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Doc#: 1532345023 Fee: \$44.00
Karen A. Yarbrough
Cook County Recorder of Deeds
Date: 11/19/2015 10:19 AM Pg: 1 of 4

ONSITE UTILITY MAINTENANCE AGREEMENT

an Illinois local government

WHEREAS, Arlington Heights School District 25, ~~an Illinois limited liability company~~, or its affiliates, ("RESPONSIBLE ENTITY") is the legal title holder of the following described real estate commonly referred to as Ivy Hill Elementary School at 2211 N. Burke Drive, Arlington Heights, Illinois, 60004, containing 0.727 acres, more or less, situated in the Village of Arlington Heights, Illinois and legally described as follows: (the "PROPERTY"):

THAT PART OF THE WEST HALF OF THE SOUTHEAST QUARTER, EXCEPT THE NORTH 195.00 FEET THEREOF, OF SECTION 17, TOWNSHIP 42 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS, DESCRIBED AS FOLLOWS: BEGINNING AT A POINT BEING THE INTERSECTION OF THE SOUTH LINE OF THE NORTH 195.00 FEET OF THE WEST HALF OF THE SOUTHEAST QUARTER OF SAID SECTION 17 WITH THE EAST LINE OF THE SAID WEST HALF OF THE SOUTHEAST QUARTER; THENCE WESTWARD ALONG THE SAID SOUTH LINE OF THE NORTH 195.00 FEET, SOUTH 89 DEGREES, 48 MINUTES, 53 SECONDS WEST, A DISTANCE OF 533.00 FEET; THENCE SOUTH 00 DEGREES 11 MINUTES 07 SECONDS EAST, A DISTANCE OF 123.00 FEET TO A POINT OF CURVATURE; THENCE SOUTHWARD ALONG A CURVED LINE, CONVEX TO THE WEST OF 1420.15 FEET IN RADIUS, FOR AN ARC LENGTH OF 328.35 FEET; THENCE NORTH 57 DEGREES 12 MINUTES 35 SECONDS EAST, A DISTANCE OF 24.52 FEET TO A POINT OF CURVATURE; THENCE EASTWARD ALONG A CURVED LINE, CONVEX TO THE NORTH OF 571.24 FEET IN RADIUS, FOR AN ARC LENGTH OF 322.14 FEET TO A POINT OF TANGENCY; THENCE NORTH 89 DEGREES 31 MINUTES 14 SECONDS EAST, A DISTANCE OF 115.09 FEET TO A POINT ON THE AFORESAID EAST LINE OF THE WEST HALF OF THE SOUTHEAST QUARTER OF SECTION 17; THENCE NORTHWARD ALONG THE SAID EAST LINE OF THE WEST HALF OF THE SOUTHEAST QUARTER, NORTH 00 DEGREES 28 MINUTES 46 SECONDS WEST, A DISTANCE OF 537.42 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS.

PIN Numbers: 03-17-400-008-0000

WHEREAS, Arlington Heights School District 25, desires to develop the PROPERTY;

and

WHEREAS, it is necessary to service said parcel with sanitary sewers, storm sewers and stormwater management facilities; and

WHEREAS, the sanitary sewers, storm sewers and stormwater management facilities servicing the property are not located within public rights-of-way or dedicated easements; and

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WHEREAS, the Village of Arlington Heights ("VILLAGE") does not maintain sanitary sewers, storm sewers and stormwater management facilities on privately owned property; therefore

1. It is hereby AGREED by the RESPONSIBLE ENTITY, its successors and assigns that at no expense to the VILLAGE, the RESPONSIBLE ENTITY, its successors and assigns shall:

- a. Maintain all sanitary sewers and appurtenances thereunto appertaining located upon said premises, all as shown on the Final Engineering Plans prepared by Eriksson Engineering Associates, Ltd. dated 6/8/2015, and approved by the VILLAGE, or any amended plans as agreed to and approved by both parties, copies which are on file with the Engineering Department of the VILLAGE.
- b. Maintain all storm sewers and appurtenances, including detention basins, located upon said premises.
- c. Maintain the utilities as itemized above in accordance with the latest edition of the Village of Arlington Heights Municipal Code.
- d. Maintain all private road ways, parking areas, and pavement lighting facilities located on said premises as shown on said Final Engineering Plans in accordance with the latest edition of the Village of Arlington Heights Municipal Code.

2. It is further AGREED that should the RESPONSIBLE ENTITY not properly maintain the sanitary sewers, storm sewers and stormwater management facilities in accordance with the requirements of the VILLAGE, written notification shall be given to the RESPONSIBLE ENTITY advising that after ten (10) days if the RESPONSIBLE ENTITY is not in compliance with the applicable requirements, the VILLAGE is hereby authorized, but not required, to enter upon the property to correct deficiencies and to place a lien against said property until such time that the VILLAGE has been fully reimbursed for its expenses in correcting these deficiencies; and

3. It is further AGREED that should the RESPONSIBLE ENTITY not properly maintain the aforementioned sanitary sewers, storm sewers and stormwater management facilities in accordance with the requirements of the VILLAGE, or should they allow a public nuisance to exist, written notification shall be given to the RESPONSIBLE ENTITY advising that after ten (10) days if the RESPONSIBLE ENTITY is not in compliance with the applicable requirements, the VILLAGE is hereby authorized, but not required, to enter upon the property to correct deficiencies and to place a lien against said property until such time that the VILLAGE has been fully reimbursed for its expenses in correcting these deficiencies; and

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4. It is further AGREED that the RESPONSIBLE ENTITY shall save the VILLAGE harmless from any and all claims for damages resulting from the VILLAGE interrupting service to the property due to the failure of the RESPONSIBLE ENTITY to perpetually maintain the systems as described above and any other claims or damages arising out of this Agreement and the ownership of the facilities described herein.

5. This Agreement shall be binding between all successors and assigns and shall be a covenant running with the land as here and before legally described.

6. This Agreement shall be recorded in Cook County, Illinois.

This Agreement is entered into the 25 day of August, 2015.

For: Arlington Heights School District 25

Name: Ryan Schultz

Signature: [Handwritten Signature]

Title: Director of Facilities

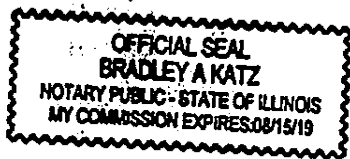
State of Illinois)
) SS
County of Cook)

I, Bradley A. Katz, a Notary In and for said County, in the State

of Illinois, CERTIFY that Ryan Schultz personally known to me to be the same person whose name is subscribed on the foregoing instrument appeared before me this day in person and acknowledged that (s)he signed, sealed, and delivered said instrument as their free and voluntary act, and as the voluntary act of Arlington Heights School District 25, an Illinois limited liability company, for the uses and purposes therein set forth. an Illinois local Government (KSS)

GIVEN under my hand and Notarial seal this 25 day of August, 2015.

[Handwritten Signature]
Notary Public



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For: Village of Arlington Heights,
an Illinois municipal corporation

Name: Randall Recklaus

Signature: *Randall R. Recklaus*

Title: Village Manager

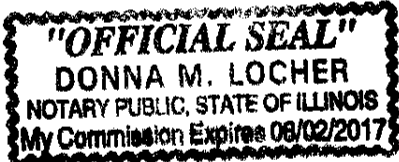
State of Illinois)
) SS
County of Cook)

I, DONNA M. LOCHER a Notary In and for said County, in the State

aforesaid, CERTIFY that RANDALL RECKLAUS personally known to me to be the same person whose name is subscribed on the foregoing instrument appeared before me this day in person and acknowledged that (s)he signed, sealed, and delivered said instrument as their free and voluntary act, and as the voluntary act of the Village of Arlington Heights, an Illinois municipal corporation, for the uses and purposes therein set forth.

GIVEN under my hand and Notarial seal this 26th day of OCTOBER, 2015.

Donna M. Locher
Notary Public



Property Clerk's Office