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Route: Wright Blvd (FAU 1351)  
Section: 06-00090-00-PV  
Job No.: R-55-001-97  
County: Cook  
Parcel No.: 0006  
Owner: The Realty Associates Fund VII, L.P.  
Index No.: 07-33-402-004-0000  
Address: 800 Albion Avenue, Schaumburg, IL 60193

Doc#: 0934431045 Fee: \$46.00  
Eugene "Gene" Moore RHSP Fee: \$10.00  
Cook County Recorder of Deeds  
Date: 12/10/2009 12:10 PM Pg: 1 of 6

**Return to:**

**Wheatland Title Guaranty**

**105 W. Veterans Parkway, Yorkville, IL 60580**

JAI-CO-5632.0  
(2/2)

**AGREEMENT FOR TEMPORARY CONSTRUCTION EASEMENT**

THIS AGREEMENT FOR TEMPORARY CONSTRUCTION EASEMENT, is made this 1<sup>ST</sup> day of December, 2009, between the Grantor, The Realty Associates Fund VII, L.P., a limited partnership organized and existing under and by virtue of the laws of the State of Delaware, and duly authorized to do business in the State of Illinois, and the Village of Schaumburg (the "Village"). For and in consideration of the sum of Three Hundred and No/100 Dollars (\$300.00), in hand paid to Grantor by the Village, the receipt of which is hereby acknowledged, Grantor by these presents grants the right, easement and privilege to enter unto the following described land for grading and related roadway construction purposes (the "Easement Area"):

See legal description attached hereto as Exhibit A.

The right, easement and privilege shall be in effect for a period of three (3) years from the date first written above or completion of construction operations, whichever is sooner. As a condition to the continuing term hereof, the Village, or its general contractor, shall maintain liability insurance for any damage or injury which may occur on the Easement Area in commercially reasonable amounts with Grantor listed thereon as a "named insured".

**THE VILLAGE FURTHER AGREES TO INDEMNIFY, DEFEND AND HOLD GRANTOR HARMLESS FROM ALL LIENS AND ALL CLAIMS FOR PERSONAL INJURY AND/OR PROPERTY DAMAGE RESULTING FROM THE VILLAGE'S, ITS AGENTS', INDEPENDENT CONTRACTORS', SERVANTS' AND/OR EMPLOYEES' UTILIZATION OF ITS RIGHTS HEREUNDER, INCLUDING THE VILLAGE'S NEGLIGENCE.**


The Village, its successors and assigns, shall restore and repair any damage to the Easement Area and the Grantor's remaining property caused by or resulting from said grading and related roadway construction. Upon the termination hereof as set forth above, the Village, at its sole cost and expense, shall restore the Easement Area to the same condition as it existed on the date hereof and shall restore or replace all curbs along Albion Avenue and Wright Boulevard that abut Grantor's remaining property and that were removed or damaged during the grading and relating roadway construction and shall replace any curb cuts from Albion Avenue and Wright Boulevard to the Grantor's remaining property that were removed or damaged during the grading and relating roadway construction.

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The Village has joined in the execution of this Agreement for the purpose of evidencing its consent to the terms and conditions contained herein.

[Signatures appear on following pages.]

Property of Cook County Clerk's Office

The image shows two large, irregular black redaction marks covering the signature area. The marks are composed of multiple vertical, slightly wavy black bars. A diagonal watermark reading "Property of Cook County Clerk's Office" is overlaid across the page, passing through the redacted areas.

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In witness whereof, the parties hereto have caused their names to be signed to these presents the day and year first above written.

GRANTOR:

THE REALTY ASSOCIATES FUND VII, L.P.,  
a Delaware limited partnership

By: Realty Associates Fund VII LLC,  
a Massachusetts limited liability company,  
general partner

By: Realty Associates Advisors LLC,  
a Delaware limited liability company,  
manager

By: Realty Associates Advisors Trust,  
a Massachusetts business trust,  
manager

By: *James ReSIDES*  
Name: James ReSIDES  
Title: \_\_\_\_\_

By: Realty Associates Fund VII Texas Corporation,  
a Texas corporation,  
general partner

By: *James ReSIDES*  
Name: James ReSIDES  
Title: \_\_\_\_\_

VILLAGE:

THE VILLAGE OF SCHAUMBURG

By: *Ken Fritz*  
Name: Ken Fritz  
Title: Village Manager

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COMMONWEALTH OF MASSACHUSETTS §

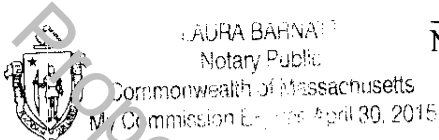
COUNTY OF SUFFOLK §

This instrument was acknowledged before me on 11/24, 2009, by James Raisides, partner of Realty Associates Advisors Trust, in its capacity as the manager of Realty Associates Advisors LLC, in its capacity as the manager of Realty Associates Fund VII, LLC, in its capacity as the general partner of The Realty Associates Fund VII, L.P., a Delaware limited partnership, on behalf of such partnership.

My Commission Expires: 4/30/15

Laura Barnatt  
Notary Public, Commonwealth of Massachusetts

Laura Barnatt  
Notary's name printed:



COMMONWEALTH OF MASSACHUSETTS §

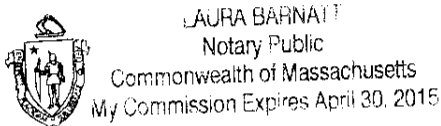
COUNTY OF SUFFOLK §

This instrument was acknowledged before me on 11/24, 2009, by James Raisides, partner of Realty Associates Fund VII Texas Corporation, a Texas corporation, in its capacity as the general partner of The Realty Associates Fund VII, L.P., a Delaware limited partnership, on behalf of such partnership.

My Commission Expires: 4/30/15

Laura Barnatt  
Notary Public, Commonwealth of Massachusetts

Laura Barnatt  
Notary's name printed:



[INSERT ACKNOWLEDGMENT FOR THE VILLAGE OF SCHAUMBURG]

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This instrument was prepared by J. Steve Santacruz, Santacruz Associates, 2340 South River Road, Suite 111, Des Plaines, IL 60018.

~~Mortgage~~ Grantee: Santacruz Associates, Ltd., 2340 South River Road, Suite 111, Des Plaines, IL 60018

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LHBT A

## LEGAL DESCRIPTION

Route : F.A.U. 1351 (Wright Boulevard)  
 Section: 06-00090-00-PV  
 County : Cook  
 Job No.: R-55-001-97  
 Parcel : 0006T.E.  
 Sta. 109+90.14 To Sta. 110+14.86  
 Owner : The Realty Associates Fund VII,  
 L.P., a Delaware limited  
 partnership

Index No. 07-33-402-004

That part of Lot 4 in Centex Schaumburg Industrial Park Unit 98, being a subdivision in the South Half of Section 33, Township 41 North, Range 10 East of the Third Principal Meridian, according to the plat thereof recorded December 31, 1973 as document number 22583756, in Cook County, Illinois, described as follows:

Commencing at the northwest corner of said Lot 4; thence on an assumed bearing of South 0 degrees 30 minutes 37 seconds West along the west line of said Lot 4, a distance of 304.12 feet to the point of beginning; thence South 39 degrees 29 minutes 23 seconds East, a distance of 5.00 feet to a point 5.00 feet normally distant East of the west line of said Lot 4; thence South 0 degrees 30 minutes 37 seconds West along a line 5.00 feet normally distant East of and parallel with the west line of said Lot 4, a distance of 24.72 feet; thence North 46 degrees 11 minutes 00 seconds West, a distance of 6.87 feet to the west line of said Lot 4; thence North 0 degrees 30 minutes 37 seconds East along the west line of said Lot 4, a distance of 20.01 feet to the point of beginning.

Said temporary easement containing 0.003 acre, more or less, or 112 square feet, more or less.

Said temporary easement to be used for construction purposes.

Cook County Clerk's Office