25 IN ASSESSOR'S DIVISION OF BLOCK 6 IN ELSTON ADDITION TO CHICAGO, DESCRIBED AS FOLLOWS: COMMENCING ON THE EAST LINE OF SAID LOT, 26 FEET NORTH OF THE SOUTH EAST CORNER THEREOF; THENCE NORTH 27 FEET; THENCE WEST 100 FEET; THENCE SOUTH 27 FEET; THENCE EAST 100 FEET TO THE POINT OF BEGINNING IN SECTION 5, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN;

ALSO

PARCEL 11:

LOT 1 IN BLOCK 6 IN ELSTON ADDITION TO CHICAGO, IN THE SOUTH WEST 1/4 OF THE SOUTH EAST 1/4 OF SECTION 5, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS;

ALSO

PARCEL 12: PROPOSED VACATION

THAT PART OF NORTH CARPENTER STREET BOUNDED ON THE NORTH BY THE SOUTH LINE EXTENDED EAST OF LOT 19 IN BLOCK 6 IN ELSTON'S ADDITION TO CHICAGO AND BOUNDED ON THE SOUTH BY THE NORTH LINE OF OGDEN AVENUE;

## PARCEL 13: PROPOSED VACATION

THAT PART OF WEST CHESTNUT STREET (FORMERLY CORNELL STREET) LYING EASTERLY OF THE EAST LINE EXTENDED, OF NORTH MAY STREET, SOUTHERLY OF THE SOUTHWESTERLY RIGHT OF WAY LINE OF THE CHICAGO AND NORTHWESTERN RAILWAY COMPANY AND WEST OF THE EAST LINE EXTENDED, OF THE NORTH AND SOUTH ALLEY WHICH LIES WESTERLY OF AND ADJOINING LOT 31 IN ASSESSORS DIVISION OF BLOCK 6 IN ELSTON'S ADDITION TO CHICAGO;

## PARCEL 14: PROPOSED VACATION

ALL OF NORTH AND SOUTH 14 FOOT WIDE ALLEY LYING WEST OF AND ADJOINING LOT 31 IN ASSESSOR'S DIVISION OF BLOCK 6 IN ELSTON'S ADDITION TO CHICAGO, WEST OF AND ADJOINING LOT 11 IN BLOCK 6 IN ELSTON'S ADDITION TO CHICAGO AND WEST OF AND ADJOINING A LINE RUNNING FROM THE NORTHWEST CORNER OF SAID LOT 11 TO THE SOUTHWEST CORNER OF SAID LOT 31;

## PARCEL 15: PROPOSED VACATION

ALL OF NORTH AND SOUTH 14 FOOT WIDE ALLEY LYING EAST OF AND ADJOINING LOT 16 IN BLOCK 6 IN ELSTON'S ADDITION TO CHICAGO AND LYING EAST OF AND ADJOINING THE EAST LINE OF LOT 16 EXTENDED NORTH 14 FEET;

## PARCEL 16: PROPOSED VACATION

ALL OF EAST AND WEST 14 FOOT WIDE ALLEY LYING NORTH OF AND ADJOINING LOTS 11 TO 16 IN BLOCK 6 IN ELSTON'S ADDITION TO CHICAGO;

## PARCEL 17: PROPOSED VACATION

ALL OF BLOCK 5 LYING SOUTHWESTERLY OF THE SOUTHWESTERLY RIGHT OF WAY LINE OF THE CHICAGO AND NORTHWESTERN RAILROAD COMPANY IN ELSTON'S ADDITION TO CHICAGO IN SECTION 5, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

THE AFOREGOING 17 PARCELS ALSO DESCRIBED AS FOLLOWS:

THAT PART OF BLOCKS 3, 5 AND 6 IN ELSTON'S ADDITION TO CHICAGO LYING SOUTHWESTERLY OF THE CHICAGO AND NORTHWESTERN RIALWAY COMPANY IN THE WEST 1/2 OF THE SOUTHEAST 1/4 OF SECTION 5, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, INCLUDING PARTS OF WEST CHESTNUT STREET, CORNELL STREET (FORMERLY GEORGE STREET) AND NORTH CARPENTER STREET, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF BLOCK 6; THENCE NORTH 0 DEGREES WEST, 394.44 FEET TO THE SOUTHWESTERLY RIGHT-OF-WAY OF SAID RAILWAY; THENCE CONTINUING ON SAID RIGHT-OF-WAY SOUTHEASTERLY ALONG A CURVE CONCAVE TO THE SOUTHWEST HAVING A RADIUS OF 5,226.75 FEET, AN ARC LENGTH OF 105.02 FEET; THENCE CONTINUING ALONG SAID RIGHT-OF-WAY SOUTH 71 DEGRESS, 44 MINUTES, 18 SECONDS EAST, NOT TANGENT TO THE LAST

PARCEL 13: PROPOSED VACATION

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THAT PART OF WEST CHESTNUT STREET (FORMERLY CORNELL STREET) LYING EASTERLY OF THE EAST LINE EXTENDED, OF NORTH MAY STREET, SOUTHERLY OF THE SOUTHWESTERLY RIGHT OF WAY LINE OF THE CHICAGO AND NORTHWESTERN RAILWAY COMPANY AND WEST OF THE EAST LINE EXTENDED, OF THE NORTH AND SOUTH ALLEY WHICH LIES WESTERLY OF AND ADJOINING LOT 31 IN ASSESSORS DIVISION OF BLOCK 6 IN ELSTON'S ADDITION TO CHICAGO;

PARCEL 14: PROPOSED VACATION

ALL OF NORTH AND SOUTH 14 FOOT WIDE ALLEY LYING WEST OF AND ADJOINING LOT 31 IN ASSESSOR'S DIVISION OF BLOCK 6 IN ELSTON'S ADDITION TO CHICAGO, WEST OF AND ADJOINING LOT 11 IN BLOCK 6 IN ELSTON'S ADDITION TO CHICAGO AND WEST OF AND ADJOINING A LINE RUNNING FROM THE NORTHWEST CORNER OF SAID LOT 11 TO THE SOUTHWEST CORNER OF SAID LOT 31;

PARCEL 15: PROPOSED VACATION

ALL OF NORTH AND SOUTH 14 FOOT WIDE ALLEY LYING EAST OF AND ADJOINING LOT 16 IN BLOCK 6 IN ELSTON'S ADDITION TO CHICAGO AND LYING EAST OF AND ADJOINING THE EAST LINE OF LOT 16 EXTENDED NORTH 14 FEET;

PARCEL 16: PROPOSED VACATION

ALL OF EAST AND WEST 14 FOOT WIDE ALLEY LYING NORTH OF AND ADJOINING LOTS 11 TO 16 IN BLOCK 6 IN ELSTON'S ADDITION TO CHICAGO;

PARCEL 17: PROPOSED VACATION

ALL OF BLOCK 5 LYING SOUTHWESTERLY OF THE SOUTHWESTERLY RIGHT OF WAY LINE OF THE CHICAGO AND NORTHWESTERN RAILROAD COMPANY IN ELSTON'S ADDITION TO CHICAGO IN SECTION 5, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

THE AFOREGOING 17 PARCELS ALSO DESCRIBED AS FOLLOWS:

THAT PART OF BLOCKS 3, 5 AND 6 IN ELSTON'S ADDITION TO CHICAGO LYING SOUTHWESTERLY OF THE CHICAGO AND NORTHWESTERN RIALWAY COMPANY IN THE WEST 1/2 OF THE SOUTHEAST 1/4 OF SECTION 5, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, INCLUDING PARTS OF WEST CHESTNUT STREET, CORNELL STREET (FORMERLY GEORGE STREET) AND NORTH CARPENTER STREET, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF BLOCK 6; THENCE NORTH 0 DEGREES WEST, 394.44 FEET TO THE SOUTHWESTERLY RIGHT-OF-WAY OF SAID RAILWAY; THENCE CONTINUING ON SAID RIGHT-OF-WAY SOUTHEASTERLY ALONG A CURVE CONCAVE TO THE SOUTHWEST HAVING A RADIUS OF 5,226.75 FEET, AN ARC LENGTH OF 105.02 FEET; THENCE CONTINUING ALONG SAID RIGHT-OF-WAY SOUTH 71 DEGREES, 44 MINUTES, 18 SECONDS EAST, NOT TANGENT TO THE LAST

DESCRIBED CURVE 356.81 FEET; TO THE EAST LINE OF NORTH CARPENTER STREET; THENCE SOUTH 0 DEGREES, 32 MINUTES, 59 SECONDS EAST ALONG SAID EAST LINE 58.49 FEET; THENCE NORTH 89 DEGREES, 55 MINUTES, 18 SECONDS EAST, 61.34 FEET TO THE NORTHWESTERLY LINE OF NORTH OGDEN AVENUE; THENCE SOUTH 39 DEGREES, 15 MINUTES, 07 SECONDS WEST ALONG SAID NORTHWESTERLY LINE 247.8 FEET TO THE NORTH LINE OF WEST FRY STREET; THENCE SOUTH 89 DEGREES, 30 MINUTES, 52 SECONDS WEST ALONG SAID NORTH LINE 344.77 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS.

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## 850 North Ogden, Chicago, IL – Permanet Index Numbers

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