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Ticor Title Insurance

Doc#: 0713110062 Fee: \$34.00
Eugene "Gene" Moore RHSP Fee: \$10.00
Cook County Recorder of Deeds
Date: 05/11/2007 11:42 AM Pg: 1 of 6

sq9136

PREPARED BY AND RETURN TO:
CLIFFORD SILVERMAN
18400 MAPLE CREEK DR.
SUITE 700
TINLEY PARK, IL 60477

EASEMENT AGREEMENT

BOX 15

RECORDING FEE 34
DATE 5/11/07
AE

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EASEMENT AGREEMENT

AGREEMENT made this 18TH day of April, 2007, by and between George E. Mitchell and Mary Kay Mitchell, Trustees under the George E. Mitchell and Mary Kay Mitchell Living Trust, dated May 10, 2004 and M. Durkin, Inc.

WITNESSETH

WHEREAS, M. Durkin, Inc. is the legal owner of certain real estate hereinafter referred to as "Parcel 3" or "Servient Parcel"; and

WHEREAS, George E. Mitchell and Mary Kay Mitchell, Trustees under the George E. Mitchell and Mary Kay Mitchell Living Trust, dated May 10, 2004 are the owners of certain real estate hereinafter referred to as "Parcel 1" or "Dominant Parcel";

WHEREAS, the parties wish to create an easement for ingress and egress over and across the Servient Parcel in favor of and inuring to the benefit of the Dominant Parcel;

NOW THEREFORE, in consideration of the premises and for other good and valuable considerations it is agreed as follows:

1. M. Durkin, Inc. is the legal owner of the following described real estate (hereinafter referred to as "Parcel 3" or "Servient Parcel"):

THE SOUTH 27.07 FEET OF THAT PART OF THE WEST 1/2 OF THE SOUTHEAST 1/4 OF SECTION 31, TOWNSHIP 36 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, BOUNDED AND DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHEAST CORNER OF LOT 1 IN THE SUBDIVISION OF LOT 6 IN THE COUNTY CLERK'S DIVISION OF THE WEST 1/2 OF THE SOUTHEAST 1/4 OF SAID SECTION, ACCORDING TO THE PLAT THEREOF RECORDED OCTOBER 21, 1927, AS DOCUMENT NO. 9816722, IN BOOK 253 OF PLATS, PAGE 2; THENCE WEST ALONG THE NORTH LINE OF SAID LOT 1, 297 FEET TO THE EAST LINE OF DIXIE HIGHWAY; THENCE NORTH ALONG SAID EAST LINE OF DIXIE HIGHWAY; 346 FEET; THENCE EAST

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PARALLEL WITH THE NORTH LINE OF SAID LOT 1, 297 FEET; THENCE SOUTH PARALLEL WITH THE WEST LINE OF THE SOUTHEAST 1/4 OF SAID SECTION, 346 FEET TO THE PLACE OF BEGINNING, IN COOK COUNTY, ILLINOIS; EXCEPT THE EAST 99 FEET OF THAT PART OF THE WEST 1/2 OF THE SOUTHEAST 1/4 OF SECTION 31, BOUNDED AND DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHEAST CORNER OF LOT 1 IN THE SUBDIVISION OF LOT 6 AFORESAID; THENCE WEST ALONG THE NORTH LINE OF SAID LOT 1, 297 FEET TO THE EAST LINE OF DIXIE HIGHWAY; THENCE NORTH ALONG SAID EAST LINE OF DIXIE HIGHWAY 27.07 FEET; THENCE EAST PARALLEL WITH THE NORTH LINE OF LOT 1 AFORESAID, 297 FEET; THENCE SOUTH PARALLEL WITH THE WEST LINE OF THE SOUTHEAST 1/4 OF SECTION 31, 27.01 FEET TO THE POINT OF BEGINNING IN COOK COUNTY, ILLINOIS.

P.I.N. 29-31-409-073

2. George E. Mitchell and Mary Kay Mitchell, Trustees under the George E. Mitchell and Mary Kay Mitchell Living Trust, dated May 10, 2004 are the owners of the following described real estate (hereinafter referred to as "Parcel 1" or "Dominant Parcel"):

THE NORTH 24.95 FEET OF THE SOUTH 81 FEET EXCEPT THE EAST 99 FEET OF THAT PART OF THE WEST 1/2 OF THE SOUTHEAST 1/4 OF SECTION 31, TOWNSHIP 36 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, BOUNDED AND DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHEAST CORNER OF LOT 1 IN THE SUBDIVISION OF LOT 6 IN THE COUNTY CLERK'S DIVISION OF THE WEST 1/2 OF THE SOUTHEAST 1/4 OF SAID SECTION, ACCORDING TO THE PLAT THEREOF RECORDED OCTOBER 21, 1927, AS DOCUMENT NO. 9816722, IN BOOK 253 OF PLATS, PAGE 2; THENCE WEST ALONG THE NORTH LINE OF SAID LOT 1, 297 FEET TO THE EAST LINE OF DIXIE HIGHWAY; THENCE NORTH ALONG SAID EAST LINE OF DIXIE HIGHWAY; 346 FEET; THENCE EAST PARALLEL WITH THE NORTH LINE OF SAID LOT 1, 297 FEET; THENCE SOUTH PARALLEL WITH THE WEST LINE OF THE SOUTHEAST 1/4 OF SAID SECTION, 346 FEET TO THE PLACE OF BEGINNING, IN COOK COUNTY, ILLINOIS.

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P.I.N. 29-31-409-078

3. The parties hereby and herewith create an easement for ingress and egress, only, in favor of the Dominant Parcel, being Parcel 1, upon that part of the Servient Parcel, being Parcel 3, which is described as follows:

THE EAST 20 FEET OF THE SOUTH 27.07 FEET OF THAT PART OF THE WEST 1/2 OF THE SOUTHEAST 1/4 OF SECTION 31, TOWNSHIP 36 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, BOUNDED AND DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHEAST CORNER OF LOT 1 IN THE SUBDIVISION OF LOT 6 IN THE COUNTY CLERK'S DIVISION OF THE WEST 1/2 OF THE SOUTHEAST 1/4 OF SAID SECTION, ACCORDING TO THE PLAT THEREOF RECORDED OCTOBER 21, 1927, AS DOCUMENT NO. 9816722, IN BOOK 253 OF PLATS, PAGE 2; THENCE WEST ALONG THE NORTH LINE OF SAID LOT 1, 297 FEET TO THE EAST LINE OF DIXIE HIGHWAY; THENCE NORTH ALONG SAID EAST LINE OF DIXIE HIGHWAY; 346 FEET; THENCE EAST PARALLEL WITH THE NORTH LINE OF SAID LOT 1, 297 FEET; THENCE SOUTH PARALLEL WITH THE WEST LINE OF THE SOUTHEAST 1/4 OF SAID SECTION, 346 FEET TO THE PLACE OF BEGINNING, IN COOK COUNTY, ILLINOIS; EXCEPT THE EAST 99 FEET OF THAT PART OF THE WEST 1/2 OF THE SOUTHEAST 1/4 OF SECTION 31, BOUNDED AND DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHEAST CORNER OF LOT 1 IN THE SUBDIVISION OF LOT 6 AFORESAID; THENCE WEST ALONG THE NORTH LINE OF SAID LOT 1, 297 FEET TO THE EAST LINE OF DIXIE HIGHWAY; THENCE NORTH ALONG SAID EAST LINE OF DIXIE HIGHWAY 27.07 FEET; THENCE EAST PARALLEL WITH THE NORTH LINE OF LOT 1 AFORESAID, 297 FEET; THENCE SOUTH PARALLEL WITH THE WEST LINE OF THE SOUTHEAST 1/4 OF SECTION 31, 27.01 FEET TO THE POINT OF BEGINNING IN COOK COUNTY, ILLINOIS.

as set forth in the survey dated APRIL 24, 2007 prepared by Kevin M. Westerkamp ~~attached~~

~~hereto as Exhibit "A."~~ **JOB B+G NO. 1073986 EASE**

This easement is superior and paramount to the rights of any of the parties hereto in the

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Servient Parcel and the parties agree that it is a covenant that shall run with the land.

4. It is agreed that the cost of maintenance and repair for which this easement is granted is the liability of the owners of the Dominant Parcel without cost or expense therefor to the owners of the Servient Parcel.

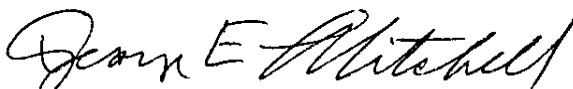
5. The parties hereto acknowledge that both parties hereto will have rights of ingress or egress upon the property which is the subject of this grant and that such rights of ingress or egress will be non-exclusive as to the parties hereto.

6. The owners of the Dominant Parcel agree to indemnify and hold harmless the owners of the Servient Parcel as against any loss or damage reasonably sustained to the Servient Parcel, or the title thereto, by reason of the maintenance of the aforesaid easement grant.

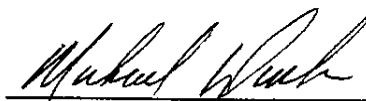
7. The parties acknowledge that this Agreement shall be binding upon the parties hereto, their heirs, executors, administrators, personal representatives, successors, beneficiaries and assigns and, in this regard, the parties hereto agree to cause any and all conveyances of any of the real estate described herein as either Dominant or Servient Parcels (or any part thereof) to be made subject to the terms and conditions of this Agreement.

IN WITNESS WHEREOF, this Agreement has been executed the day and year first above written.

M. DURKIN, INC.



GEORGE E. MITCHELL, Trustee under the
George E. Mitchell and Mary Kay Mitchell
Living Trust dated May 10, 2004

By: 

President

THIS INSTRUMENT WAS PREPARED BY:
Clifford A. Silverman ♦ 18400 Maple Creek Drive, Suite 700 ♦ Tinley Park, IL 60477

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STATE OF ILLINOIS]
]
COUNTY OF COOK, SS]

I, Tammy L. Mazur, a notary public in and for the county in the state aforesaid, do hereby certify that Michael Durkin, President of M. DURKIN, INC., personally known to me to be the same person whose name is subscribed to the foregoing instrument as such President, appeared before me this day in person and acknowledged that he/she signed and delivered the said instrument as his/her own free and voluntary act and as the free and voluntary act of said Company, for the uses and purposes therein set forth

GIVEN under my hand and notarial seal this 25th day of April, 2007.

commission expires: 5/12/2010

Tammy L. Mazur
Notary Public



Property of Cook County Clerk's Office