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Doc#: 1215834071 Fee: \$48.00
Eugene "Gene" Moore RHSP Fee:\$10.00
Cook County Recorder of Deeds
Date: 08/06/2012 01:24 PM Pg: 1 of 6

THIS DOCUMENT PREPARED
BY AND AFTER RECORDING
RETURN TO:

Holland & Knight LLP
131 South Dearborn, 30th Floor
Chicago, IL 60603
Attn.: C. Grant McCorkhill
312-263-3600

Property of COOK COUNTY

DECLARATION OF EASEMENT

THIS DECLARATION OF EASEMENT ("*Declaration*") is made this 21st day of ~~May~~ May, 2012, by Joseph Pauletic, an Illinois resident ("*Owner*"), the record title owner of a certain parcel of real estate located in the City of Burbank, Cook County, Illinois, commonly known as 7940 S Luna, Burbank, IL and legally described in Exhibit A and Exhibit B attached to and, by this reference, made a part of this Declaration ("*Property*").

NOW, THEREFORE, the Owner voluntarily declares that the interest of the Owner in the Property, all portions thereof, and all improvements constructed thereon, are and shall be held, transferred, sold, conveyed, used, and occupied subject to the following restrictions and provisions:

Section 1. Grant of Easement. A permanent and perpetual easement is hereby granted to [the City of Burbank, Illinois, an Illinois municipal corporation, the County of Cook, State of Illinois, Commonwealth Edison Co., Nicor Gas, AT&T, RCN, Comcast,] and other providers of public utilities, telecommunications, communications, cable, and public services (each a "*Grantee*"), and each of their respective successors and assigns, to survey, construct, reconstruct, use, operate, maintain, test, inspect, repair, replace, alter, remove, and abandon in place facilities and related appurtenances in, under, through, along and across the Property, in order to serve the Property and other real property (whether or not contiguous to the Property) with telephone, telecommunication, communication, cable, electric, sanitary sewer, storm sewer, drainage, gas, water, and municipal services. This grant of easement shall include the right of each Grantee to enter upon the Property for all such purposes, and the right without liability, to cut, trim, alter, or remove any vegetation, roots, structures, or devices within the Property as may be reasonably required incident to the rights herein given. Without prior written consent of the Grantees, no buildings, structures, or other

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DATE _____ COPIES _____
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obstructions shall be constructed, placed, or planted on the Property, nor shall any other use be made thereof which will interfere with the easements reserved and granted hereby. After installation of any such facilities and appurtenances, the grade of the Property shall not be altered in a manner so as to interfere with the proper operation and maintenance thereof. Any conflict among the Grantees in the exercise of the rights hereby granted shall be resolved by the City of Burbank in the exercise of its discretion.

Section 2. Covenants Running with the Land. The restrictions hereby imposed shall be restrictions running with the land and shall be binding upon the Owner, and its heirs, successors, assigns, agents, licensees, invitees and representatives, including, without limitation, all subsequent owners of any portion of the Property and all persons claiming under them.

Section 3. Recordation. This Declaration shall be recorded with the Recorder of Deeds of Cook County, Illinois, and all deeds of conveyance relating to the Property, or any part thereof, shall be subject to the provisions of this Declaration.

Section 4. Term. The restrictions hereby imposed shall be enforceable for a term of 100 years from the date this Declaration is recorded, after which time this Declaration shall be automatically extended for successive periods of ten years unless an instrument amending this Declaration shall be recorded and provide for some other duration. If any of the rights or restrictions imposed by this Declaration would otherwise be unlawful or void for violation of (a) the rule against perpetuities or some analogous statutory provision, (b) the rule restricting restraints on alienation, or (c) any other statutory or common law rules imposing time limits, then such provision shall continue only until 21 years after the death of the survivor of the now living lawful descendants of the current President of the United States as of the date of this Declaration.

[SIGNATURE PAGE FOLLOWS]

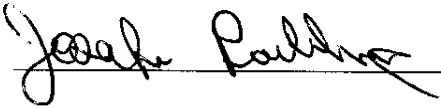
Clerk's Office

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IN WITNESS WHEREOF, the Owner has caused this Declaration to be executed by a duly authorized representative on the date first above written.

OWNER:

Joseph Pauletic

By:  _____

Title: Owner

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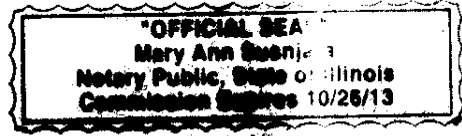
STATE OF ILLINOIS)
) SS.
 COUNTY OF COOK)

I, Mary Ann Susnjc a Notary Public, in and for the County and State aforesaid, DO HEREBY CERTIFY that **Joseph Pauletic**, the **owner** of property commonly known as **7940 S. Luna, Burbank**, Illinois, personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person and acknowledged to me that he, being thereunto duly authorized, signed and delivered said instrument as the free and voluntary act of said _____ and as his own free and voluntary act, for the uses and purposes set forth therein.

GIVEN under my hand and notarial seal this 21st day of May, 2012.

Mary Ann Susnjc
 Notary Public

My Commission expires
10-26-13



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EXHIBIT A

LEGAL DESCRIPTION OF THE PROPERTY

PUBLIC UTILITY EASEMENT NO. 2

A PUBLIC UTILITY EASEMENT OVER THE EAST 17.00 FEET OF THE SOUTH 82.00 FEET OF THE NORTH 348.50 FEET OF THE WEST 117.00 FEET OF THE EAST 307.46 FEET OF THAT PART LYING NORTH OF STATE ROAD OF THE WEST 7.51 CHAINS OF THE NORTHWEST QUARTER OF SECTION 33, TOWNSHIP 38 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

Commonly known as: 7940 S. Luna Street, Burbank, Illinois

Cook County PIN No.: 19-33-100-019-0000

Property of Cook County Clerk's Office

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**OVERSIZE
EXHIBIT**

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