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1433029058

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Karen A. Yarbrough
Cook County Recorder of Deeds
Date: 11/28/2014 12:38 PM Pg: 1 of 11

RELEASE OF THE 1985 DECLARATION OF COVENANTS

Property of Cook County Clerk's Office

UNOFFICIAL COPY**HOFFMAN ESTATES PARK DISTRICT****RESOLUTION NUMBER R14-004****RELEASE OF THE 1985 DECLARATION OF COVENANTS**

WHEREAS, the Hoffman Estates Park District is the owner of record of part (or 5.64%) of the real property located in the Prairie Stone development in Hoffman Estates, Illinois identified in the legal description attached hereto as Exhibit A (the "Property").

WHEREAS, the Property is subject to that certain Declaration of Protective Covenants for the Poplar Creek Music Theatre Property Hoffman Estates, Illinois dated March 7, 1985, and recorded with the Cook County Recorder of Deeds as Document No. 27509487 (the "Restrictive Covenants"), which was recorded as a result of the settlement of litigation in 1985.

WHEREAS, the Restrictive Covenants can be modified or released by consent of the Village of South Barrington, Illinois; the Village of Barrington Hills, Illinois; and the owners holding title to not less than fifty-one percent (51%) of the total square footage of the Restricted Property.

WHEREAS, Hoffman Estates Park District now desires to consent to the Release of the 1985 Declaration of Covenants executed by Sears, Roebuck and Co.; the Village of South Barrington, Illinois; and the Village of Barrington Hills, Illinois (the "Release"). A copy of the Release is attached hereto as Exhibit B and made a part hereof.

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are acknowledged, Hoffman Estates Park District hereby agrees as follows:

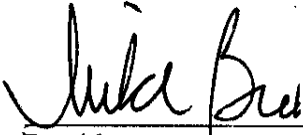
1. Release. Hoffman Estates Park District hereby consents to and approves of the Release.
2. Waiver. Hoffman Estates Park District hereby waives any rights it may have under the Restrictive Covenants.
3. Recordation. Hoffman Estates Park District hereby agrees that this Consent, together with the Release, may be recorded with the Recorder of Deeds for Cook County, Illinois.

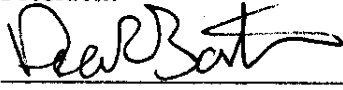
AYES 6

NAYS 0

ABSENT /

PASSED AND APPROVED THIS 23RD DAY OF SEPTEMBER, 2014



 President


 Secretary

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CONSENT TO RELEASE OF THE 1985 DECLARATION OF COVENANTS

THIS CONSENT TO RELEASE OF THE 1985 DECLARATION OF COVENANTS (this "Consent") is made as of this 23 day of September, 2014, by Hoffman Estates Park District.

RECITALS

A. Hoffman Estates Park District is the owner of record of part (or 5.64%) of the real property located in the Prairie Stone development in Hoffman Estates, Illinois identified in the legal description attached hereto as Exhibit A (the "Property").

B. The Property is subject to that certain Declaration of Protective Covenants for the Poplar Creek Music Theatre Property Hoffman Estates, Illinois dated March 7, 1985, and recorded with the Cook County Recorder of Deeds as Document No. 27509487 (the "Restrictive Covenants"), which was recorded as a result of the settlement of litigation in 1985.


C. The Restrictive Covenants can be modified or released by consent of the Village of South Barrington, Illinois; the Village of Barrington Hills, Illinois; and the owners holding title to not less than fifty-one percent (51%) of the total square footage of the Restricted Property.

D. Hoffman Estates Park District now desires to consent to the Release of the 1985 Declaration of Covenants executed by Sears, Roebuck and Co.; the Village of South Barrington, Illinois; and the Village of Barrington Hills, Illinois (the "Release"). A copy of the Release is attached hereto as Exhibit B and made a part hereof.

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are acknowledged, Hoffman Estates Park District hereby agrees as follows:

1. Release. Hoffman Estates Park District hereby consents to and approves of the Release.
2. Waiver. Hoffman Estates Park District hereby waives any rights it may have under the Restrictive Covenants.
3. Recordation. Hoffman Estates Park District hereby agrees that this Consent, together with the Release, may be recorded with the Recorder of Deeds for Cook County, Illinois.

IN WITNESS WHEREOF, the party hereto has executed this Consent as of the day and year first written above.


 By: Michael Bickham, President
 Hoffman Estates Park District

Prepared By:
 Kimberly S. Cornell
 Pedersen & Houpt
 161 N. Clark Street, Suite 2700
 Chicago, IL 60601

UNOFFICIAL COPY**EXHIBIT A****LEGAL DESCRIPTION OF RESTRICTED PROPERTY**

THE NORTHEAST QUARTER OF SECTION 32, TOWNSHIP 42 NORTH, RANGE 9 EAST OF THE THIRD PRINCIPAL MERIDIAN IN COOK COUNTY, ILLINOIS, EXCEPT THEREFROM ALL THAT PART LYING WESTERLY OF THE EASTERLY RIGHT-OF-WAY LINE OF THE ELGIN, JOLIET AND EASTERN RAILWAY COMPANY (100 FEET RECORD RIGHT-OF-WAY WIDTH), ALSO EXCEPT THEREFROM ALL THAT PART LYING NORTHERLY OF THE SOUTHERLY RIGHT-OF-WAY LINE OF STATE ROUTE 72 (240 FEET RECORD RIGHT-OF-WAY WIDTH), KNOWN AS HIGGINS ROAD.

ALSO

THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 33, TOWNSHIP 42 NORTH, RANGE 9 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS, EXCEPT THEREFROM ALL THAT PART LYING NORTHERLY OF SOUTHERN RIGHT OF WAY LINE OF STATE ROUTE 72, (RECORD 240 FEET WITH) KNOWN AS HIGGINS ROAD.

ALSO

THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 33, TOWNSHIP 42 NORTH, RANGE 9 EAST OF THE THIRD PRINCIPAL MERIDIAN IN COOK COUNTY, ILLINOIS, EXCEPT THEREFROM THE FOLLOWING DESCRIBED PARCEL OF LAND: BEGINNING AT A POINT ON THE NORTHWEST CORNER OF SAID SOUTHWEST QUARTER OF SECTION 33; THENCE SOUTH 89 DEGREES 57 MINUTES 40 SECONDS EAST (RECORD EAST) FOR A DISTANCE OF 49.52 FEET (RECORD 3 RODS = 49.5 FEET); THENCE SOUTH 01 DEGREES 01 MINUTES 00 SECONDS EAST (RECORD SOUTH) FOR A DISTANCE OF 280.10 FEET (RECORD 17 RODS = 280.5 FEET); THENCE SOUTH 02 DEGREES 21 MINUTES 40 SECONDS WEST FOR A DISTANCE OF 1036.29 FEET (RECORD 63 RODS = 1039.5 FEET) TO A POINT ON THE SOUTH LINE OF SAID NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 33; THENCE SOUTH 89 DEGREES 46 MINUTES 31 SECONDS WEST (RECORD WEST) ALONG SAID SOUTH LINE OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 33 FOR A DISTANCE OF 23.05 FEET (RECORD 1 1/2 RODS = 24.75 FEET) TO THE WEST LINE OF SAID SECTION 33; THENCE NORTH 00 DEGREES 55 MINUTES 23 SECONDS EAST (RECORD NORTH) ALONG SAID WEST LINE OF SECTION 33 FOR A DISTANCE OF 1315.76 FEET TO SAID POINT OF BEGINNING.

ALSO

THAT PART OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER

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OF SECTION 32, TOWNSHIP 42 NORTH, RANGE 9 EAST OF THE THIRD PRINCIPAL MERIDIAN IN COOK COUNTY, ILLINOIS LYING EASTERLY OF THE EASTERLY RIGHT OF WAY LINE OF THE ELGIN, JOLIET AND EASTERN RAILWAY COMPANY. ALSO THAT PART OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 33, TOWNSHIP 42 NORTH, RANGE 9 EAST OF THE THIRD PRINCIPAL MERIDIAN IN COOK COUNTY, ILLINOIS EXCEPT THAT PART LYING INSIDE THE NORTHWEST TOLLWAY (INTERSTATE - 90) RIGHT OF WAY.

ALSO ALL THAT PART OF STATE ROUTE 72 (HIGGINS ROAD) AND SUTTON ROAD ADJOINING THE PROPERTY DESCRIBED HEREIN NOT CURRENTLY WITHIN ANY MUNICIPALITY.

ALSO THE NORTHEAST QUARTER OF SECTION 32, TOWNSHIP 42 NORTH, RANGE 9 EAST OF THE THIRD PRINCIPAL MERIDIAN IN COOK COUNTY, ILLINOIS, EXCEPT THEREFROM ALL THAT PART LYING EASTERLY OF THE EASTERLY RIGHT-OF-WAY LINE OF ELGIN, JOLIET & EASTERN RAILWAY COMPANY, ALSO EXCEPT THEREFROM ALL THAT PART LYING NORTHERLY OF THE SOUTHWEST RIGHT-OF-WAY LINE OF STATE ROUTE 72 (HIGGINS ROAD) (RECORD 240 FOOT RIGHT-OF-WAY WITH) ALSO ALL THAT PART OF SAID STATE ROAD 72 ADJOINING THE PROPERTY DESCRIBED HEREBON NOT CURRENTLY WITHIN ANY MUNICIPALITY.

PIN Numbers: 01-32-201-004-0000; 01-32-201-005-0000; 01-32-201-006-0000; -01-32-201-007-0000; 01-32-201-008-0000; 01-32-202-002-0000; 01-32-202-003-0000; 01-32-202-004-0000; 01-32-202-006-0000; 01-32-202-007-0000; 01-32-202-008-0000; 01-32-400-004-0000; 01-32-400-010-0000; 01-32-400-018-0000; 01-32-400-027-0000; 01-32-401-007-0000; 01-32-401-008-0000; 01-32-401-009-0000; 01-32-403-001-0000; 01-33-102-002-0000; 01-33-102-004-0000; 01-33-104-002-0000; 01-33-104-004-0000; 01-33-104-005-0000; 01-33-300-005-0000; 01-33-300-008-0000; 01-33-300-009-0000; 01-33-304-004-0000; 01-33-304-005-0000; 01-33-304-006-0000; 01-33-304-007-0000; 01-33-304-008-0000; 01-33-304-009-1001; 01-33-304-009-1002; 01-33-304-009-1003; 01-33-304-009-1004; 01-33-304-009-1005.

Common addresses: 3333 Beverly Road; 2600 Forbs Ave; 2701 Forbs Ave; 2800 Forbs Ave.; 2815 Forbs Ave; 2845 Forbs Ave; 2870 Forbs Ave; 2900 Forbs Ave; 2902 Forbs Ave; 313 Higgins Rd; 10 W. Hoffman Blvd.; 12 W. Hoffman Blvd.; 14 W. Hoffman Blvd.; 600 W. Hoffman Blvd.; 4871 W. Hoffman Blvd.; 4885 Hoffman Blvd, Units 110, 120, 200, 300 and 400; 4895 W. Hoffman Blvd., Unit 5C1; 2816 N. Old Sutton Road; 10 Prairie Stone Pky; 5120 Prairie Stone Pky; 5150 Prairie Stone Pky; 5225 Prairie Stone Pky; 5050 Sedge Blvd.; 5100 Sedge Blvd; 5115 Sedge Blvd.; 5125 Trillium Road; 5131 Trillium Road; 5137 Trillium Road; 5401 Trillium Road; Hoffman Estates, Illinois

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Common Address

PIN Numbers

3333 Beverly Road Hoffman Estates, IL 60179-0001	01-32-201-008-0000
2600 Forbs Ave. Hoffman Estates, IL 60192-3723	01-32-401-008-0000
2701 Forbs Ave. Hoffman Estates, IL 60192	01-33-300-005-0000
2800 Forbs Ave. Hoffman Estate, IL 60192-3702	01-32-401-009-0000
2815 Forbs Ave. Hoffman Estates, IL 60192-3702	01-33-300-008-0000
2845 Forbs Ave. Hoffman Estates, IL 60192	01-33-102-004-0000
2870 Forbs Ave. Hoffman Estates, IL 60192-3702	01-33-104-002-0000
2900 Forbs Ave. Hoffman Estates, IL 60192	01-33-104-004-0000
2902 Forbs Ave. Hoffman Estates, IL 60192	01-33-104-005-0000
313 Higgins Road Hoffman Estates, IL 60192	01-33-102-002-0000
10 W. Hoffman Blvd. Hoffman Estates, IL 60192	01-33-304-005-0000
12 W. Hoffman Blvd. Hoffman Estates, IL 60192	01-33-304-007-0000
14 W. Hoffman Blvd. Hoffman Estates, IL 60192	01-33-304-008-0000
600 W. Hoffman Blvd. Hoffman Estates, IL 60192	01-32-401-007-0000
4871 W. Hoffman Blvd. Hoffman Estates, IL 60192	01-33-304-004-0000
4885 Hoffman Blvd. Unit 110 Hoffman Estates, IL 60192-3726	01-33-304-009-1001
4885 Hoffman Blvd. Unit 120 Hoffman Estates, IL 60192-3726	01-33-304-009-1002
4885 Hoffman Blvd. Unit 200 Hoffman Estates, IL 60192-3726	01-33-304-009-1003
4885 Hoffman Blvd. Unit 300 Hoffman Estates, IL 60192-3726	01-33-304-009-1004
4885 Hoffman Blvd. Unit 400	01-33-304-009-1005

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Hoffman Estates, IL 60192-3727 4895 W. Hoffman Blvd. Unit 5C1	01-32-403-001-0000
Hoffman Estates, IL 60192 2816 N. Old Sutton Road	01-33-300-009-0000
Hoffman Estates, IL 60192 10 Prairie Stone Pky.	01-32-400-010-0000
Hoffman Estates, IL 60192 5120 Prairie Stone Pky.	01-32-202-004-0000
Hoffman Estates, IL 60192-3707 5150 Prairie Stone Pky.	01-32-400-018-0000
Hoffman Estates, IL 60192-3709 5225 Prairie Stone Pky.	01-32-400-027-0000
Hoffman Estates, IL 60192-3712 5050 Sedge Blvd.	01-32-201-007-0000
Hoffman Estates, IL 60192 3711 5100 Sedge Blvd.	01-32-201-006-0000
Hoffman Estates, IL 60192-3708 5115 Sedge Blvd.	01-32-201-004-0000
Hoffman Estates, IL 60192-3707 5125 Trillium Blvd.	01-32-202-006-0000
Hoffman Estates, IL 60192-3600 5131 Trillium Blvd.	01-32-202-007-0000
Hoffman Estates, IL 60192-3600 5137 Trillium Blvd.	01-32-202-008-0000
Hoffman Estates, IL 60192 5401 Trillium Blvd.	01-32-400-004-0000
Hoffman Estates, IL 60192 5401 Trillium Blvd.	01-32-201-005-0000
Hoffman Estates, IL 60192 10 W Hoffman Blvd.	01-33-304-006-0000
Hoffman Estates, IL 60192	

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EXHIBIT B

RELEASE OF THE 1985 DECLARATION OF COVENANTS

~~Property of Cook County Clerk's Office~~

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This document prepared by
and after recording return to:

This space reserved for Recorder's use only.

RELEASE OF THE 1985 DECLARATION OF COVENANTS

THIS RELEASE OF THE 1985 DECLARATION OF COVENANTS (this "Release") is made as of this ____ day of _____, 2014.

RECITALS

A. That certain Settlement Agreement dated March 7, 1985, and recorded with the Cook County Recorder of Deeds as Document No. 27509488 (the "Settlement Agreement") required, among other things, that the Declaration of Protective Covenants for the Poplar Creek Music Theatre Property Hoffman Estates, Illinois dated March 7, 1985 (the "Declaration"), be recorded to impose certain covenants, conditions and restrictions upon the property legally described in Exhibit "A" attached hereto and made a part hereof (the "Restricted Property");

B. The Declaration was recorded with the Cook County Recorder of Deeds as Document No. 27509487.

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged by the parties consenting hereto,

1. The Declaration is terminated in its entirety.
2. This Release may be executed in multiple copies, each of which shall be deemed an original, but all of which shall constitute one Release after each party has signed such a counterpart. This Release shall be promptly recorded against the Restricted Property.

[consents follow]

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IN WITNESS WHEREOF, the Parties hereto have executed this Release as of the date first written above.

SEARS, ROEBUCK AND CO.

By: _____

Printed Name: _____

Its: _____

Date: _____

Property of Cook County Clerk's Office

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VILLAGE OF SOUTH BARRINGTON

By: _____

Printed Name: _____

Its: _____

Date: _____

Attested: _____

Printed Name: _____

Date: _____

VILLAGE OF BARRINGTON HILLS

By: _____

Printed Name: _____

Its: _____

Date: _____

Attested: _____

Printed Name: _____

Date: _____

Property of Cook County Clerk's Office