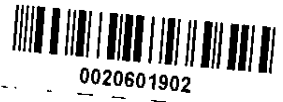


This Instrument Prepared By:

Kelli M. Smith
Day & Robert, P.C.
300 East Fifth Avenue
Suite 365
Naperville, Illinois 60563



After Recording Mail To:

Timothy J. Hammersmith
Masuda, Funai, Eifert & Mitchell Ltd.
One East Wacker Drive
Suite 3200
Chicago, Illinois 60601

**DECLARATION OF MERGER AND EXTINGUISHMENT
OF PROTECTIVE COVENANTS**

WHEREAS, GOLF-DEE LAND COMPANY (hereafter "Golf-Dee") is the owner of the following described land, (hereafter "Benefited Parcel"):

All that certain tract or parcel of land with any buildings, structures and equipment thereon the South 140 feet of the North 190.07 feet of the East 150.00 feet (both dimensions as measured on the North line thereof) of the Northwest Quarter of Section 15, Township 41 North, Range 12 East of the Third Principal Meridian, together with a nonexclusive easement over and through the West 8 feet of the East 158 feet (both dimensions as measured on the North and South lines thereof) of the South 140 feet of the North 190.07 feet (both dimensions as measured on the East and West lines thereof) of the Northwest Quarter of Section 15, Township 41 North, Range 12 East of the Third Principal Meridian, to be for the purpose of ingress and egress to and from other lands of the lesser adjacent to the lease land.

Property Address: 9201 West Golf Road, Des Plaines, Illinois 60016

Permanent Parcel Number(s): 09-15-100-016; and

WHEREAS, a Declaration of Protective Covenants was recorded on March 20, 1969 as Document 20787364 (and amended by Document No. 20912127 and recorded July 28, 1969) prohibiting the construction or establishment of any gasoline service station or other business selling gasoline or fuel oil at retail to the public on the following described property (hereafter "Burdened Parcel"):

BOX 333-CTI

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That part of the East Half of the Northeast Quarter of the Northwest Quarter of Section 15, Township 41 North, Range 12, East of the Third Principal Meridian, lying North of a line 325.12 feet South of (measured along the West line) and parallel with the North line of said East Half of the Northeast Quarter of the Northwest Quarter of Section 15, described as follows:

Beginning at the Southeast corner of said land; thence North along the East line of said land 135.08 feet to a point 140.00 feet South of the South line of Golf Road; thence West along a line parallel with the South line of Golf Road 158.00 feet; thence north along a line parallel with the East line of said land 140 feet to the South line of Golf Road; thence West along the South line of Golf Road 150.00 feet; thence South along a line parallel with the East line of said land 275.08 feet to the South line of said land; thence East along the South line of said land 308.00 feet to the point of beginning, in Cook County, Illinois.

Property Address: 9225 West Golf Road, Des Plaines, Illinois 60016

Permanent Parcel Number(s): 09-15-100-021-0000; and

WHEREAS, Golf-Dee will acquire fee simple ownership of the Burdened Parcel by virtue of a deed executed contemporaneously with the execution of this Declaration of Merger and Extinguishment of Protective Covenants; and

WHEREAS, upon the acceptance of the deed, Golf-Dee, owner of the Benefited Parcel, will also become the owner of the Burdened Parcel; and

WHEREAS, it is a basic maxim of Illinois law that the merger of two estates in land is a question of intent; and

WHEREAS, as evidence of the intent to merge these two estates, Golf-Dee, as owner of both the Benefited Parcel and the Burdened Parcel hereby affirms that said Benefited Parcel and Burdened Parcel are hereby merged and that the Protective Covenants recorded as Document No. 20787364 (and amended as Document No. 20912127) are extinguished by operation of law and are of no further force and effect.

Dated: May 20, 2002

Executed by: GOLF-DEE LAND COMPANY

BY: [Signature]

ITS: President

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STATE OF ILLINOIS)
) SS
COUNTY OF DeWitt)

I, the undersigned, a Notary Public in and for said county, in the state aforesaid, do hereby certify that Mohammed IQBAL, personally known to me to be the President of Golf-Dee Land Company and 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 severally and acknowledge that as such _____, he signed and delivered the said instrument and caused the seal of said company to be affixed thereto, as his free and voluntary act, and as the free and voluntary act and deed of said company, for the uses and purposes herein set forth.

Given under my hand and seal this 20th day of May, 2002.

Julie A. Keller
Notary Public

Property of Cook County Clerk's Office

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