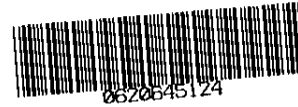


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Doc#: 0620645124 Fee: \$36.00
Eugene "Gene" Moore RHSP Fee: \$10.00
Cook County Recorder of Deeds
Date: 07/25/2008 03:29 PM Pg: 1 of 7

AFTER RECORDING, RETURN TO:

Yum! Brands, Inc. Real Estate
17901 Von Karman Avenue
Irvine CA 92614
Attention: Law Department-Real Estate
Site No. 12 C582/301660
Streamwood, IL

(Above for Recorder's Use Only)

DECLARATION OF RESTRICTIVE COVENANT

WHEREAS, under the Shopping Center Ground Lease dated October 5, 2004 (the "Lease"), V-Land Streamwood Irving Park LLC, an Illinois limited liability company ("Landlord") agreed to lease to Taco Bell Corp., a California corporation ("Tenant"), real property described on Exhibit "A" (the "Premises"); and

WHEREAS, the Lease states that Landlord shall restrict the real property comprising the Shopping Center ("Shopping Center"), all of which is described on Exhibit "B";

NOW THEREFORE, for valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Landlord covenants and agrees as follows:

1. Landlord shall not lease or consent to the assignment or sublease of any real property leased or owned by Landlord in the Center (other than the Premises) for the sale of prepared Mexican food, or seafood or prepared seafood products, except as an incidental use of no more than 10% of gross sales of each such food item.

The foregoing shall not apply to sit down, full service restaurants and do not offer fast food (a) over the counter, except for incidental sales, or (b) by means of a drive-through service.

2. The Shopping Center shall not be used in any manner which interferes with access to the Premises or which materially and adversely interferes with the visibility from streets adjacent to the Premises of Tenant's improvements on the Premises, including Tenant's building and signs.

Box 400

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3. These restrictions are for the benefit of Tenant and run with the Premises and the Shopping Center, and are for the benefit of and binding upon all successive owners and occupants of the Premises and the Shopping Center.

4. This instrument shall be recorded in each county or parish in which the Premises and the Shopping Center are located and shall expire automatically upon the expiration of the Lease. Exhibits A is incorporated herein by this reference.

5. Failure to comply with any of the foregoing restrictions be grounds for relief which may include, without limitation, an action to recover damages, injunctive relief or any combination thereof.

IN WITNESS WHEREOF, the undersigned has executed this Declaration of Restrictive Covenant as of the date set forth above.

Landlord:

Streamwood Irving Park LLC
an Illinois limited liability company

By: [Signature]
Name: Steven J. Parko
Title: Manager
Date: 7/10/06

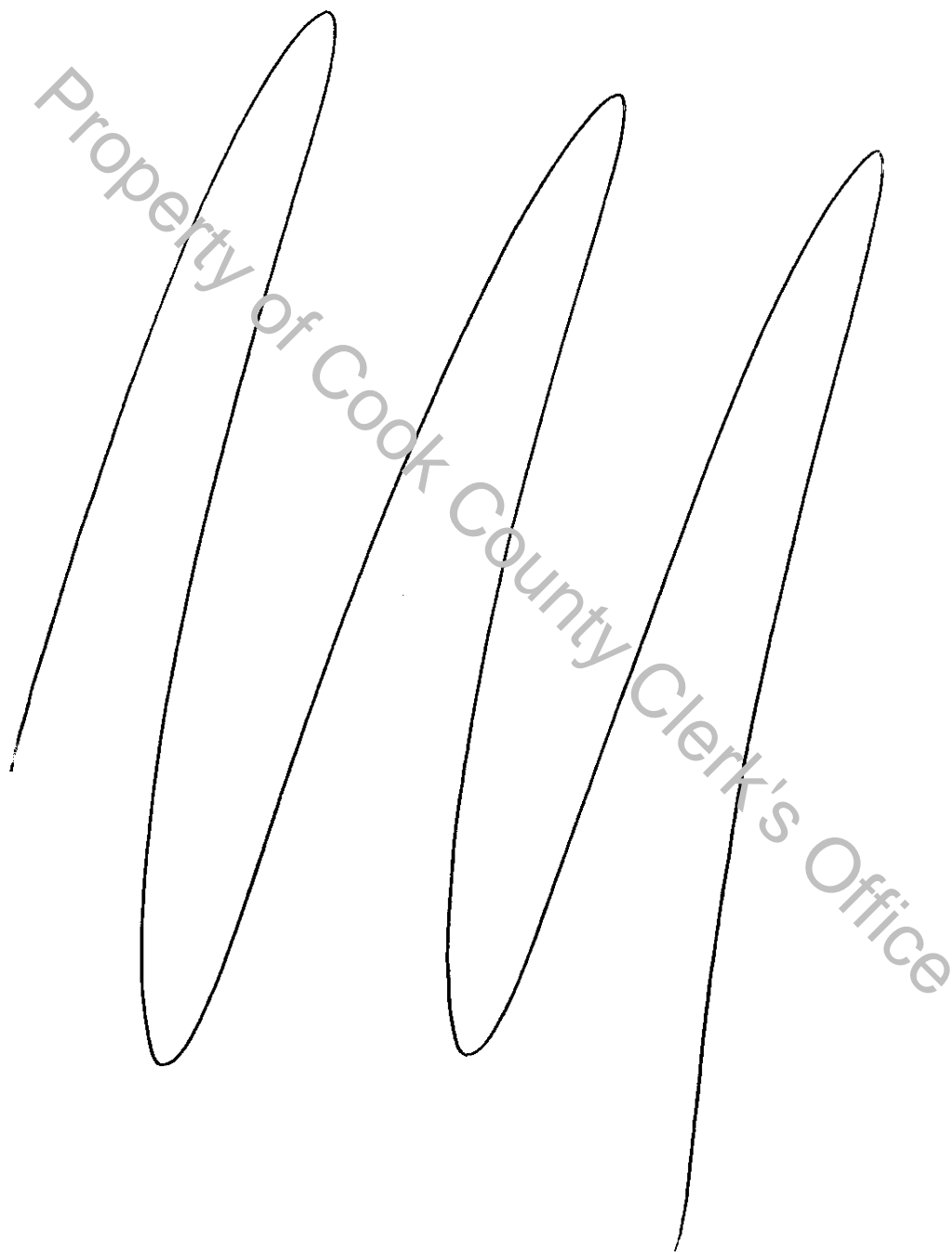
PLEASE ATTACH ALL EXHIBITS

ALL SIGNATURES MUST BE NOTARIZED

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EXHIBIT A PREMISES LEGAL DESCRIPTION

Property of Cook County Clerk's Office



UNOFFICIAL COPY**EXHIBIT "A"**

PARCEL 1:

LOT 2 IN FINAL SUBDIVISION PLAT OF STREAMWOOD 1 SUBDIVISION, BEING A SUBDIVISION OF PART OF SECTION 22, TOWNSHIP 41 NORTH, RANGE 9 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED FEBRUARY 16, 2005 AS DOCUMENT 0504703099, IN COOK COUNTY, ILLINOIS.

ALSO KNOWN AS:

THAT PART OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 22, TOWNSHIP 41 NORTH, RANGE 9 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT ON THE NORTH LINE OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 22, A DISTANCE OF 96.5 FEET EAST OF THE NORTHWEST CORNER OF SAID SOUTHWEST 1/4 OF THE SOUTHWEST 1/4, SAID POINT ALSO BEING ON THE EAST RIGHT OF WAY LINE OF ILLINOIS ROUTE #59 AS DEDICATED PER DOCUMENT #11200331; THENCE NORTH 88 DEGREES 11 MINUTES 33 SECONDS EAST, ALONG SAID NORTH LINE, A DISTANCE OF 337.92 FEET; THENCE SOUTH 00 DEGREES 15 MINUTES 49 SECONDS EAST, PARALLEL WITH SAID EAST RIGHT OF WAY LINE OF ILLINOIS ROUTE #59, A DISTANCE OF 166.93 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING SOUTH 00 DEGREES 15 MINUTES 49 SECONDS EAST; PARALLEL WITH SAID EAST RIGHT OF WAY LINE OF ILLINOIS ROUTE #59, A DISTANCE OF 114.46 FEET; THENCE SOUTH 89 DEGREES 45 MINUTES 47 SECONDS WEST, A DISTANCE OF 325.82 FEET, TO A POINT 11.97 FEET EASTERLY OF THE EAST RIGHT OF WAY LINE OF ILLINOIS ROUTE #59 AS DEDICATED PER DOCUMENT #11200331; THENCE NORTH 00 DEGREES 15 MINUTES 49 SECONDS WEST, ALONG A LINE 11.97 FEET EASTERLY OF AND PARALLEL TO SAID EAST RIGHT OF WAY LINE OF ILLINOIS ROUTE #59, A DISTANCE OF 114.46 FEET TO A POINT; THENCE NORTH 89 DEGREES 45 MINUTES 47 SECONDS EAST A DISTANCE OF 325.82 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS.

PARCEL 2:

EASEMENTS FOR THE BENEFIT OF PARCEL 1 AS CREATED BY THE DECLARATION OF EASEMENTS, COVENANTS, CONDITIONS AND RESTRICTIONS RECORDED JANUARY 6, 2006 AS DOCUMENT 0600634058 FOR STORMWATER MANAGEMENT FACILITIES AND DRAINAGE; INGRESS AND EGRESS, PARKING, SANITARY SEWERS, WATER LINES, SIGNAGE, CONSTRUCTION OF COMMON FACILITIES, AND SNOW REMOVAL OVER THE COMMON AREAS LOCATED ON LOTS 1 AND 3 OF AFORESAID SUBDIVISION.

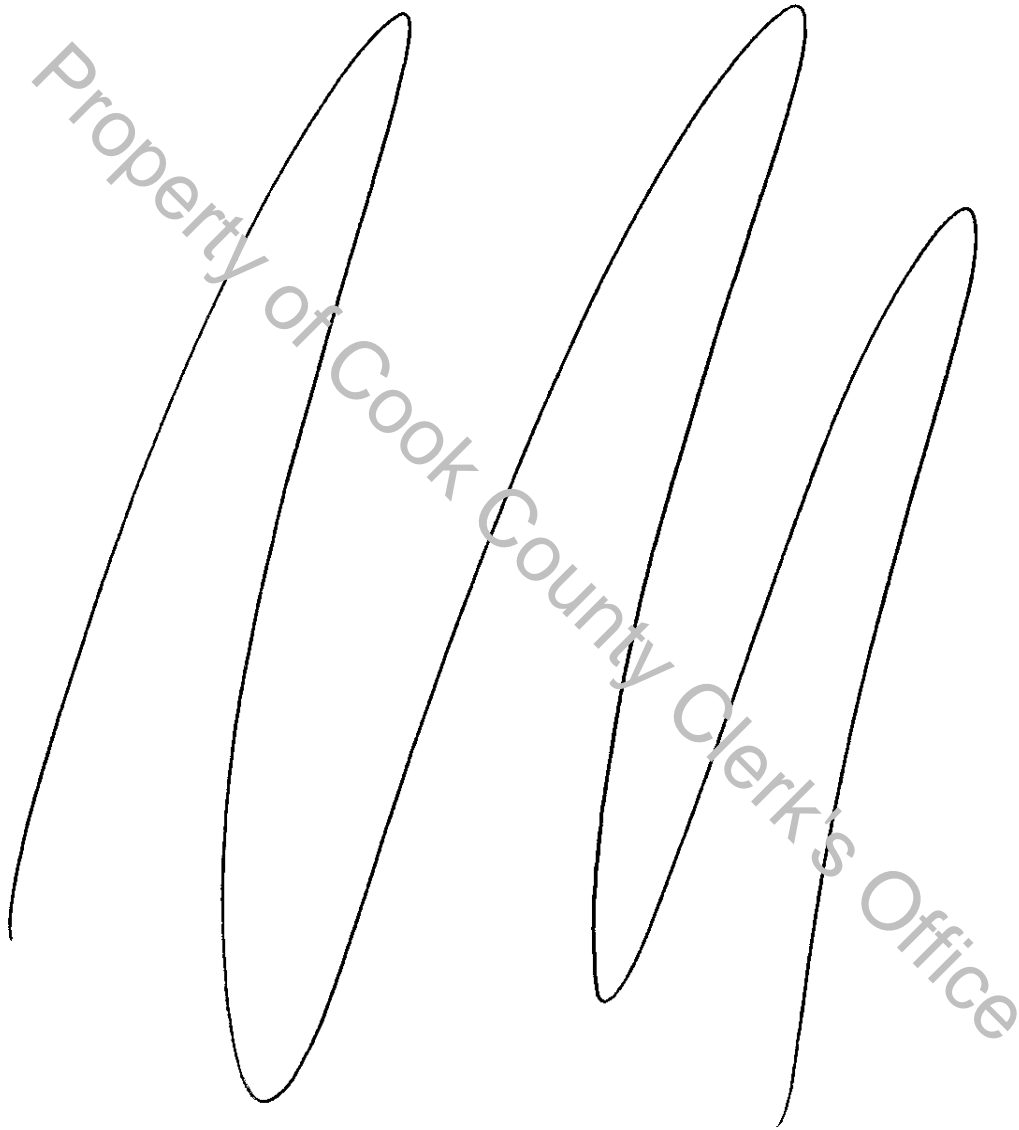
Tax #'s 06-22-302-001

06-22-302-010

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EXHIBIT B SHOPPING CENTER LEGAL DESCRIPTION

Property of Cook County Clerk's Office

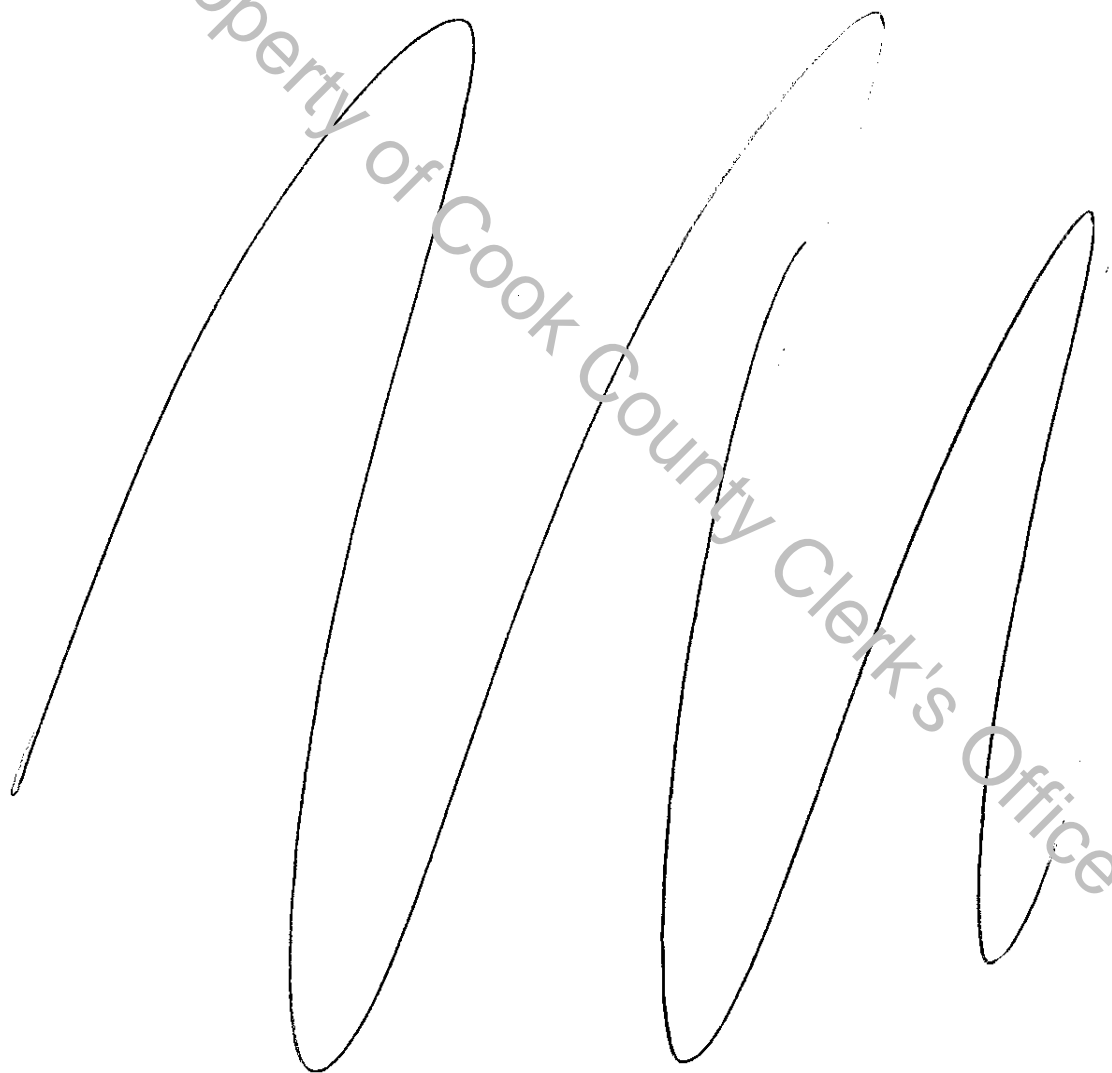


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Exhibit B

“Lots 1 and 3 in Final Subdivision Plat of Streamwood 1 Subdivision, Being a Subdivision of Part of Section 22, Township 41 North, Range 9 East of the Third Principal Meridian, According to the Plat Thereof Recorded February 16, 2005 as document 05047030909, in Cook County, Illinois

Property of Cook County Clerk's Office



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ALL-PURPOSE ACKNOWLEDGMENT

State of Illinois

County of Cook

On July 10 2006 before me, Betty G Sellas - Notary Public
Name, Title of Officer - E.G., "Jane Doe, Notary Public"

Date

Personally appeared Steve Panko
Name(s) of signer(s)

Name(s) of signer(s)

personally known to me OR proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies) and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person acted, executed the instrument.

"OFFICIAL SEAL"
BETTY G. SELLAS
Notary Public, State of Illinois
My Commission Expires 11/29/09

Witness my hand and official seal

Betty G. Sellas
SIGNATURE OF NOTARY

CAPACITY CLAIMED BY SIGNER

INDIVIDUAL(S)

CORPORATE OFFICER(S)

TITLE(S)

PARTNER(S)

ATTORNEY-IN-FACT

TRUSTEE(S)

SUBSCRIBING WITNESS

GUARDIAN/CONSERVATOR

OTHER

SIGNER IS REPRESENTING:

NAME OF PERSON(S) OR ENTITY(IES)