

Doc#: 0436214282

Eugene "Gene" Moore Fee: \$58.00 Cook County Recorder of Deeds Date: 12/27/2004 01:24 PM Pg: 1 of 5

ACKNOWLEDGEMENT AND WAIVER

THIS AGREEMENT, made this day of <u>lecember</u>, 2004 by and between SHERIDAN GRANDE PARTNERS, LLC, an Illinois limited liability company, (the "Developer") and the undersigned condominium association, an Illinois not for profit corporation, (the "Association").

RECITALS

WHEREAS, EXECUTIVE DRIVE, LLC ("Developer") is the contract purchaser of real property located at 4848 Sheridan Road, Chicago Illinois (the "Property" legally described on Exhibit "A" attached hereto); and

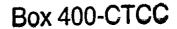
WHEREAS, the Association owns certain real propercy located adjacent to and immediately to the north of the Property and including a portion of Lot 1 as further described on the Plat of Subdivision (the "Plat" attached hereto as Exhibit "B"); and

WHEREAS, the Association has agreed to abrogate a 30-foot Building Set-Back Restriction (the "Restriction" recorded as Cook County document number 239,2327) as set forth on the Plat and under the terms and conditions set forth herein.

AGREEMENT

NOW THEREFORE, for mutual consideration, the receipt of which is hereby acknowledged and received, it is hereby agreed as follows:

1. <u>Acknowledgment.</u> The Association hereby acknowledges that one or more buildings as indicated on the attached Plat currently encroach upon the 30-Foot setback Restriction. The Association further acknowledges that the prior structure located on the Property (namely the Teamster's Local Credit Union) also encroached upon the



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30-foot set-back Restriction prior to the destruction of the Teamster's Local Credit Union Building by fire.

- 2. <u>Abrogation and Waiver.</u> The Association hereby waives any and all rights of enforcement of the 30-foot building set-back Restriction with respect to the Property. The Association further agrees that the 30-foot Building set-back Restriction is abrogated and abandoned with respect to the Property.
- 3. <u>Developer's Waiver</u> The Developer hereby waives any and all right to mitigate the encroachment of any building owned, in whole or in part, by the Association (the "Association Encroachment") onto the Property and further agrees not to pursue any action as a result of the Association Encroachment.
- 4. <u>Counterparts.</u> This Agreement may be executed in multiple counterparts, all of which, together, shall constitute one and the same agreement. Further, photocopies, facsimile transmissions and other reproductions of this Agreement and / or the signatures hereon shall be the equivalent of originals.

IN WITNESS WHEREOF, the undersigned have executed this Agreement as of the date first written above.

SHERIDAN GRANDE PARTNERS, LLC

By: Capital Realty & Development, L.L.C., its Manager

Pichard P. Turasiyu Ir. Managar

SHERIDAN AINSLIE

CONDOMINIUM ASSOCIATION

By:

0436214282 Page: 3 of 5

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STATE OF ILLINOIS)	**the President of the St Condominium Association,	
COUNTY OF COOK)	profit corporation as its	
I, the undersigned, a notary DO HEREBY CERTIFY that	IS subscribed to the foregoing in	ally known to me to be a strument, appeared
Given under my hand and o	fficial seal this <u>2</u> day of <u>Nec</u>	eruber, 2004
OFFICIAL SEAL ROBERT R. BROOKE NOTARY PUBLIC, STATE OF ILLIP CIS MY COMMISSION EXPIRES 10-18-2007	Notary Public	
Commission expires:	0/07	
STATE OF ILLINOIS)	0,	
COUNTY OF COOK)	978	
I, the undersigned, a notary public in and for said County, in the State aforesaid, DO HEREBY CERTIFY that Rich Processor personally known to me to be the same person(s) whose name(s) Is subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that Us signed, sealed and delivered the said instrument as His free and voluntary act, for the uses and purposes therein set forth. Given under my hand and official seal this day of December 2004		
	Den Bro	
	Notary Public	OFFICIAL SEAL.
Commission expires: 3-14-	-67	EILEÉN BROWNWORTH NOTARY PUBLIC - STATE OF ILLINOIS MY COMMISSION EXPIRES: 03-14-07

4505 N. Elston Avenue

Chicago, Illinois 60630

Telephone: (773) 685-5102 Fax: (773) 286-4184

Illinois Land Surveyor Corporation No. 16

License No. 184-002761

Plat of Survey

ALTA / ACSM Land Title Survey

Lots 2 to 7 and the North 15 feet of Lot 8 in George Lilis Sheridan Road Addition to Chicago, being a subdivision of the Southeast Fractional Quarter of Section 8, Township 40 North, Range 14 East of the Third Principal Meridian (except that part taken for widening of Sheffield Avenue) in Cook County, Illinois.

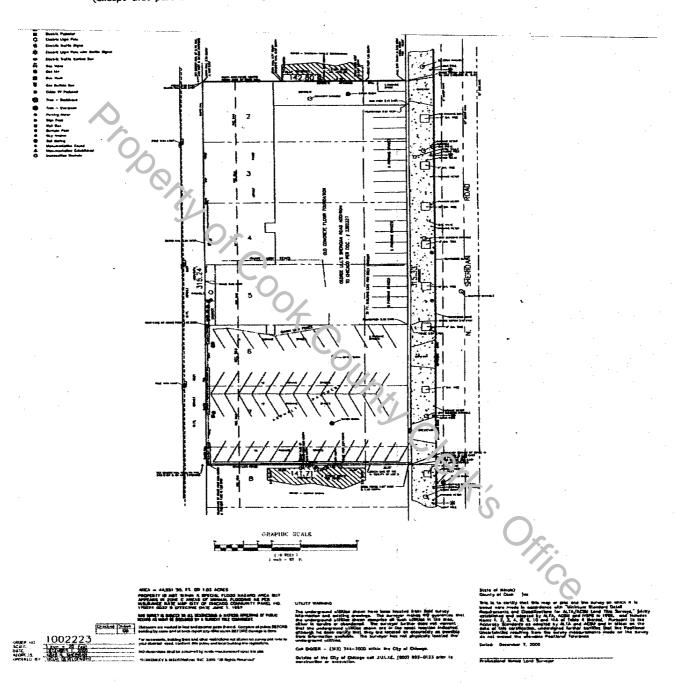


EXHIBIT A – THE PROPERTY

PIN# 14-08-416-018

0436214282 Page: 5 of 5

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EXHIBIT B – THE PLAT



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