

# UNOFFICIAL COPY

**THIS DOCUMENT WAS PREPARED BY:**

Village of Tinley Park  
Building Department  
16250 S. Oak Park Avenue  
Tinley Park, Illinois 60477

**AFTER RECORDING RETURN TO:**

Cook County: Records Box 324 (MAM)

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



Doc#: 1305744074 Fee: \$44.00  
Karen A. Yarbrough  
Cook County Recorder of Deeds  
Date: 02/26/2013 02:42 PM Pg: 1 of 4

[The abo

## 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, Mohamad Allan, represent that I/we are the legal owner(s) ("Owner")

of real property commonly known as:

9206 Greenwood Drive, Tinley Park, Illinois 60487  
insert property address

✓ PIN(S): 27-34-202-022-0000

A document containing a legal description of said property is attached and made a part hereof as **\*EXHIBIT A\***.

Owner is undertaking the following Project that will encroach on the Public Right-of-Way or easement for the benefit of Owner and the above-stated real property:

Project: lawn sprinklers

Owner understands and acknowledge 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. Owner agrees 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 the responsibility of the Owner 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.

Owner further understands and acknowledges that, on streets without curbs, the decorative drive must end no less than two feet from the edge of existing pavement.

# UNOFFICIAL COPY

Owner understands and acknowledges 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.

Owner agrees and acknowledges that the pool/deck/fence/shed/retaining wall/patio and/or service walk encroaching upon the easement at the above address, will be the responsibility of Owner 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.

Owner also understands and acknowledges that 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 the responsibility of Owner 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.

Owner covenants and agrees that all construction taking place on the Project will be in accordance with the Village Building Codes.

Owner, as a condition of the Village of Tinley Park granting permission to utilize the Public Right-of-Way and/or easement encroachment for the aforesaid purposes, 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, relative to such uses being located in the Public Right-of-Way and/or easement encroachment and/or arising from acts or omissions by the Owner, his or her contractors, sub-contractors, or agents or employees in maintaining the same and/or conjunction with the use of the public right-of-way and/or easement encroachment for the aforesaid purposes.

Owner understands that the terms and conditions contained herein apply uniquely to the Public Right-of-Way and easement on or adjacent to the benefiting real property at the above address as legally described in **Exhibit A** and it is the intent of Owner and the Village to have the terms and conditions of this instrument run with the benefiting real property legally described in **Exhibit A** and be binding on subsequent owners and purchasers of the benefiting real property.

This document shall be notarized and recorded with the Cook or Will County Recorder of Deeds, as applicable.

# UNOFFICIAL COPY

**NOTE: ALL OWNERS OF THE BENEFITTING REAL PROPERTY MUST SIGN**

*M. Allan*  
Owner Signature

\_\_\_\_\_  
Owner Signature (if more than one)

Date: October 29, 2012

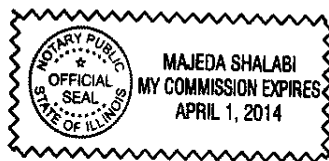
Date: \_\_\_\_\_

NOTARY: STATE OF ILLINOIS, COUNTY OF Cook ) SS

I, MAJEDA SHALABI, a Notary Public in and for the County and State  
aforesaid, do hereby certify that Mohamad Allan, is/are personally  
known to me to be the same person(s) whose name(s) is/are here subscribed to the foregoing  
instrument, and appeared before me this day in person and acknowledged that he/she/they signed  
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 29<sup>th</sup> day of October, 2012.

Notary Signature: *M. Shalabi*

[SEAL]

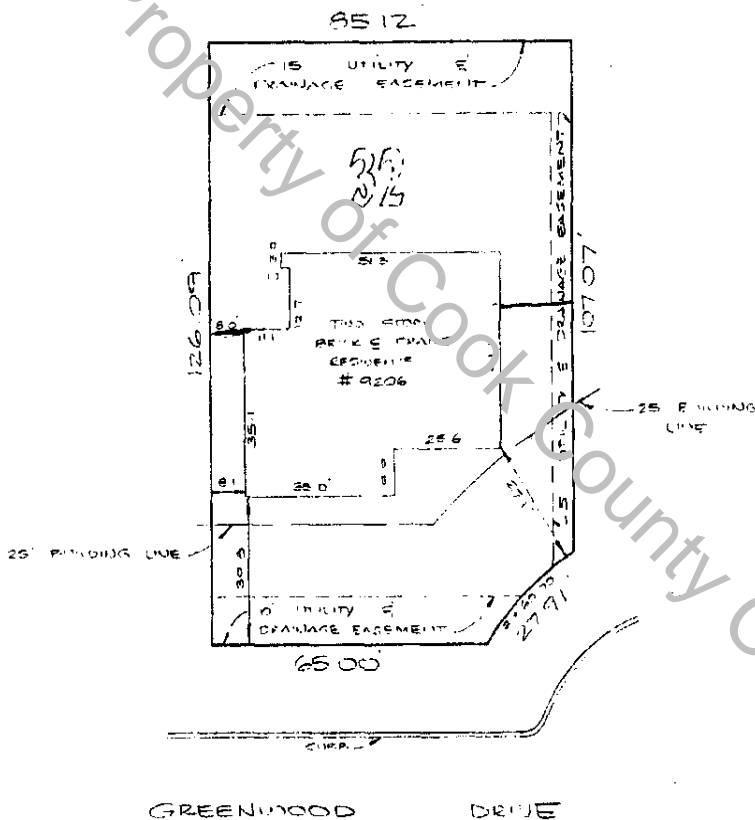


# UNOFFICIAL COPY

EXHIBIT A

## PLAT OF SURVEY OF

LOT 32 IN TIMBERS EDGE 11E, BEING A RESUBDIVISION OF OUTLOT 2 OF TIMBERS EDGE UNIT 11C IN THE NORTH HALF OF SECTION 34, TOWNSHIP 36 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.



NOTE: SOME GROUND IMPROVEMENTS MAY NOT BE SHOWN DUE TO SNOW COVER.

### LANDIRKS CO

LANDMARK ENGINEERING CORPORATION  
2322 W. 95th Street, Ridgeview, IL 60455 (708) 598-3727  
242 W. Poughkeepsie Rd., Suite 7, Bensenville, IL 60010 (708) 744-1337

STATE OF ILLINOIS  
COUNTY OF COOK

LANDIRKS CO does hereby certify that it has surveyed the tract of land above described, and that the hereon drawn plat is a correct representation thereof.

Date: Feb 23, 2014

*W. Rep. W. [Signature]*

IPLS No. 2527

No improvements should be constructed on the basis of this plat alone. Field monumentation of critical points should be established prior to commencement of construction. For building line and other restrictions not shown hereon refer to your deed, abstract, title policy, contracts and local building and zoning ordinance.