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## AMENDMENT TO EASEMENT AGREEMENT AND DECLARATION OF RESTRICTIVE COVENANT

THIS AMENDMENT TO EASEMENT AGREEMENT AND DECLARATION OF RESTRICTIVE COVENANT (this "Amendment") is dated as of the 29<sup>th</sup> day of MAY, 2003, between SCHAUMBURG LAND COMPANY, LLC, a Washington limited liability company with offices c/o Ram International, Ltd. at 10013 59<sup>th</sup> Avenue, S.W., Lakewood, Washington 98499 ("SLC") and V. K. SUITES, LLC, a Wisconsin limited liability company with offices at 19275 W. Capitol Drive, Brookfield, WI 53045 (v/a AmeriSuites, Schaumburg ("AmeriSuites")).

### WITNESSETH:

WHEREAS, SLC is the record owner of that certain real property commonly known as Ram Microbrewery and Restaurant located at 1901 McConnor Parkway, Schaumburg, IL 60173, more particularly described on "Exhibit A" which is attached hereto and made a part hereof ("SLC Property"); and

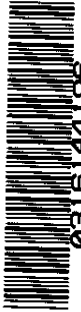
WHEREAS, AmeriSuites is the record owner of that certain real property commonly known as AmeriSuites (Schaumburg) located at 1851 McConnor Parkway, Schaumburg, IL 60173, more particularly described on "Exhibit B" which is attached hereto and made a part hereof ("AmeriSuites Property"); and

WHEREAS, on April 12, 1999, SLC and Prime Hospitality Corp. caused to be recorded with the Office of the Register of Deeds for Cook County, Illinois, an Easement Agreement and Declaration of Restrictive Covenant as Document No. 99349797 (the "Easement Agreement"), thereby subjecting the SLC Property and the AmeriSuites Property to the easements, restrictions and covenants therein set forth; and

WHEREAS, pursuant to Section 1(E) of the Easement Agreement SLC and Prime Hospitality Corp. each granted to the other party a non-exclusive interest in and easement for ten (10) parking spaces on portions of their respective Properties to be used for overflow parking only; and

WHEREAS, Section 7(B) of the Easement Agreement states that the Easement Agreement may be changed only by an agreement in writing signed by the party against whom enforcement of any such change is sought and duly recorded in Cook County, Illinois; and

WHEREAS, SLC and AmeriSuites, as successor in interest to and current owner of the AmeriSuites Property, desire to amend said Easement Agreement in order to increase the number of overflow parking spaces from ten (10) parking spaces to twenty (20) parking spaces.



0316144196

Eugene "Gene" Moore Fee: \$34.50  
Cook County Recorder of Deeds  
Date: 06/10/2003 12:27 PM Pg: 1 of 6

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NOW, THEREFORE, in consideration of the mutual covenants and conditions hereinafter contained, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties hereto hereby agree as follows:

1. Section 1(E). OVERFLOW PARKING EASEMENT

The number of overflow parking spaces which are subject to the SLC Parking Easement (as defined in the Easement Agreement) shall be increased from ten (10) parking spaces to twenty (20) parking spaces. The number of overflow parking spaces which are subject to the Prime Parking Easement (as defined in the Easement Agreement) shall be increased from ten (10) parking spaces to twenty (20) parking spaces. All references to "ten (10) parking spaces" within this Section shall be hereby deleted and replaced with "twenty (20) parking spaces".

2. All other easements, covenants and restrictions contained within the Easement Agreement shall remain in full force and effect.

IN WITNESS WHEREOF, the parties hereto have caused this Amendment to be executed and delivered as of the day, month and year first written above, as their act and deed, intending to be legally bound by its terms and provisions.

[SIGNATURES ON THE FOLLOWING PAGE]

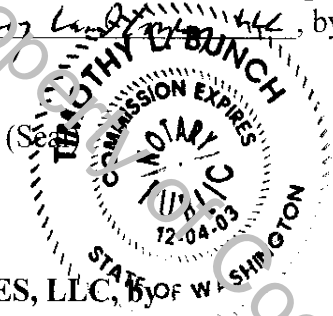
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SCHAUMBURG LAND COMPANY, LLC:

By: *Calvin L. Chandler*  
Name: Calvin L. Chandler  
Its: Manager

STATE OF Washington )  
: SS  
COUNTY OF Pierce )

Personally came before me this 21<sup>st</sup> day of May, 2002, the above-named Calvin L. Chandler, to me known to be such person who executed the foregoing instrument and acknowledged that he executed the same on behalf of said Schaumburg Land Company, LLC, by its authority.



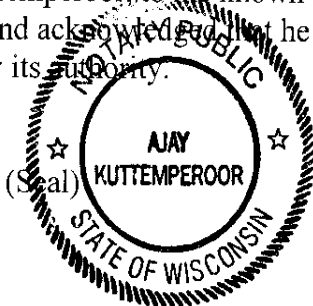
*Timothy L. Bunch*  
Notary Public, State of WA  
My commission expires 12-4-03  
Residing at Tacoma, WA

V. K. SUITES, LLC, by of WASHINGTON  
V. K. Development Corporation, its manager

By: *Vincent Kuttemperoor*  
Name: Vincent Kuttemperoor  
Its: President

STATE OF WISCONSIN )  
: SS  
COUNTY OF Waukesha )

Personally came before me this 29<sup>th</sup> day of MAY, 2002, the above-named Vincent Kuttemperoor, to me known to be such person who executed the foregoing instrument and acknowledged that he executed the same on behalf of said limited liability company, by its authority.



*Ajay Kuttemperoor*  
Notary Public, State of WISCONSIN  
My commission expires IS PERMANENT

This document was drafted by and after recording should be returned to:

V. K. Development Corporation  
19275 W. Capitol Drive  
Brookfield, WI 53045

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## EXHIBIT A

### “SLC PROPERTY”

Lot 2 in the Woodfield Village Green First Resubdivision of Lot 3 in Woodfield Village Green Woodfield – 76 Subdivision, being a Subdivision of part of the Southwest  $\frac{1}{4}$  and the Southeast  $\frac{1}{4}$  of Section 12, Township 41 North, Range 10 East of the third principal meridian, in Cook County, Illinois, and part of the fractional Southwest  $\frac{1}{4}$  of Section 7, Township 41 North, Range 11, East of the third Principal Meridian, in Cook County, Illinois according to the Plat recorded September 3, 1998 as Document 98789378, in Cook County, Illinois.

Tax Parcel # 07-12-402-012-0900

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## EXHIBIT B

### “AMERISUITES PROPERTY”

Lot 1 in the Woodfield Village Green First Resubdivision of Lot 3 in Woodfield Village Green Woodfield – 76 Subdivision, being a Subdivision of part of the Southwest  $\frac{1}{4}$  and the Southeast  $\frac{1}{4}$  of Section 12, Township 41 North, Range 10 East of the third principal meridian, in Cook County, Illinois, and part of the fractional Southwest  $\frac{1}{4}$  of Section 7, Township 41 North, Range 11, East of the third Principal Meridian, in Cook County, Illinois according to the Plat recorded September 3, 1998 as Document 98789378, in Cook County, Illinois.

Tax Parcel # 07-12-402-014-0000

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Mail/Return to:

A.J. Kuttemperoor, Esq.  
V.K. Development Corp.  
19275 West Capitol Drive  
Brookfield, WI 53045