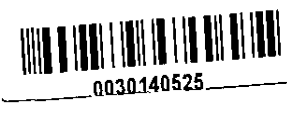


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Cook County Recorder 28.50



Property of Cook County Clerk's Office

**AGREEMENT**

This Agreement is made this 21<sup>st</sup> day of January, 2003, by the Village of Indian Head Park, an Illinois Municipal Corporation (the "Village"), and Oak Brook Bank as Trustee under Trust No. 3221 and dated November 1, 2001 ("Owner").

**WHEREAS**, the Owner owns certain real property located in the Village commonly known as 6441 Blackhawk Trail and legally described as set forth in Exhibit A attached hereto, and is in the process of having a residential home constructed on said Property; and

**WHEREAS**, there exist a permanent and exclusive easement over the Property for the benefit of the Village to allow the Village, among other things, to install and maintain equipment for the purpose of controlling storm water drainage in the easement area and its vicinity; and

**WHEREAS**, the Village's easement was properly recorded against the Property with the Cook County Recorder of Deeds on or about September 10, 2002 as Document No. 0020993212; and

**WHEREAS**, in connection with the Owner's construction of a single family residence on the Property, the Owner intends to construct an outdoor deck that may in part extend over a portion of the easement area; and

**WHEREAS**, the parties hereto wish to clarify their relative rights and obligations with respect to the construction of said deck and the existing easement.

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DATE 1/30/03  
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**NOW THEREFORE**, based on the foregoing recitals and for good and valuable consideration, receipt of which is hereby acknowledged, it is agreed as follows:

1. Any deck constructed on the Property shall be in conformance with plans submitted to and approved by the Village; and
2. The Owner acknowledges and agrees that if at any time in the future the Village requires that portion of the deck which extends into or over the easement area to be removed so that the Village may exercise any of its rights set forth in the previously executed and recorded Easement Agreement, that the Owner or its successors or assigns shall bear full responsibility, including any and all costs, for removal of that portion of the deck which extends into or over said easement area; and
3. The parties hereto acknowledge and agree that this Agreement shall run with the land.

**VILLAGE OF INDIAN HEAD PARK**

By: 

**OAK BROOK BANK AS TRUSTEE UNDER  
TRUST NO. 3221 AND DATED NOVEMBER 1, 2001**

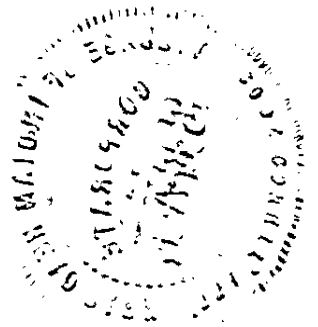
By:  as beneficiary

**Prepared by and mailed to:**

James A. Niewiara  
Quinlan & Carroll, Ltd.  
30 N. LaSalle Street, Suite 2900  
Chicago, Illinois 60602  
(312) 263-0900

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## EXHIBIT "A"

### LEGAL DESCRIPTION

THAT PART OF THE NORTHEAST 1/4 OF SECTION 19, TOWNSHIP 38 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF THE SOUTH 1/4 OF THE NORTH 1/2 OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 19; THENCE WEST ALONG THE NORTH LINE OF THE SOUTH 1/4 OF THE NORTH 1/2 OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 19, A DISTANCE OF 1063.44 FEET FOR A POINT OF BEGINNING; THENCE NORTH 89 DEGREES, 50 MINUTES, 38 SECONDS WEST, A DISTANCE OF 260.67 FEET TO A CONCRETE MONUMENT ON THE NORTHERLY RIGHT OF WAY OF BLACKHAWK TRAIL, AS NOW PLATTED AND RECORDED; THENCE SOUTH 67 DEGREES, 51 MINUTES, 38 SECONDS EAST ALONG SAID NORTHERLY RIGHT OF WAY LINE OF BLACKHAWK TRAIL, A DISTANCE OF 270.55 FEET; THENCE NORTH 06 DEGREES 21 MINUTES, 22 SECONDS EAST, A DISTANCE OF 101.95 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS.

PERMANENT INDEX NUMBER: 18-19-204-027

COMMONLY KNOWN AS: 6441 Blackhawk Trail, Indian Head Park, Illinois