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Prepared by:
Klein Thorpe & Jenkins, Ltd.
20 North Wacker Drive
Suite 1660
Chicago, IL 60606
Terrence M. Barnicle



Doc#: 0411434083
Eugene "Gene" Moore Fee: \$38.00
Cook County Recorder of Deeds
Date: 04/23/2004 03:06 PM Pg: 1 of 8

After recording return to:
RECORDER'S BOX 324
[DS/(114-179)]

[Above space for Recorder's Office]

Property: 8120 Abbey Road Tinley Park, Illinois 60477
P.I.N. 27-35-404-038-0000

The undersigned, as the Owner of the above referenced property, desires to record the following items, copies of which are attached hereto, for purposes of title clearance matters: 1) Letter from Comcast Cable Communication dated March 1, 2004; 2) Letter from SBC dba/Ameritech Illinois dba/Illinois bell Telephone Company dated February 26, 2004; 3) Letter from Nicor Gas Company dated February 26, 2004; 4) Copy of Release of Easement from Commonwealth Edison Company notarized on February 25, 2004; 5) Letter from Robinson Engineering Limited dated March 4, 2004; 6) Letter to Robinson Engineering; dated March 5, 2004; and 7) Letter to the Village of Tinley Park acknowledging permission to use Public Right of Way dated March 11, 2004, (hereinafter referred to as "Clearance Letters"). The title Clearance Letters relate to the real property more commonly known as 8120 Abbey Road Tinley Park, Illinois 60477 and legally described as follows:

LOT 62 IN AVONDALE LAKES, BEING A SUBDIVISION OF THAT PART OF THE SOUTHEAST ¼ OF SECTION 35, TOWNSHIP 36 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN LYING SOUTH OF THE RIGHT-OF- WAY OF THE NORTHEAST ILLINOIS REGIONAL COMMUTER RAILROAD CORPORATION, IN COOK COUNTY, ILLINOIS.

STATE BANK OF COUNTRYSIDE, AS TRUSTEE
UNDER TRUST AGREEMENT DATED JANUARY
15, 1987 AND KNOWN AS TRUST NUMBER 87-230.

Mary A. McNally, VICE PRESIDENT

Attest: *Janice L. Smith*
BRANCH OFFICER

State of Illinois
County of Cook

I, the undersigned, A Notary Public in and for said County, in the State aforesaid, do hereby certify that MARY A. McNally of State Bank of Countryside and JANICE L. SMITH of said Bank personally known to me to be the same persons whose names are subscribed to the foregoing instrument, appeared before me this day in person and acknowledge that they signed and delivered this instrument as their own free and voluntary act, and as the free and voluntary act of said Bank, for the uses and purposes therein set forth above.

Given under my hand and Notarial Seal, this 20th day
of APRIL, 2004.
Mary Jo Barthe
Notary Public, State of Illinois
My Commission Expires 11/13/04
Notary Public

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Comcast Cable Communications, Inc.
688 Industrial Drive
Elmhurst, IL 60126

March 1, 2004

Mallow Construction Co.
P.O. Box 877
Tinley Park, Illinois 60477
Attention: Mr. Michael Murphy

Re: Lot 62 – Avondale Lakes: 8120 Abbey Road, Tinley Park, Illinois 60477
House Encroachment into Utility Easement

Dear Mr. Murphy:

This letter serves as written acknowledgment that Comcast Cable Communications, Inc. and its affiliates have no objection to your request to be allowed to encroach into the utility easement with the building of a House on the above-mentioned property.

Please contact J.U.L.I.E. (800-892-0123) prior to any excavating on the property, to assure that any cable lines will not be damaged. If for any reason our cable facilities have to be relocated, please contact me so I can make arrangements for this.

The encroachment herein granted does not under any circumstances, abrogate nor nullify the rights and interests of Comcast Cable Communications, Inc. and its affiliates in and to the easements of record, pertaining to the aforesaid property.

Very truly yours,

A handwritten signature in cursive script that reads "Robert L. Schulters, Jr.".

Robert L. Schulters, Jr.
Right-of-way Manager
Greater Chicago Market
(630) 600-6352



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SBC Illinois
2427 Union Street
Floor 2
Blue Island, IL 60406

February 26, 2004

Mallow Construction
P.O. Box 877
Tinley Park, IL 60477

Dear Mary,

This letter is in reply to your request dated February 24, 2004 for a request to release or waive your encroachment which extends a house onto or upon the utility easement of SBC dba/Ameritech Illinois dba/Illinois Bell Telephone Company of the following described property;

Lot 62 in Avondale Lakes, being a Subdivision of that part of the Southeast 1/4 of Section 35, Township 36 North, Range 12, East of the Third Principal Meridian, lying South of the right-of-way of Northeast Illinois Regional Commuter Railroad Corporation, in Cook County, Illinois.

Commonly known as 8120 Abbey Road, Tinley Park, Illinois

SBC dba/Ameritech Illinois dba/Illinois Bell Telephone Company hereby waives its rights to maintain suit for the removal of said encroachment but otherwise retains all of its rights in and to said easement including, but not limited to, the recovery of damages for injury to its plant whether buried or aerial or to its employees caused by you and your agents, employees, contractors, successors or assigns whether resulting from the erection, maintenance or use of said encroachment of otherwise.

Moreover, where said encroachment is located above buried cable or conduit or in close proximity to buried or aerial plant serviced, altered, replaced, modified or maintained by SBC dba/Ameritech Illinois dba/Illinois Bell Telephone Company, said Company's liability to you for damage to said encroachment resulting from such servicing, alteration, replacement, modification or maintenance is limited to restoring said encroachment to its prior existing state to the extent such can reasonably be done under the circumstances.

Thank you for bringing this to our attention.

Sincerely,

A handwritten signature in black ink that reads "Norena L. Kuhn". The signature is written in a cursive, flowing style.

Norena L. Kuhn
SBC Right of Way

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Nicor Gas
1844 Ferry Road
Naperville, IL 60563-9600

Mailing Address:
P.O. Box 190
Aurora, IL 60507-0190

Phone 630 983-8676
Internet www.nicor.com

February 26, 2004

Subject: 8120 Abbey Road, Tinley Park, IL

To Whom It May Concern:

This letter is sent in response to your recent inquiry regarding your proposed construction within the utility easement lying in the following described property:

Lot 62 in Avondale Lakes Subdivision, being a Subdivision of that part of Southeast Quarter of Section 35, Township 36 North, Range 12 East of the Third Principal Meridian lying South of the right-of-way of Northeast Illinois Regional Commuter Railroad Corporation, in Cook County, Illinois.

Nicor Gas has no objection to the proposed construction of a residence which will encroach 6 inches in a public utility easement along the westernmost property line of the property mentioned herein into the aforementioned public utility easement for a distance of approximately 46.9 feet. Said encroachment to be located 27.57 feet north of the southernmost property line. However, this is not a release or waiver of any rights Nicor Gas may have in or to the utility easement. Further, any future expense Nicor Gas may incur in exercising its rights in the utility easement shall be borne by the property owner.

Notify JULIE at 1-800-892-0123 at least 48 hours prior to commencing construction activities. Nicor Gas may have gas service pipes providing gas service to the described property. The gas service pipes are neither covered by recorded easement nor are their locations mapped.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Brad Krabel".

Brad Krabel
Real Estate Agent

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RELEASE OF EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

That, **COMMONWEALTH EDISON COMPANY**, having no facilities located thereon and anticipating no future need thereof, hereby disclaims all right, title, and interest it may have in and to the following described premises under and by virtue of the utility easement set forth, granted and reserved on the **Plat of Subdivision for Avondale Lakes Subdivision**, recorded in the office of the Recorder of Deeds of **Cook County, Illinois** on as **Document No. 0010947107**, to wit:

Easement release shall consist of the west 7.5 feet of 62 (EXCEPT THE NORTH 20 FEET AND THE SOUTH 10 FEET THEREOF) in Avondale Lakes Subdivision, being a subdivision of that part of the Southeast Quarter of Section 35, Township 36 North, Range 12 East of the Third Principal Meridian lying South of the Right-of-way of Northeast Illinois Regional Commuter Railroad Corporation, in Cook County, Illinois.

This disclaimer is not intended to and shall not in any way affect the easements set forth and reserved on the aforesaid Plat of Subdivision, except as to the premises hereinbefore specifically described.

Signed and dated this _____ day of February, 2004, at University Park, Illinois 60466

Address: **8120 S. Abbey Road,**

Commonwealth Edison Company

Ardana Dixon-McFerren
Ardana Dixon-McFerren

STATE OF ILLINOIS
COUNTY OF COOK

I, the undersigned, a notary public, in and for said county, in the state aforesaid, do hereby certify that **Ardana Dixon-McFerren**, of Commonwealth Edison Company, an Illinois corporation, personally known to me to be the same person whose name is subscribed to the foregoing instrument as such person, appeared before me this day and acknowledged that she signed and delivered the said instrument as her own free and voluntary act for the uses and purposes therein set forth.

Given under my hand and notarial seal this 25th day of February, 2004.

Prepared for
Kathy Laird

OFFICIAL SEAL
MARY K. LABOSKE
NOTARY PUBLIC, STATE OF ILLINOIS
MY COMMISSION EXPIRES 5-9-2004

Mary K. Laboske
Notary Public

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Consulting Registered Professional Engineers

March 4, 2004

Mr. Michael Mertens
16250 S. Oak Park Avenue
Tinley Park, Il. 60477

Re: 8120 Abbey Road

Dear Mike:

Per your request I have inspected the property located at 8120 Abbey Road, and concur that an infraction of the easement has taken place. It is Village policy to require signed Letters of Encroachment from the utility companies and the Tinley Park Public Works Department. I have reviewed the utility drawings and find it unlikely that the Public Works Dept. will require access at this location in the future.

Since the structure is in close proximity to the drainage swale, it will be difficult to drain the storm water away from the neighbors' property. I suggest a drain tile system that would include the gutter down spouts and carry the water to the north and south along the property line. If I can be assured that this will happen, then a recommendation to the Public Works Dept. for a Letter of Encroachment can be made.

Please call if you have any questions, I can be reached at 708-514-4098.

Very Truly Yours,

Robinson Engineering, LTD.

A handwritten signature in black ink, appearing to read 'David C. Bohac', is written over a faint watermark that says 'Property of Cook County Clerk's Office'.

David C. Bohac
Resident Engineer

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Mallow Construction Co.

P.O. Box 877 • Tinley Park, Illinois 60477
Phone 708.429.0014 • Fax 708.429.0017

March 5, 2004

Mr David C. Bohac
20645 LaGrange Road, Suite 201
P.O. Box 1267
Frankfort, Illinois 60423-1267

Re: 8120 Abbey Road, Tinley Park

Dear Dave

The letter is to inform you that Mallow Construction Co. will install gutter down spouts that will carry any water from the north and south along the property line at the above mentioned property.

If you have questions please do not hesitate to call me.

Yours sincerely,

Michael Murphy
President

Property of Cook County Clerk's Office

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March 11, 2004

Village President
Edward J. Zabrocki

Charles P. Sears
Director of Public Works
16250 S Oak Park Avenue
Tinley Park, IL 60477

Village Clerk
Frank W. German, Jr.

Regarding: Proposed Public Right of Way Use
Encroachment of Permanent Structure
Address 8120 Abbey Road

Village Trustees
Patrick E. Rea
David G. Seaman
Gregory J. Hannon
Michael H. Bettenhausen
Matthew J. Heffernan
Brian S. Maher

Dear Mr. Sears:

I understand that any pool, deck, shed, fence or landscaping placed upon the public right-of-way will be my responsibility to maintain, repair, and replace if necessary, due to any damage by the Village or other public agencies, or due to normal wear and tear.

Village Hall
16250 S. Oak Park Ave.
Tinley Park, IL 60477

I also understand that as a condition of the Village of Tinley Park granting permission to utilize the public right-of-way abutting the Subject Property for the aforesaid purposes, the undersigned owner agrees to protect, indemnify, defend and hold harmless the Village of Tinley Park against any and all claims, costs, actions, losses, limited to attorneys' fees, on account of any injuries to persons or property resulting directly or indirectly from acts or omissions by the undersigned owner, its contractors, sub contractor, or agents or employees in conjunction with the use of the public right-of-way abutting the Subject Property for the aforesaid purposes.

Administration
(708) 444-5000
Fax: (708) 444-5099

By Village Ordinance, I agree to maintain and keep open all drainage swales.

Building & Planning
(708) 444-5100
Fax: (708) 444-5199

Public Works
(708) 444-5500

Sincerely,
Michael Murphy

Homeowners Signature

Police Department
7850 W. 183rd St.
Tinley Park, IL 60477
(708) 444-5300/Non emergency
Fax: (708) 444-5399

3-11-04
Date

John T. Dunn
Public Safety Building
17355 S. 68th Court
Tinley Park, IL 60477

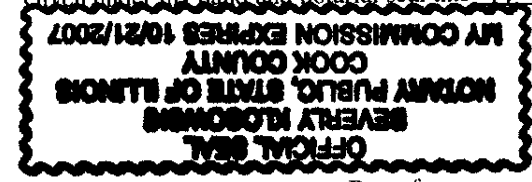
cc: Attach to Occupancy Permit

Fire Department & Prevention
(708) 444-5200/Non-emergency
Fax: (708) 444-5299

I, *Beverly Kozowski* a Notary Public in Cook County, in the State of Illinois, do hereby certify that *Michael Murphy* is/are personally known to me to be the same person(s) whose name(s) is/are here subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that he/she/they signed, sealed, and delivered said instrument as his/her/their free and voluntary act for the uses and purposes therein set forth.

ESDA
(708) 444-5600
Fax: (708) 444-5699

Given under my hand and notarial seal this 11th Day of March, 2004.



Senior Community Center
(708) 444-5150

Recorded this _____ Day of _____ In the year 2004, with the Cook County Recorder of Deeds.

www.tinleypark.org

