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2003-02-25 10:02:50
Cook County Recorder 32.50



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Property of Cook County Clerk's Office

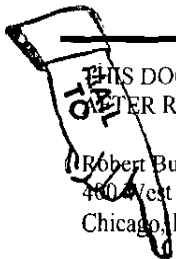
SEWER AND WATER COVENANT

Know all men by these presents that the undersigned, Smithfield Properties XV, L.L.C., an Illinois limited liability company owner of the property (the "Property") legally described on Exhibit A, attached hereto and made a part hereof, 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 shall be the responsibility of the owners of the condominiums to be constructed on the Property as approved by the City of Chicago (the "City"), as amended from time to time, and shall not be the responsibility of the City. The undersigned further states that this covenant shall run with the land and shall be binding upon all subsequent grantees. This Sewer and Water Covenant is made to induce the City to furnish sewer and water service to the Property.

Smithfield Properties XV, L.L.C., an Illinois limited liability company

By: Wooton Construction, Ltd., its Manager

By: 
W. Harris Smith, its President



THIS DOCUMENT PREPARED BY AND AFTER RECORDING RETURN TO:

Robert Buono
400 West Huron
Chicago, IL 60610

ADDRESS OF PROPERTY:

653 N. Kinsbury
Chicago, IL 60610

PIN:

17-09-127-001-0000
17-09-127-035-0000

COUNTY OF COOK)

(S)

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STATE OF ILLINOIS) SS:
)

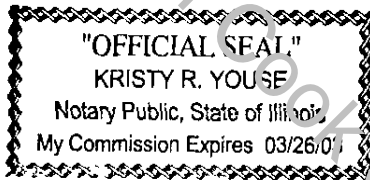
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I, the undersigned, a Notary Public, in and for the County and State aforesaid, DO HEREBY CERTIFY, that W. Harris Smith, personally known to me to be the President of Wooton Construction, Ltd., the Manager of **SMITHFIELD PROPERTIES XV, L.L.C.**, an Illinois limited liability company, 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 as such president he signed and delivered the said instrument pursuant to authority given by the operating agreement of said company, as his free and voluntary act, and as the free and voluntary act and deeds of said company, for the uses and purposes therein set forth.

Given under my hand and official seal, this 13th day of February, 2003.

My Commission expires _____, 20_____


NOTARY PUBLIC



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EXHIBIT "A"

LEGAL DESCRIPTION OF THE UNDERLYING PARCEL

PARCEL 1:

ALL THAT PART OF LOTS 4 AND 5 IN THE NORTH 1/2 OF BLOCK 1 IN THE ASSESSOR'S DIVISION OF THAT PART SOUTH OF ERIE STREET AND EAST OF THE CHICAGO RIVER OF THE EAST 1/2 OF THE NORTHWEST 1/4 OF SECTION 9, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

COMMENCING ON THE WEST LINE OF SAID LOT 5, BEING THE EAST LINE OF KINGSBURY STREET, AT A POINT 65 FEET 3 5/8 INCHES SOUTH OF THE NORTH WEST CORNER OF SAID LOT 5; THENCE NORTH ON THE WEST LINE OF SAID LOT 5, 65 FEET 3 5/8 INCHES TO THE NORTH LINE OF SAID LOT 5, BEING ALSO THE SOUTH LINE OF ERIE STREET, THENCE EAST OF THE SOUTH LINE OF ERIE STREET, 140.50 FEET MORE OR LESS TO A POINT 337.60 FEET WEST OF THE NORTH EAST CORNER OF LOT 4; THENCE SOUTH ON A LINE PARALLEL TO THE EAST LINE OF SAID LOT 4, 100.00 FEET TO THE NORTH LINE OF AN ALLEY, BEING 9 FEET NORTH OF THE CENTER LINE BETWEEN ONTARIO AND ERIE STREETS; THENCE WEST OF THE NORTH LINE OF SAID ALLEY, 50.40 FEET; THENCE NORTHWESTERLY IN A STRAIGHT LINE TO A POINT WHICH IS 3 FEET 8 3/8 INCHES NORTH OF THE NORTH LINE OF SAID ALLEY AND 38 FEET EAST OF THE WEST LINE OF SAID LOT 4, THENCE NORTHWESTERLY IN A STRAIGHT LINE TO A POINT IN THE WEST LINE OF SAID LOT 4, BEING ALSO THE EAST LINE OF LOT 5, WHICH IS 17 FEET 3 INCHES NORTH OF THE NORTH LINE OF ALLEY AFOREMENTIONED; THENCE NORTH ON SAID LINE OF LOTS 4 AND 5 TO A POINT WHICH IS 82 FEET 6 3/4 INCHES SOUTH OF THE SOUTH LINE OF ERIE STREET; THENCE NORTHWESTERLY IN A STRAIGHT LINE TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS.

PARCEL 2:

THAT PART OF LOTS 1 TO 5 LYING SOUTHWESTERLY AND SOUTHERLY OF THE FOLLOWING DESCRIBED LINE: COMMENCING AT A POINT IN THE WEST LINE OF SAID LOT 5, A DISTANCE OF 65 FEET 3 5/8 INCHES SOUTH OF THE NORTHWEST CORNER OF SAID LOT 5; THENCE SOUTHEASTERLY IN A STRAIGHT LINE TO A POINT WHICH IS 38 FEET EAST OF THE WEST LINE OF SAID LOT 4 AND 12 FEET 8 3/8 INCHES NORTH OF THE LINE MIDWAY BETWEEN ONATRIO AND ERIE STREETS; THENCE SOUTHEASTERLY IN A STRAIGHT LINE TO A POINT WHICH IS 62 FEET EAST OF THE WEST LINE OF SAID LOT 4 AND 9 FEET NORTH OF THE LINE BETWEEN ONTARIO AND ERIE STREETS; THENCE EASTERLY ALONG A STRAIGHT

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LINE, 9 FEET NORTH OF AND PARALLEL WITH THE SAID LINE MIDWAY BETWEEN ONTARIO AND ERIE STREETS TO ITS POINT OF INTERSECTION WITH THE EAST LINE OF THE EAST 1/2 OF THE NORTHWEST 1/4 OF SECTION 9, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, ALL IN ASSESSOR'S DIVISION OF THE EAST 1/2 OF THE NORTHWEST 1/4 OF SECTION 9, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, LYING SOUTH OF ERIE STREET AND EAST OF THE NORTH BRANCH OF THE CHICAGO RIVER, EXCEPT FOR THAT PART FALLING WITHIN THE FOLLOWING DESCRIBED TRACT OF LAND: ALL OF THE 9 FOOT PRIVATE ALLEY, BEING THE SOUTH 9 FEET OF LOTS 1 TO 5 (INCLUSIVE) IN BLOCK 1 AND LYING BETWEEN THE EAST LINE OF SAID LOT 1, AND THE WESTERLY LINE OF SAID LOT 5 (SAID WESTERLY LINE ALSO BEING THE EASTERLY LINE OF KINGSBURY STREET) IN ASSESSOR'S DIVISION OF PART (SOUTH OF ERIE STREET AND EAST OF THE CHICAGO RIVER) OF THE EAST 1/2 OF THE NORTHWEST 1/4 OF SECTION 9, TOWNSHIP 39 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, ALL IN COOK COUNTY, ILLINOIS.

17-09-127-001

17-09-500-007