

UNOFFICIAL COPY



RECORDING REQUESTED BY
AND RETURN TO
NEAL GERBER & EISENBERG LLP
TWO NORTH LASALLE ST., SUITE 1700
CHICAGO, IL 60602
ATTN: LEAH A. SCHLEICHER

Doc#: 1502022087 Fee: \$48.00
RHSP Fee: \$9.00 RPRF Fee: \$1.00
Karen A. Yarbrough
Cook County Recorder of Deeds
Date: 01/20/2015 01:59 PM Pg: 1 of 6

ACCESS EASEMENT AGREEMENT

THIS ACCESS EASEMENT AGREEMENT (the "Agreement") is dated as of the 16th day of January 2015 between VCNA PRAIRIE, INC. ("Grantee") and KCJTAJ, LLC ("Grantor").

BACKGROUND

A. Grantor is the owner of certain more particularly described in *Exhibit "A"* attached hereto and made a part hereof (the "Grantor Property").

B. The parties desire that the Grantee Property have vehicular and pedestrian access to the Grantor Property for the solely purpose of performing certain environmental work related to the removal of an underground storage tank.

NOW, THEREFORE, in consideration of the covenants and conditions set forth herein, the parties hereto, intending to be legally bound hereby, agree as follows:

1. **Grant of Easement.** Grantor hereby grants and conveys to Grantee, its successors and assigns, a non-exclusive easement for vehicular and pedestrian ingress and egress over, upon and across the Property to perform certain environmental work related to the removal of an underground storage tank. In no event shall Grantee enter the Grantor Property without prior notice to Grantor

2. **Termination of Easement.** The easement granted pursuant to this Agreement shall automatically terminate upon issuance of a No Further Remediation letter by the Illinois Environmental Protection Agency with respect to the Grantor Property.

3. **Governing Law.** This Agreement shall be governed by the laws of the State of Illinois.

2014
NCS 691390
First American Title Order #

UNOFFICIAL COPY

4. **Entire Agreement.** This Agreement contains the entire agreement among the parties regarding the transactions described herein. This Agreement shall not be modified without the prior written agreement of Grantor and Grantee.

5. **Binding Effect.** This Agreement shall run with the land and shall be binding upon and inure to the benefit of Grantor and Grantee, and their respective successors and assigns and shall run with the land.

6. **Counterparts.** This Agreement may be executed in counterparts, each of which shall be considered an original and all of which taken together shall constitute one and the same Agreement.

[Signature Page Follows]

Property of Cook County Clerk's Office

UNOFFICIAL COPY

IN WITNESS WHEREOF, the parties have executed this Agreement the day and year first above written.

GRANTEE:

VCNA PRAIRIE, INC

By: 

Name: Michael K. Davis

Title: CFO / Treasurer

GRANTOR:

KCJTAJ, LLC

By: Mark Balek by Colleen Balek, his
Mark Balek power of attorney
Member

By: James A. Balek, Jr. by Colleen Balek,
James A. Balek, Jr. his power of attorney
Member

Property of Cook County Clerk's Office

UNOFFICIAL COPY

STATE OF ILLINOIS)

) ss

COUNTY OF COOK)

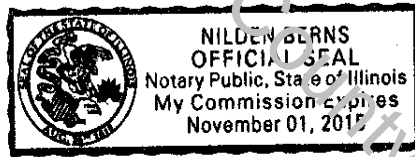
On this the 5th day of January, 2015, before me, a Notary Public, the undersigned officer personally appeared Michael K. Davis who acknowledged himself/herself to be the CFO / treasurer of VCNA Prairie, Inc. known to me (or satisfactorily proven to be) the person whose name is subscribed to the within instrument and acknowledge that he being authorized to do so executed the same on behalf of said corporation for the purposes therein contained.

IN WITNESS WHEREOF, I hereunto set my hand and Notarial Seal.

Notary Public



My Commission Expires: _____



Clerk's Office

UNOFFICIAL COPY

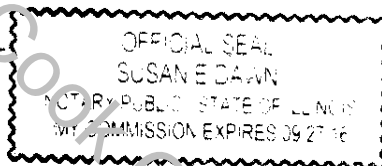
STATE OF [IL])
) ss
COUNTY OF [Cook])

On this the 7th day of January, 2015, before me, a Notary Public, the undersigned officer personally appeared Colleen Balek under Power of Attorney for James A. Balek who acknowledged himself/herself to be a member of KCJTAJ, LLC, and he acknowledged this instrument, by him sealed and subscribed, to be his free act and deed and the free act and deed of said limited liability company.

IN WITNESS WHEREOF, I hereunto set my hand and Notarial Seal.

Notary Public

My Commission Expires : _____



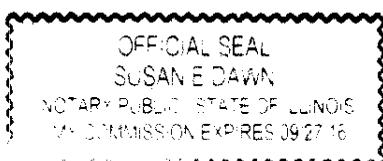
STATE OF [IL])
) ss
COUNTY OF [Cook])

On this the 7 day of January, 2015, before me, a Notary Public, the undersigned officer personally appeared Colleen Balek under Power of Attorney for Mark Balek who acknowledged himself/herself to be a member of KCJTAJ, LLC, and he acknowledged this instrument, by him sealed and subscribed, to be his free act and deed and the free act and deed of said limited liability company.

IN WITNESS WHEREOF, I hereunto set my hand and Notarial Seal.

Notary Public

My Commission Expires : _____



UNOFFICIAL COPY

EXHIBIT "A"

LEGAL DESCRIPTION OF GRANTOR PROPERTY

PARCEL 1:

THAT PART OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 23, TOWNSHIP 42 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, LYING SOUTH OF THE CHICAGO AND NORTHWESTERN RAILROAD (EXCEPT THE WEST 600 FEET THEREOF) TOGETHER WITH THAT PART OF THE NORTH 1/4 OF THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 23, TOWNSHIP 42 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, LYING SOUTH OF THE CHICAGO AND NORTHWESTERN RAILROAD (EXCEPT THE WEST 600 FEET THEREOF AND EXCEPT THAT PART LYING EAST OF A LINE 333 FEET WEST OF, AS MEASURED ALONG THE SOUTHERLY LINE OF SAID CHICAGO AND NORTHWESTERN RAILROAD, AND PARALLEL WITH THE EAST LINE OF SAID SECTION 23) EXCEPT FROM THE ABOVE DESCRIBED PREMISES TAKEN AS A TRACT, THE EASTERLY 50 FEET (AS MEASURED ALONG THE SOUTHERLY LINE) THEREOF, AND EXCEPT THE SOUTH 33 FEET THEREOF, HERETOFORE DEDICATED FOR A PUBLIC STREET BY DOCUMENT NO. 26866158, ALL IN COOK COUNTY, ILLINOIS.

PARCEL 2:

THE EAST 120.0 FEET OF THE WEST 600.0 FEET OF THE NORTH 1/4 OF THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 23, AND THE EAST 120.0 FEET OF THE WEST 600.0 FEET OF THAT PART OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 23 (LYING SOUTH OF THE SOUTHERLY LINE OF THE CHICAGO AND NORTHWESTERN RAILROAD) ALL IN TOWNSHIP 42 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, EXCEPT THE SOUTH 33.0 FEET THEREOF, HERETOFORE DEDICATED FOR A PUBLIC STREET BY DOCUMENT NO. 26866158, IN COOK COUNTY, ILLINOIS.

Property Address: 3650 Berndick Street, Rolling Meadows, Illinois

Property Index Number: 02-23-221-005-0000; 02-23-221-007-0000; 02-23-401-012-0000

02-23-401-055-0000

20588071.2