

Prepared by:

P. D. Hartz Construction Co., Inc.
8995 West 95th Street
Palos Hills, Illinois 60465

OC 3/3201

**DECLARATION OF EASEMENTS,
RESTRICTIONS, AND COVENANTS
FOR DEER PARK STORM WATER DETENTION AREA**

THIS DECLARATION is made by FIRST NATIONAL BANK OF EVERGREEN PARK, as Trustee under Trust Number 12841, dated December 18, 1992, hereinafter known as "Declarant" and P. D. HARTZ CONSTRUCTION CO., INC., hereinafter known as "Developer."

W I T N E S S E T H: . DEPT-01 RECORDING 833.00
. T#2222 TRAN 2907 12/09/94 09:43:00
. #9003 + KE *-04-033174
. COOK COUNTY RECORDER

A. The Declarant, FIRST NATIONAL BANK OF EVERGREEN PARK as Trustee, under Trust Number 12841, dated December 18, 1992, is the owner in fee simple of the following described parcel of real estate in the Village of Alsip, County of Cook, State of Illinois (hereinafter "Condominium Property"):

LOTS 1-26 IN DEER PARK SUBDIVISION BEING PART OF THE SOUTHWEST 1/4 OF SECTION 26, TOWNSHIP 37 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS

PIN 24-26-300-096-0000

B. The Declarant, FIRST NATIONAL BANK OF EVERGREEN PARK as Trustee, under Trust Number 12841, dated December 18, 1992, is the owner in fee simple of the following described parcel of real estate in the Village of Alsip, County of Cook, State of Illinois (hereinafter "Single-Family Property"):

LOTS 27-52 IN DEER PARK SUBDIVISION BEING PART OF THE SOUTHWEST 1/4 OF SECTION 26,

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TOWNSHIP 37 NORTH, RANGE 13 EAST OF THE THIRD
PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS

PIN 24-26-300-096-0000

C. The Declarant, FIRST NATIONAL BANK OF EVERGREEN PARK as Trustee, under Trust Number 12841, dated December 18, 1992, is the owner in fee simple of the following described parcel of real estate in the Village of Alsip, County of Cook, State of Illinois (hereinafter "Detention Area"):

LOT 53 IN DEER PARK SUBDIVISION BEING PART OF
THE SOUTHWEST 1/4 OF SECTION 26, TOWNSHIP 37
NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL
MERIDIAN, IN COOK COUNTY, ILLINOIS

PIN 24-26-300-096-0000

D. The Condominium Property and the Single-Family Property are hereinafter sometimes collectively referred to as the "Property."

E. The Detention Area is intended as an area for storm water detention and drainage for the benefit of the Condominium Property and the Single-Family Property.

F. The Declarant desires and intends by this Declaration to establish for its own benefit and for the benefit of all future owners and occupants of the Condominium Property and the Single-Family Property, and each part thereof, certain easements and rights in, over and upon the Property and certain mutually beneficial restrictions and obligations with respect to the use and maintenance of the Detention Area.

G. The Declarant desires and intends by this Declaration to declare that the owners, mortgagees, occupants and other persons acquiring any interest in the Property shall at all times

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enjoy the benefits of and shall at all times hold their interests subject to the rights, easements, privileges and restrictions hereafter set forth, all of which are declared to be in furtherance of a plan to promote and protect the benefits of the Detention Area for all of the Property.

NOW, THEREFORE, the Declarant as the holder of legal title to the aforescribed real estate and for the purposes above set forth, DECLARES AS FOLLOWS:

1. The recitals set forth above are incorporated herein and made a part hereof.
2. The Condominium Property and the Single-Family Property shall each have the perpetual right to drain storm water onto the Detention Area.
3. The Developer shall cause fee simple title to the Detention Area to be conveyed to the Condominium Association for the Condominium Property ("Association") formed pursuant to the Declaration of Condominium Ownership and of Easements, Restrictions, and Covenants for Deer Park II Condominium ("Condominium Declaration").
4. The Association shall be responsible for any and all grass cutting, landscaping, maintenance, repair, upkeep, operation, liability insurance and any other matters or requirements affecting or involving the Detention Area. The costs for the foregoing are hereinafter referred to as the "Detention Expenses."
5. The initial purchaser of a condominium unit on the Condominium Property ("Condo Unit") or a residence on the Single-

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Family Property ("Single-Family Home") and each subsequent purchaser and each of their successors and assigns, shall each pay to the Association the amount of \$4.00 per month to pay for the cost of the Detention Expenses. No such monthly fee shall be due on any Condo Unit or Single-Family Home until the time of the initial sale from the Declarant or Developer.

6. In the event the owner of any Condo Unit or Single-Family Home shall fail to pay the required monthly fee when due, the amount of such monthly fee, together with interest, late charges, reasonable attorneys' fees and costs of collection, shall constitute a lien on the delinquent Condo Unit or Single-Family Home. The Association shall have the same rights and remedies concerning delinquent assessments with respect to a Single-Family Home and its owner as the Association has with respect to a Condo Unit and its owner pursuant to the Condominium Declaration.

7. Said monthly fee of \$4.00 shall be increased by the Association upon demonstration of a reasonable need due to an increase in the Detention Expenses. If any dispute arises as to a proposed increase in said monthly fees, then a majority vote on such proposed increase shall prevail, with the owner of each Condo Unit having one vote and the owner of each Single-Family Home having four votes, so that the total votes of all of the owners of the Condominium Property equals 104 votes and the total votes of all of the owners of the Single-Family Property equals 104 votes. In the event of a deadlock in voting where there is no majority, then the Developer shall cast the deciding vote.

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8. This Declaration and all easements, rights and obligations described herein shall be deemed to be running with the land, in perpetuity and shall be binding upon and inure to the benefit of the Condominium Property, Single-Family Property and Detention Area and each of their respective owners, successors, assigns, mortgagees, and other persons having an interest therein.

9. This Declaration is executed and delivered by First National Bank of Evergreen Park, not in its individual capacity, but solely in the capacity herein described, for the purpose of binding the herein described property, and it is expressly understood and agreed by the parties hereto, anything herein to the contrary notwithstanding, that each and all of the undertakings and agreements herein made, are made and intended not as personal undertakings and agreements of the Trustee, or for the purpose of binding the Trustee personally, but executed and delivered by the Trustee solely in the exercise of the powers conferred upon it as such Trustee, and no personal liability or personal responsibility is assumed by, or shall at any time be asserted or enforced against said trustee on account hereof or on account of any undertaking or agreement herein contained, either expressed or implied. All such personal liability, if any, being hereby expressly waived and released by all other parties hereto, and those claiming by, through or under them.

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IN WITNESS WHEREOF, the parties hereto have executed this Declaration as of the year and date first written above.

THE FIRST NATIONAL BANK OF
EVERGREEN PARK, not individually,
but as Trustee under Trust
No. 12841

By: Robert J. Shays
Vice President and Trust Officer

ATTEST:

Mary Redigiero
Assistant Trust Officer

P. D. HARTZ CONSTRUCTION CO., INC.

By: Phillip D. Hartz
Phillip D. Hartz, President

ATTEST:

Secretary

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8/1/2015 10:00 AM

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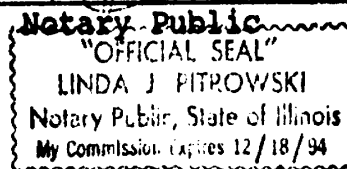
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STATE OF ILLINOIS)
) SS.
COUNTY OF COOK)

I, the undersigned, a Notary Public in and for said County in the State aforesaid, DO HEREBY CERTIFY that Robert J. Mayo, and Nancy Rodighiero, the Vice President & Trust Officer and Assistant Trust Officer, respectively, of FIRST NATIONAL BANK OF EVERGREEN PARK, as Trustee under Trust Agreement dated December 18, 1992, and known as Trust No. 12841, appeared before me this day in person, and acknowledged that they signed, sealed and delivered the said instrument as their free and voluntary act and as the free and voluntary act of said Bank, as Trustee as aforesaid, for the uses and purposes therein set forth.

Given under my hand and notarial seal this 1st day of December, 1994.

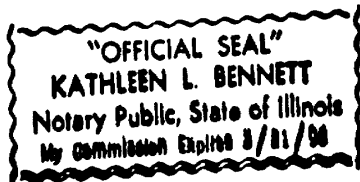
Linda J. Pitrowski



STATE OF ILLINOIS)
) SS.
COUNTY OF COOK)

I, the undersigned, a Notary Public in and for said County in the State aforesaid, DO HEREBY CERTIFY that Phillip D. Hartz and _____, President and _____, respectively, of P. D. HARTZ CONSTRUCTION CO., INC., appeared before me this day in person, and acknowledged that they signed, sealed and delivered the said instrument as their free and voluntary act and as the free and voluntary act of said corporation, for the uses and purposes therein set forth.

Given under my hand and notarial seal this 1ST day of December, 1994.



Kathleen L. Bennett
Notary Public

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