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Karen A. Yarbrough RHSP Fee: \$10.00
Cook County Recorder of Deeds
Date: 12/04/2012 10:41 AM Pg: 1 of 6

8893464-Da-Tms (4074)

Property of Cook County Clerk's Office

DECLARATION

(Access)

Dated November 14, 2012

PINS: 16 18 107 001 0000
16 18 107 002 0000
16 18 107 009 0000
16 18 107 020 0000

THIS DOCUMENT PREPARED BY, AND AFTER RECORDING RETURN TO:

DAVID L. SHAW
SHAW FISHMAN
321 NORTH CLARK ST STE 800
CHICAGO, IL 60654

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Box 400-CTCC

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DECLARATION

This Declaration is made as of the 14th day of November, 2012, jointly, by OP MADISON OP, LLC, an Illinois limited liability company ("OP") and WEST MADISON HOLDINGS, LLC, an Illinois limited liability company ("Holdings") (each of OP and Holdings are hereinafter sometime referred to as a "Party" and collectively, as the "Parties").

RECITALS:

- A. Holdings is the owner of the real estate located in the Village of Oak Park Illinois, designated as Parcel 1 and Legally described on Exhibit A attached hereto and made part hereof;
- B. OP is the owner of the real estate located in the Village of Oak Park, Illinois, designated as Parcel 2 and legally described on Exhibit B attached hereto;
- C. Parcel 1 is currently vacant and undeveloped, and Parcel 2 is currently developed with a surface parking lot, all as depicted on Exhibit C attached hereto;
- D. The Parties desire to memorialize their respective rights relating to access between Parcels 1 and 2.

AGREEMENT:

In order to preserve the integrity of, and rights relating to their respective Parcels as described herein, and in consideration of Ten Dollars (\$10.00) and the mutual covenants set forth below, the Parties hereby declare as follows:

1. Notwithstanding the absence of any physical barriers, signage or other markings, there shall be no rights of cross access between or for the benefit of Parcel 1 and Parcel 2, either for vehicular or pedestrian purposes.
2. No easement for access between Parcels 1 and 2 shall be deemed to exist or be created by virtue of use regardless of the passage of time.
3. The owner of each Parcel may, at any time erect or create a barrier on its respective Parcel for the purpose of precluding vehicular and/or pedestrian traffic from entering onto its Parcel from the other Parcel.
4. This Declaration shall be deemed to be a covenant running with the land and shall be binding upon the Parties and their respective successors and assigns, without the necessity of specific reference thereto.

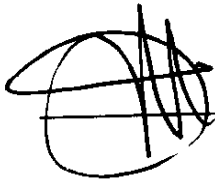

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5. The terms of this Declaration may be amended by an instrument in writing executed by all of the Owners of Parcels 1 and 2, and recorded in the office of the Recorder of Deeds, Cook County, Illinois.

IN WITNESS WHEREOF, the parties have executed this Declaration on the date first written above.

OP MADISON OP, LLC
By:

WEST MADISON HOLDINGS, LLC
By:

 _____  _____
JMP MHL

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STATE OF ILLINOIS)
) SS.
COUNTY OF COOK)

I, Kristen Tabascio a Notary Public in and for said County, in the State aforesaid, do hereby certify that Jaime J. Javors is personally known to me to be the Manager of OP Madison OP, LLC, is the same person whose name is subscribed to the foregoing instrument, appeared before me in person and acknowledged that he signed and delivered the said instrument as his 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 14 day of Nov., 2012.

Kristen Tabascio

NOTARY PUBLIC

(SEAL)



STATE OF ILLINOIS)
) SS.
COUNTY OF COOK)

I, Kristen Tabascio a Notary Public in and for said County, in the State aforesaid, do hereby certify that Jaime J. Javors is personally known to me to be the Manager of West Madison Holdings, LLC, is the same person whose name is subscribed to the foregoing instrument, appeared before me in person and acknowledged that he signed and delivered the said instrument as his 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 14 day of Nov., 2012.

Kristen Tabascio

NOTARY PUBLIC

(SEAL)



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EXHIBIT A
(Parcel 1)

LOTS 1, 2, 3 AND 4 IN BLOCK 9 IN OAK PARK AVENUE SUBDIVISION, BEING A SUBDIVISION OF LOTS 2 AND 3 AND THAT PART OF LOT 1 LYING WEST OF OAK PARK AVENUE, IN THE PARTITION BY THE CIRCUIT COURT OF COOK COUNTY, OF THE EAST ½ OF LOT 2 IN THE SUBDIVISION OF SECTION 18, TOWNSHIP 39 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN (EXCEPT THE WEST ½ OF THE SOUTHWEST ¼), IN COOK COUNTY, ILLINOIS

P.I.N.'S. 16-18-107-009-0000
16-18-107-020-000

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EXHIBIT B
(Parcel 2)

LOT 1 AND THE SOUTH 27 FEET OF THAT PART OF MADISON STREET NOW VACATED LYING NORTH OF AND ADJOINING SAID LOT 1 IN PRICES ADDITION TO OAK PARK, SAID ADDITION BEING A SUBDIVISION OF LOT 4 IN SUBDIVISION OF EAST ½ OF LOT 2, IN SUBDIVISION OF SECTION 18, TOWNSHIP 39 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN (EXCEPT THE WEST ½ OF THE SOUTHWEST ¼ OF SAID SECTION), IN COOK COUNTY, ILLINOIS.

P. I. N. S 16-18-102-001-0000
16-18-107-002-0000