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NON-EXCLUSIVE WATER MAIN EASEMENT

THIS NON-EXCLUSIVE WATER MAIN EASEMENT has been agreed upon and entered into this <u>bo</u> day of May, 2012, by and between SIDCOR SCHAUMBURG ASSOCIATES, L.L.C., a Delaware limited liability company with its principal place of business at 950 N. Western Ave. Suite #2 Lake Forcst 11. 60045 ("Owner") and GOLF ROSE PROPERTIES, LLC, an Illinois limited liability Company having its principal place of business 2. 1355 N. Roselle Road, Schaumburg, Illinois 60195 ("Grantee").

Doc#: 1213655001 Fee: \$50.25 Eugene "Gene" Moore RHSP Fee:\$10.00 Cook County Recorder of Deeds Date: 05/15/2012 11:25 AM Pg: 1 of 6



Doc#: 1432855084 Fee: \$52.00 RHSP Fee: \$9.00 RPRF Fee: \$1.00

Karen A. Yarbrough

Cook County Recorder of Deeds
Date: 11/24/2014 10:11 AM Pg: 1 of 8

WHEREAS, Owner is the record owner of a parcel of land legally described as "Owner's Land" on Exhibit A hereto, which is immediately adjacent to a parcel of land owned by Grantee, legally described as "Grantee's Land" on Exhibit A hereto; and

WHEREAS, Grantee has requeste an easement from Owner across that part of Owner's Land on which the east-west portion of the existing water main is located perpendicular with the northern boundary of Owner's land, as legally described and shown in Exhibit B hereto ("Water Main Easement Area") for purposes of accessing the existing water main to connect a new water line to a building being constructed on Grantee's Land; and

WHEREAS, Owner and Grantee desire that each and both of them shall have non-exclusive mutual, reciprocal access to the Water Main Easen.ent Area.

NOW, THEREFORE, IT IS HEREBY AGREED BY AND BETWEEN OWNER AND GRANTEE AS FOLLOWS:

1. Non-Exclusive Water Main Easement Granted to Grantee. Owner hereby GRANTS, CONVEYS, AND AGREES TO ALLOW Grantee, its successors and assigns a permanent, perpetual, non-exclusive easement over, upon and through the Water May. Easement Area for the purpose of accessing the existing water main system (including related piping, pumps, machinery and equipment used in connection with the public water supply) in order to connect a new water line to bring water service to Grantee's building and to maintain that water line after it is connected, together with the right to cut, trim or remove asphalt, grass and other landscaping as may be reasonably required incident to the rights hereby granted. Owner agrees not to interfere with the use of the Water Main Easement Area by Grantee, its employees and agents. Grantee agrees to install its new water line by way of a "live tap" so as not to interrupt water service to Owner's buildings, and to complete the installation, except for re-paving, within 48 hours of commencement. Grantee and Owner agree not to change or alter the grade of the Water Main Easement Area. Grantee shall pay all permit fees, costs of initial tap-in or connection of the new water line to the existing water main, and repair of asphalt and

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landscaping after the initial tap in. Grantee shall repair the asphalt at a time mutually agreed upon by Owner and Grantee to allow the backfill sufficient time to settle naturally, and will complete the asphalt repair work within 21 days of commencement. Grantee shall reimburse Owner for any costs incurred by Owner to have its sprinkler system monitored or repaired if necessary due to Grantee's installation of its new water line.

- Joint Maintenance of Water Main located in Water Main Easement Area. Owner and Grantee shall jointly maintain that portion of the water main system located in the Water Main Easement Area (including related piping, pumps, machinery and equipment used in connection with the public water supply), and to share equally in the costs of such maintenance. Grantee shall maintain the water line from serving Grantee's building from the point of the water main connection to Grantee's building; Owner shall maintain all portions of the water main outside the Water Wain Easement Area, and all water lines serving Owner's buildings from the point of water mair connection to Owner's buildings. The parties shall jointly agree upon the scope and expense of any maintenance and repair activities and the contractors who shall perform work on the water main system. All work on the water main system shall be done in accordance with local building and municipal codes and ordinances, and neither party shall allow a contractor onto the Water Mein Easement Area without proper certificates of insurance and permits, except in the case of an emergency situation (such as a break in the water main or a situation which poses a threat of imrur ert harm to either Grantee or Owner), in which event either Grantee or Owner may, upon telephonic notice to the other party, have the emergency repair work performed.
- 3. <u>Binding on Successors and Assigns</u> This Non-exclusive Water Main Easement, including all its benefits and burdens, shall be a coven intrunning with the land which shall be binding on and shall inure to the benefit of Owner, its representatives, employees, agents, successors and assigns, as well as Grantee, its representatives employees, agents, successors and assigns.

GRANTEE:
GOLF ROSE PROPERTIES LLC

OWNER:

SIDCOR SCHAUMBURG

ASSOCIATES, L.L.C., a Delaware

limited liability company

By Olc Lld

Mark Kraklio, Manager

Dale Dobroth, Manager

Sy: Waiss Manage

This document prepared by and please mail to:

Cathleen M. Keating, 2215 York Road, Suite 550, Oak Brook, Illinois 60523

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ACKNOWLEDGMENT -SIDCOR SCHAUMBURG ASSOCIATES, L.L.C.

STATE OF ILLINOIS) COUNTY OF LAKE)SS

I, Christine Truxell, a Notary Public in and for and residing in said County and State, DO HEREBY CERTIFY THAT <u>Dale Dobroth and Jerry Weiss</u> personally known to me to be the same persons whose names are subscribed to the foregoing instrument as Managers of SIDCOR SCHAUMRURG ASSOCIATES, L.L.C., personally appeared before me this day in person and

acknowledged that they signed and delivered said instrument as such Managers of said limited liability company for the uses and purposes therein set forth. GIVEN un ter my hand and notarial seal this 10th day of May, 2012. Notary Public My Commission Expires: J^{O} CHRISTINE H. TRUXELL NOTARY PUBLIC, STATE OF ILLINOIS ACKNOWLEDGMENT - GOLF ROSE PROPERTIES LLC STATE OF OFFICIAL SEAL **COUNTY OF** M LOU KURZEJA KUTZEIT, a Notary Public of descend residing in said County and State, DO HEREBY CERTIFY THAT Mark Kraklip personally known to me to be the same person whose name is subscribed to the foregoing instrume, t as Manager of GOLF ROSE PROPERTIES LLC personally appeared before me this day in person and acknowledged that they signed and delivered said instrument as such of said in ited liability company for the uses and purposes therein set forth. GIVEN under my hand and notarial seal this 10 day of May, 2012. Notary Public

My Commission Expires:

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EXHIBIT A LEGAL DESCRIPTION OWNER'S PROPERTY

PARCEL 1 (METES AND BOUNDS LEGAL DESCRIPTION)
THAT PART OF THE SOUTH 1074.0 FEET OF THE WEST 667.50 FEET OF THE
SOUTHEAST 1/4 OF SECTION 10, TOWNSHIP 41 NORTH, RANGE 10 EAST OF
THE THIRD PRINCIPAL MERIDIAN, LYING NORTH OF THE NORTH LINE OF GOLF
ROAD AS DEDICATED UNDER DOCUMENT NO. 10488002, DESCRIBED AS
FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF LOT 10 IN GOLF-ROSELLE DEVELOP JENT UNIT 4, BEING A SUBDIVISION IN THE SOUTHEAST QUARTER OF SECTION 10, A FORESAID, ACCORDING TO THE PLAT THEREOF RECORDED MARCH 16, 1994, AS DOCUMENT 94236801; THENCE ON AN ASSUMED BEARING OF SOUTH 86 DEGREEN 31 MINUTES 02 SECONDS WEST ALONG THE SOUTH LINE OF SAID LOT 10 PROJECTED WESTERLY, ALSO BEING THE NORTH LINE OF GOLF ROAD, 242.50 FEET TO THE EAST LINE OF THE WEST 667.50 FEET OF THE SOUTHEAST QUARTER O'S SAID SECTION 10, TO THE POINT OF BEGINNING: THENCE CONTINUING SOUT! 86 DEGREES 31 MINUTES 02 SECONDS WEST ALONG THE NORTH LINE OF GOLF KOAD AS CONVEYED BY DOCUMENT 21480786, 80.44 FEET; THENCE NORTH 3 DEGREES 28 MINUTES 58 SECONDS WEST, 15.00 FEET; THENCE SOUTH 86 DEGREES 31 MINUTES 02 SECONDS WEST, 390.00 FEET TO THE GRANTOR'S WEST LINE, FFING THE EAST LINE OF THE WEST 163.0 FEET OF THE SOUTH 268.0 FEET OF THAT PART OF SAID SOUTHEAST 1/4 WHICH LIES EAST OF THE EAST LINE OF ROSELLE ROAD AS PER TOWNSHIP DEDICATION RECORDED MAY 28, 1850: THENCE NORTH 0 DEGREES 15 MINUTES 26 SECONDS EAST ALONG GRANTOP'S WEST LINE, 232.93 FEET TO THE NORTH LINE OF THE SOUTH 268.0 FEET OF CHAT PART OF SAID SOUTHEAST 1/4 WHICH LIES NORTH OF THE NORTH LOVE OF GOLF ROAD AS DEDICATED UNDER DOCUMENT NUMBER 10488002; THENCE SOUTH 86 DEGREES 31 MINUTES 02 SECONDS WEST ALONG SAID NORTH LINE 1:31.93 FEET TO THE EAST LINE OF ROSELLE ROAD, SAID LINE BEING 64.00 FF LT PAST OF AND PARALLEL WITH THE WEST LINE OF THE SOUTHEAST 1/4 OF SECTION 10; THENCE NORTH 0 DEGREES 15 MINUTES 26 SECONDS EAST ALONG MAID EAST LINE OF ROSELLE ROAD, 736.41 FEET; THENCE NORTH 4 DEGREES 25 MANUTES 47 SECONDS EAST, 8.06 FEET TO THE NORTH LINE OF THE SOUTH 1074.) FEET OF THE SOUTHEAST 1/4 OF SECTION 10: THENCE NORTH 86 DEGREES 42 MINUTES 57 SECONDS EAST ALONG SAID NORTH LINE, 602.63 FEET TO THE EAST LINE OF THE WEST 667.50 FEET OF THE SOUTHEAST 1/4 OF SECTION 10; THENCE SOUTH 0 DEGREES 15 MINUTES 26 SECONDS WEST ALONG SAID EAST LINE, 990.27 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS, EXCEPTING THEREFROM THE FOLLOWING:

THAT PART OF THE SOUTH 1074.0 FEET OF THE WEST 667.50 FEET OF THE SOUTHEAST 1/4 OF SECTION 10, TOWNSHIP 41 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, LYING NORTH OF THE NORTH LINE OF GOLF ROAD AS DEDICATED UNDER DOCUMENT NO. 10488002, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF LOT 10 IN GOLF-ROSELLE DEVELOPMENT UNIT 4, BEING A SUBDIVISION IN THE SOUTHEAST QUARTER OF SECTION 10, AFORESAID, ACCORDING TO THE PLAT THEREOF RECORDED MARCH 16, 1994, AS DOCUMENT 94236801; THENCE ON AN ASSUMED BEARING OF SOUTH 86 DEGREES 31 MINUTES 02 SECONDS WEST ALONG THE SOUTH LINE OF

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SAID LOT 10 PROJECTED WESTERLY, ALSO BEING THE NORTH LINE OF GOLF ROAD, 242.50 FEET TO THE EAST LINE OF THE WEST 667.50 FEET OF THE SOUTHEAST QUARTER OF SAID SECTION 10, TO THE POINT OF BEGINNING; THENCE CONTINUING SOUTH 86 DEGREES 31 MINUTES 02 SECONDS WEST ALONG THE NORTH LINE OF GOLF ROAD, 80.44 FEET; THENCE NORTH 3 DEGREES 28 MINUTES 58 SECONDS WEST, 15.00 FEET; THENCE SOUTH 86 DEGREES 31 MINUTES 02 SECONDS WEST, 390.00 FEET TO THE GRANTOR'S WEST LINE; THENCE NORTH 0 DEGREES 15 MINUTES 26 SECONDS EAST ALONG GRANTOR'S WEST LINE, 243.34 FEET; THENCE NORTH 89 DEGREES 03 MINUTES 59 SECONDS EAST, 83.59 FEET; THENCE SOUTH 0 DEGREES 50 MINUTES 03 SECONDS WEST, 77.25 FEET; THENCE SOUTH 89 DEGREES 53 MINUTES 11 SECONDS FAST, 387.62 FEET TO THE EAST LINE OF THE WEST 667.50 FEET OF THE SOUTHEAST QUARTER OF SAID SECTION 10; THENCE SOUTH 0 DEGREES 15 MINUTES 26 SECONDS WEST ALONG SAID EAST LINE, 153.08 FEET TO THE POINT OF BECKNING, IN COOK COUNTY, ILLINOIS.

PARCEL 2

EASEMENT FOR INGRESS AND EGRESS FOR THE BENEFIT OF PARCEL 1, AS RESERVED IN THE TRUSTEE'S DEED FROM CHICAGO TITLE AND TRUST COMPANY, A CORPORATION OF ILLINOIS, AS TRUSTEE UNDER TRUST AC REMENT DATED JUNE 19, 1968 AND KNOWN AS TRUST NUMBER 52271 TO THE VILLAGE OF SCHAUMBURG, ILLINOIS, DATED JULY 16, 1971 AND RECORDED JULY 20, 1971 AS DOCUMENT NUMBER 21552162, OVER THE WEST 5 FEET OF THE FOLLOWING DESCRIBED TRACT:

THE SOUTH 1074.0 FEET OF THE WEST 667.40 FEET OF THE SOUTHEAST 1#4 OF SECTION 10, TOWNSHIP 41 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, (EXCEPT THAT PART LYING SOUTH OF THE NORTH L'INE OF GOLF ROAD, AS DEDICATED UNDER DOCUMENT NUMBER 10488002, AND EXCEPT THAT PART LYING WEST OF A LINE 5 FEET EAST OF AND PARALLEL TO THE EAST LINE OF ROSELL'. POAD, AS DEDICATED UNDER DOCUMENT NUMBER 20430983 AND EXCEPT THE WEST 163.0 FEET OF THE SOUTH 268.0 FEET OF THAT PART OF SAID SOUTHEAST 1#4 WHICH LIES NORTH OF 1"1F NORTH LINE OF GOLF ROAD AS DEDICATED UNDER DOCUMENT NO. 10488002 AND WHICH LIES EAST OF THE EAST LINE OF ROSELLE ROAD AS PER TOWNSHIP DEDICATION RECORDED MAY 28, 1850 AND EXCEPT THAT PART LYING SOUTH OF A LINE DRAWN PARALLEL WITH AND D'STANT 20 FEET NORTH OF THE NORTH LINE OF GOLF ROAD AS DEDICATED UNDER DOCUMENT NUMBER 10488002, AS CONVEYED TO THE STATE OF ILLINOIS FOR THE USE OF THE DEPART 1 IENT OF PUBLIC WORKS AND BUILDINGS BY DOCUMENT NUMBER 21480786), IN COOK COUNTY, ILLINOIS.

PARCEL 3

THAT PART OF THE SOUTH 1074.0 FEET OF THE WEST 667.50 FEET OF THE SOUTLE AST 1/4 OF SECTION 10, TOWNSHIP 41 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MUNICIPAL MUNI

COMMENCING AT THE SOUTHWEST CORNER OF LOT 10 IN GOLF-ROSELLE DEVELOPMENT UNIT 4, BEING A SUBDIVISION IN THE SOUTHEAST QUARTER OF SECTION 10, AFORESAID, ACCORDING TO THE PLAT THEREOF RECORDED MARCH 16, 1994, AS DOCUMENT 94236801; THENCE ON AN ASSUMED BEARING OF SOUTH 86 DEGREES 31 MINUTES 02 SECONDS WEST ALONG THE SOUTH LINE OF SAID LOT 10 PROJECTED WESTERLY, ALSO BEING THE NORTH LINE OF GOLF ROAD, 242.50 FEET TO THE EAST LINE OF THE WEST 667.50 FEET OF THE SOUTHEAST QUARTER OF SAID SECTION 10, TO THE POINT OF BEGINNING; THENCE CONTINUING SOUTH 86 DEGREES 31 MINUTES 02 SECONDS WEST ALONG THE NORTH LINE OF GOLF ROAD, 80.44 FEET; THENCE NORTH 3 DEGREES 28 MINUTES 58 SECONDS WEST, 15.00 FEET; THENCE SOUTH 86 DEGREES 31 MINUTES 02 SECONDS WEST, 390.00 FEET TO THE GRANTOR'S WEST LINE; THENCE NORTH 0 DEGREES 15 MINUTES 26 SECONDS EAST ALONG GRANTOR'S WEST LINE,

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243.34 FEET; THENCE NORTH 89 DEGREES 03 MINUTES 59 SECONDS EAST, 83.59 FEET; THENCE SOUTH 0 DEGREES 50 MINUTES 03 SECONDS WEST, 77.25 FEET; THENCE SOUTH 89 DEGREES 53 MINUTES 11 SECONDS EAST, 387.62 FEET TO THE EAST LINE OF THE WEST 667.50 FEET OF THE SOUTHEAST QUARTER OF SAID SECTION 10; THENCE SOUTH 0 DEGREES 15 MINUTES 26 SECONDS WEST ALONG SAID EAST LINE, 153.08 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS.

PARCEL 4
TOGETHER WITH ALL RIGHT, TITLE AND INTEREST IN AND TO THAT CERTAIN EASEMENT
CREATED
PURSUANT TO MUTUAL EASEMENT AGREEMENT FILED FOR RECORD AS DOCUMENT NO.
0621516089
COOK CGUNTY RECORDER OF DEEDS.

COMMONLY KNOV N AS 16 E GOLF ROAD SCAUMBURG PIN 07-10-100-400-056-000 & PIN 07-10-100-400-057-000

LEGAL DESCRIPTION GRANTEE'S PROPERTY

LOT 2 IN ANNE AND BOB MAHR'S CONSCLIDATION AND RESUBDIVISION, BEING A RESUBDIVISION OF LOT 1 IN MAHR'S SUBDIVISION, TOGETHER WITH THE WEST 504 FEET OF THE NORTH 200 FEET OF THE SOUTHEAST 1/4 OF SECTION 10, TOWNSHIP 41 NORTH, RANGE 1/5 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MARCH 3, 2006 AS DOCUMENT NO. 0606231035, IN COOK COUNTY, ILL NOIS

COMMONLY KNOWN AS 1355 N. ROSELLE ROAD, SCHAOMBURG, ILLINOIS
PIN 97 10 400 047 0060 07 10 400 6480000

10f2

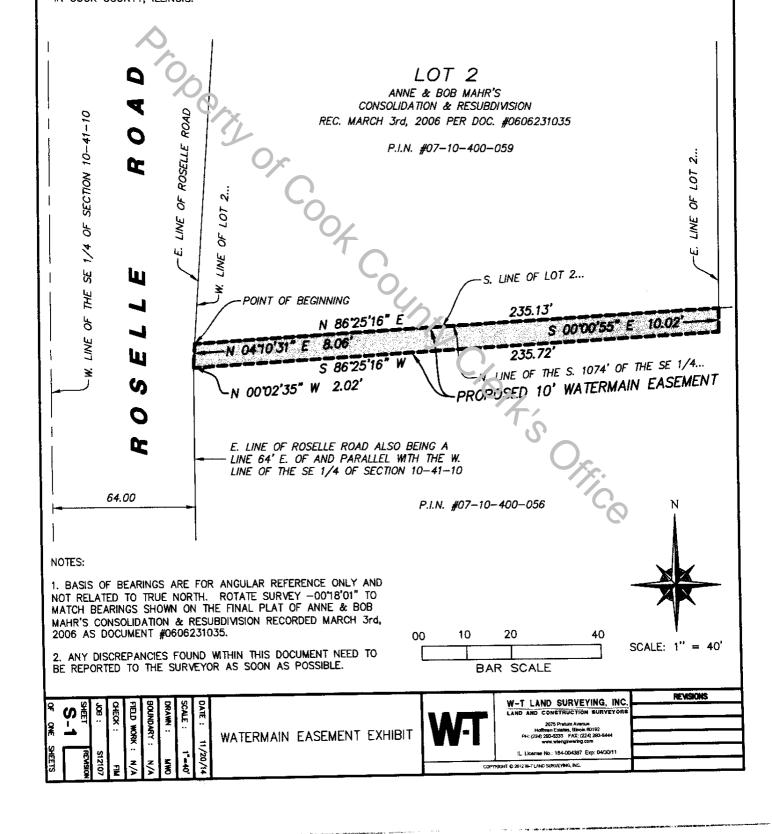
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EXHIBITB

P.I.N. #07-10-400-056 P.I.N. #07-10-400-059

EASEMENT DESCRIPTION

THAT PART OF THE SOUTH 1074 FEET OF THE SOUTHEAST QUARTER OF SECTION 10, TOWNSHIP 41 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, BEGINNING AT THE INTERSECTION OF THE NORTH LINE OF THE SOUTH 1074 FEET AND THE EAST LINE OF ROSELLE ROAD, ALSO BEING THE SOUTHWEST CORNER OF LOT 2 IN ANNE & BOB MAHR'S CONSOLIDATION & RESUBDIVISION, ACCORDING TO THE PLAT THEREOF RECORDED MARCH 3rd 2006 AS DOCUMENT NUMBER 0606231035, THENCE NORTH 86 DEGREES 25 MINUTES 16 SECONDS EAST ALONG SAID NORTH LINE ALSO BEING THE SOUTH LINE OF SAID LOT 2, A DISTANCE OF 235.13 FEET TO THE SOUTHEAST CORNER OF SAID LOT 2; THENCE SOUTH 00 DEGREES 00 MINUTES 55 SECONDS EAST, 10.02 FEET; THENCE SOUTH 86 DEGREES 25 MINUTES 16 SECONDS WEST, 235.72 FEET TO A POINT ON THE EAST LINE OF ROSELLE ROAD BEING A LINE 64 FEET EAST OF AND PARALLEL TO THE WEST LINE OF SAID SOUTHEAST QUARTER; THENCE NORTH 00 DEGREES 02 MINUTES 35 SECONDS ALONG SAID EAST LINE, 2.02 FEET; THENCE NORTH 04 DEGREES 10 MINUTES 31 SECONDS EAST ALONG THE EAST LINE OF ROSELLE ROAD, 8.06 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS.



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EASEMENT DESCRIPTION

THAT PART OF THE SOUTH 1074 FEET OF THE SOUTHEAST QUARTER OF SECTION 10, TOWNSHIP 41 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, BEGINNING AT THE INTERSECTION OF THE NORTH LINE OF THE SOUTH 1074 FEET AND THE EAST LINE OF ROSELLE ROAD, ALSO BEING THE SOUTHWEST CORNER OF LOT 2 IN ANNE & BOB MAHR'S CONSOLIDATION & RESUBDIVISION, ACCORDING TO THE PLAT THEREOF RECORDED MARCH 3rd 2006 AS DOCUMENT NUMBER 0606231035, THENCE NORTH 86 DEGREES 25 MINUTES 16 SECONDS EAST ALONG SAID NORTH LINE ALSO BEING THE SOUTH LINE OF SAID LOT 2, A DISTANCE OF 235.15 FEET TO THE SOUTHEAST CORNER OF SAID LOT 2: THENCE SOUTH 00 DEGREES 00 MINUTES 55 SECONDS EAST, 10.02 FEET; THENCE SOUTH 86 DEGREES 25 MINUTES 16 SECONDS WEST, 235.74 FEET TO A POINT ON THE EAST LINE OF ROSELLE ROAD BEING A LINE 64 FEET EAST OF AND PARALLEL TO THE WEST LINE OF SAID SOUTHEAST QUARTER; THENCE NORTH 00 DEGREES 02 MINUTES 35 SECONDS ALONG SAID EAST LINE, 2.02 FEET; THENCE NORTH 04 DEGREES ST.
TTY, IIII.

OF COOK COUNTY CLOTH'S OFFICE 10 MINUTES 31 SECONDS EAST ALONG THE EAST LINE OF ROSELLE ROAD, 8.06 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS.