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**THIS DOCUMENT WAS PREPARED BY:**

Klein Thorpe & Jenkins, Ltd.  
20 North Wacker Drive, Suite 1660  
Chicago, IL 60606  
Michael A. Marrs, Esq.

Doc#: 0911829054 Fee: \$40.00  
Eugene "Gene" Moore  
Cook County Recorder of Deeds  
Date: 04/28/2009 03:17 PM Pg: 1 of 3

**AFTER RECORDING RETURN TO:**

Cook County: Recorders Box 324 (MAM)

~~Will County:~~  
~~Klein Thorpe & Jenkins, Ltd.~~  
~~20 North Wacker Drive, Suite 1660~~  
~~Chicago, IL 60606~~  
~~Attn: Michael A. Marrs~~

[The above space for recording purposes]

## RIGHT-OF-WAY ENCROACHMENT WAIVER AND AGREEMENT

**RE: Proposed Public Right-of-Way use for brick paver/decorative concrete/asphalt driveway approach/brick mailboxes/lawn sprinkler heads/decorative landscaping and/or proposed easement encroachment for pool/deck/fence/shed/retaining wall/patio and/or service walk.**

✓ I/We, Michael and Sunita Sharma, represent that we are the legal owners of real property commonly known as:

18019 Sippel, Tinley Park, Illinois 60477.  
insert property address

✓ PIN(S) #: 27-35-305-041-0000

(Survey of property containing legal description of said property is attached and made a part hereof as "EXHIBIT A")

I/We are undertaking the following Project at the above stated Property that will encroach on the Public Right-of-Way:

Project: UNDERGROUND IRRIGATION SYSTEM

I/We understand that the Village Code does not allow for the construction of a driveway in the public right-of-way surfaced with any material other than concrete or asphalt. I/We agree that the driveway to be constructed in the public right-of-way at the above address out of brick paver/decorative concrete/embossed or colored asphalt 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.

I/We further understand that, on streets without curbs, the decorative drive must end no less than two feet from the edge of existing pavement.

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I/We understand that the Village will allow the construction of a pool/deck/fence/shed/retaining wall/patio and/or service walk encroaching upon an easement to require the written permission of each utility affected by the subject construction.

I/We agree that the pool/deck/fence/shed/retaining wall/patio and/or service walk encroaching upon the easement at the above address, 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.

I/We also understand Village Codes do not permit any obstructions in the Public Right-of-Way and that any lawn sprinkler systems, brick mailboxes, decorative 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.

I/We covenant and agree that all construction taking place on the Project will be in accordance with the Village Building Codes.

I/We 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 and/or easement encroachment for the aforesaid purposes, the undersigned owner(s) covenants and agrees not to sue and to protect, indemnify, defend, and hold harmless the Village of Tinley Park against any and all claims, costs, actions, losses, demands, injuries and expenses of whatever nature ("Claims"), including, but not limited to attorneys' fees, on such uses being located in the public right-of-way and/or easement encroachment and/or from acts or omissions by the undersigned owner, its contractors, sub contractors, or agents or employees in maintaining the same and/or conjunction with the use of the public right-of-way abutting the Subject Property and/or easement encroachment for the aforesaid purposes.

I/We understand that the terms and conditions contained herein apply uniquely to the Public Right-of-Way and Easements of the property at the above address as legally described in Exhibit A and it is the intent of myself and the Village to have the terms and conditions of this instrument run with the land and be binding on subsequent purchasers.

This document shall be notarized and recorded with the Cook/Will County Recorder of Deeds.

**NOTE: ALL OWNERS MUST SIGN**

*Gaganand*  
Homeowner Signature  
Date: 4/3/09

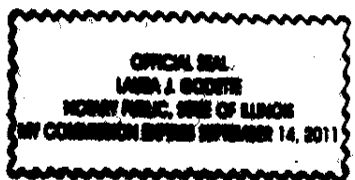
*Sunita Sharma*  
Homeowner Signature (if more than one)  
Date: 4/3/09

NOTARY: STATE OF ILLINOIS, COUNTY OF Cook ) SS

I, Laura J. Godette, a Notary Public in Cook/Will County, in the State of Illinois, do hereby certify that Gaganand/Sunita Sharma 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. Given under my hand and notarial seal this 3<sup>rd</sup> day of April, 2009.

Notary Signature: *Laura J. Godette*

[SEAL]



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194184-170(Lots-27)Lot19PP  
02-18-01 • 8.5



## PERMIT PLAT

by **EDMUND M. BURKE ENGINEERING, LTD.**  
4101 Floormoor Road, Country Club Hills, Illinois 60478  
Phone: (708) 799-1000 Fax: (708) 799-1222



of  
Lot 41 in TOWN POINTE SINGLE FAMILY UNIT 1, being a subdivision of part  
of the Southwest 1/4 of Section 35, Township 36 North, Range 12 East  
of the Third Principal Meridian, in Cook County, Illinois.

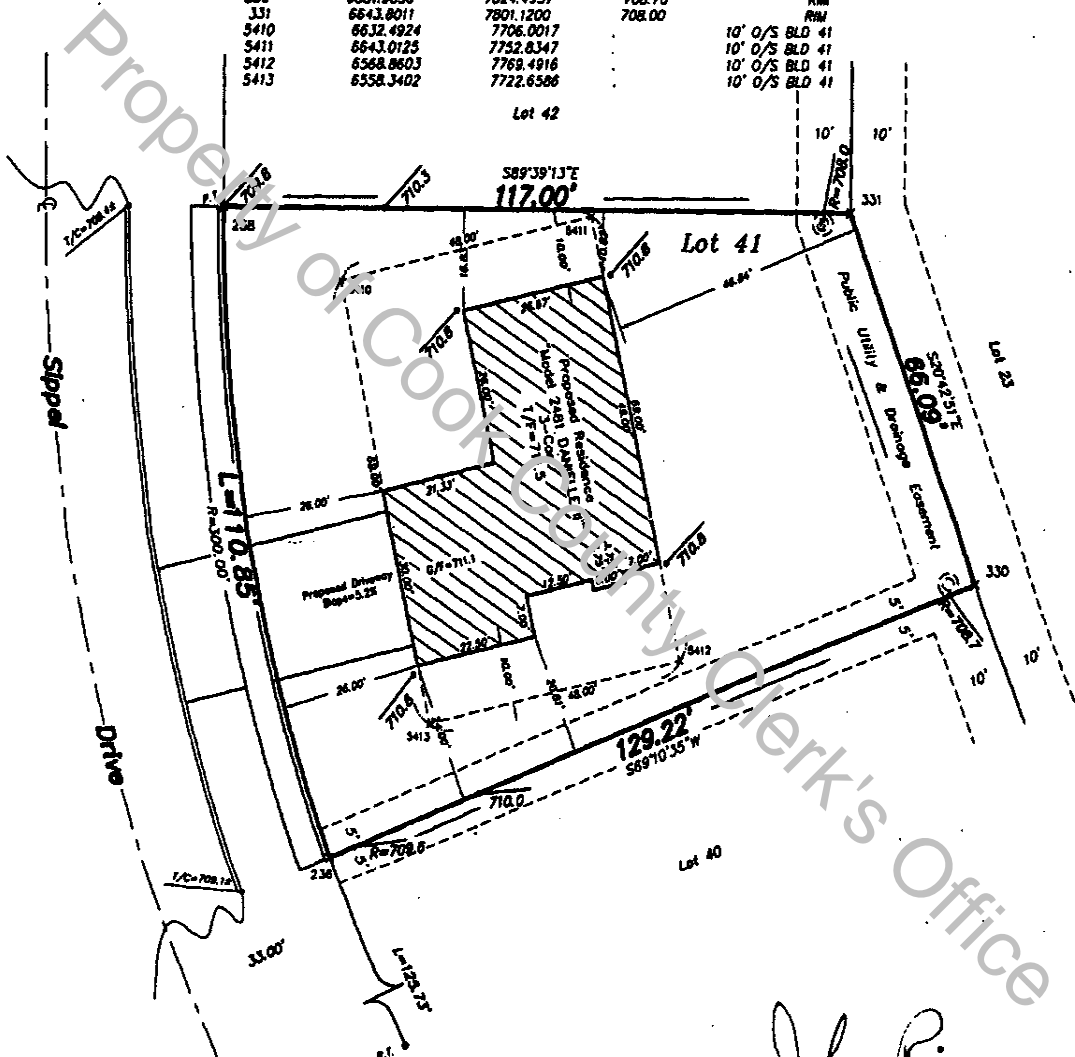
Permit 17019 Suppl

Property Address:  
18019 Sappel Drive  
Triley Park, Illinois

Area of Lot: 10,983 Square Feet or 0.25± Acres  
(Area Information Requested by Client)

**NOTE:**  
THE CONTRACTOR SHALL VERIFY BUILDING DIMENSIONS WITH ARCHITECTURAL PLANS. IF ANY DISCREPANCY IS NOTED ON THE PLOT PLAN OR ON CONSTRUCTION LAYOUT THE CONTRACTOR SHALL CONTACT THE ENGINEER TO RESOLVE THE DIFFERENCE.

Point	Northing	Easting	Elevation	Description
236	6336.0476	7703.7127	708.10	T/C GRADE
238	6644.5085	7684.1221	708.40	T/C GRADE
330	6581.8855	7824.4957	708.70	RIM
331	6643.8011	7801.1200	708.00	RIM
5410	6632.4924	7706.0017		10' O/S BLD 41
5411	6643.0125	7752.8347		10' O/S BLD 41
5412	6568.8603	7768.4916		10' O/S BLD 41
5413	6358.3402	7722.6586		10' O/S BLD 41



**Legend**

- Existing Spot Elevation
- Proposed Spot Elevation
- Direction of Flow
- Existing Contours
- Proposed Contours

State of Illinois) s.s.  
County of Cook)

We, EDMUND M. BURKE ENGINEERING, LTD., do hereby certify that a land survey has been made under our supervision of the above described property and that the plat herein drawn is a representation of said survey. Distances are shown in feet and decimal parts thereof.

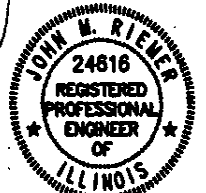
The information contained on this plat is designed for the sole benefit of the Owner/Client. We assume no liability whatsoever for the unauthorized use or reuse of this document.

Country Club Hills, Illinois      Date: May 6, 1999

ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 035-002182  
DONALD R. SMITH

© Edmund M. Burke Engineering, Ltd., 1999

*John Riemer*  
Illinois Professional Engineer No. 24816  
John Riemer



## PERMIT PLAT

ORDERED BY: Hartz Construction

SCALE: 1" = 20' ORDER No. 94-170-41