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KAREN A. YARBROUGH

COOK COUNTY RECORDER OF DEEDS

DATE: 12/13/2017 01:11 PM PG: 1 OF 8

Property of Cook County Clerk's Office



RESOLUTION NO. 73-17

VILLAGE OF ELK GROVE VILLAGE

LORETTA M. MURPHY, VILLAGE CLERK

901 WELLINGTON AVENUE

ELK GROVE VILLAGE, ILLINOIS 60007

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Mayor
CRAIG B. JOHNSON

Village Clerk
LORETTA M. MURPHY

Village Manager
RAYMOND R. RUMMEL



Village Trustees
NANCY J. CZARNIK
PATTON L. FEICHTER
JEFFREY C. FRANKE
SAMUEL L. LISSNER
JAMES P. PETRI
CHRIS PROCHNO

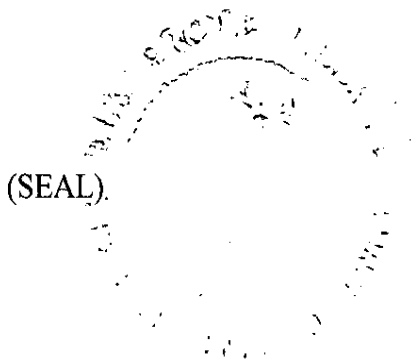
STATE OF ILLINOIS)
) SS
COUNTIES OF COOK AND DU PAGE)

CERTIFICATE OF CLERK

This is to certify that I, Loretta M. Murphy, am the Village Clerk of the Village of Elk Grove Village, Cook and DuPage Counties, Illinois, and as such official am the custodian of the records and seal of said Village; and that the attached is a true and correct original of Resolution No. 73-17, passed by the Mayor and Board of Trustees of said Village at a meeting duly held on the 12th day of December, 2017, which Resolution No. 73-17 was approved by the Mayor, all as appears from the official records which are in my custody.

Witness my hand and the official seal of said Village of Elk Grove Village this 13th day of December 2017.

Loretta M. Murphy
Loretta M. Murphy, Village Clerk
Village of Elk Grove Village
Counties of Cook and DuPage, Illinois



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RESOLUTION NO. 73-17

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A RELEASE OF PROPERTY RESTRICTIONS AGREEMENT BETWEEN THE VILLAGE OF ELK GROVE VILLAGE AND ELK GROVE TOWNSHIP FOR PROPERTY LOCATED AT 2400 S. ARLINGTON HEIGHTS ROAD, ARLINGTON HEIGHTS, IL

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Board of Trustees of the Village of Elk Grove Village, Counties of Cook and DuPage, State of Illinois as follows:

Section 1: That the Mayor be and is hereby authorized to sign the attached document marked:

RELEASE OF PROPERTY RESTRICTIONS

a copy of which is attached hereto and made a part hereof as if fully set forth and the Village Clerk is authorized to attest said document upon the signature of the Mayor.

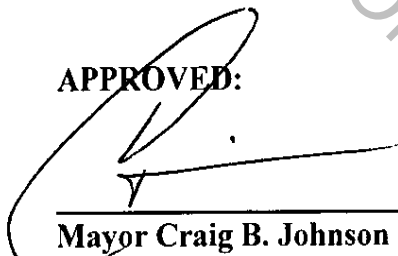
Section 2: That this Resolution shall be in full force and effect from and after its passage and approval according to law.

VOTE: AYES: 6 NAYS: 0 ABSENT: 0

PASSED this 12th day of December 2017.


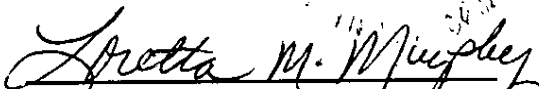
APPROVED this 12th day of December 2017.

APPROVED:



Mayor Craig B. Johnson
Village of Elk Grove Village

ATTEST:



Loretta M. Murphy, Village Clerk

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THIS DOCUMENT PREPARED BY
AND AFTER RECORDING RETURN TO:

The Village of Elk Grove
901 Wellington Ave
ELK GROVE VILLAGE, IL 60007

RELEASE OF PROPERTY RESTRICTIONS

THIS RELEASE OF PROPERTY RESTRICTIONS (the "Release") is made as of this 12th day of DECEMBER, 2017 by THE VILLAGE OF ELK GROVE, an Illinois municipal corporation (the "Village").

RECITALS:

WHEREAS, by that certain Assignment of Interests in Property Restrictions dated November 8, 2017 (the "Assignment"), the Village, as "Assignee", was assigned certain rights with respect to restrictions on portions of that certain real property commonly known as 2400 S. Arlington Heights Road, Arlington Heights, Illinois (the "Property"), which Property is more particularly described in Exhibit A attached hereto; and

WHEREAS, as a result of the Assignment, the Village has the exclusive rights to enforce, waive, modify or otherwise address, administer or dispose of the following restrictions: (i) restrictions applicable to a portion of the Property, contained in that certain Quitclaim Deed dated as of February 24, 1977 and recorded July 18, 1978 as Document 24541213, which provide that (a) any building or structure constructed upon such portion of the Property will not exceed twenty five (25) feet in height, and (b) in the event the owner of such portion of the Property desires to divest itself of ownership of such portion of the Property (or any part thereof), such owner shall first offer such portion of the Property to the Village for the sum of Thirty Eight Thousand and No/100 Dollars (\$38,000.00); and (ii) a restriction applicable to a portion of the Property, contained in that certain Quitclaim Deed dated as of February 21, 2002 and recorded March 6, 2002 as Document 0020252186, providing that the owner of such portion may not build or cause to be built or erected upon such portion, any advertising sign or structure directed, whether in whole or in part, to users or patrons on the adjacent toll highway or any structure that in the opinion of the Chief Engineer of the Village (as Assignee under the Assignment) would in any way interfere with the safe operation of The Illinois State Toll Highway system ((i) and (ii) collectively, the "Restrictions"); and

WHEREAS, the Village wishes to allow for the conveyance, development and use of the Property without concern for the Restrictions, and therefore desires to release the Restrictions.

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NOW THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Village hereby agrees and declares as follows:

1. The Recitals set forth above are hereby incorporated as if fully set forth herein.
2. The Village, on behalf of itself and its successors and assigns, hereby releases, waives, and disclaims all rights, title and interest of the Village in and to the Property, including, without limitation, all rights of the Village to enforce, waive, modify or otherwise address, administer or dispose of the Restrictions. From and after the date of this Release, the Restrictions shall be null and void and of no further force or effect.
3. This Release shall be binding upon the Village and its successors and assigns.
4. This Release shall be construed under the laws of the State of Illinois without regard to conflicts of law provisions.
5. The Village represents and warrants that it has taken all governmental, corporate or other action necessary to execute and deliver this Release, and that this Release constitutes the legally binding act of the Village enforceable in accordance with its terms.
6. If any term or provision of this Release, or the application thereof to any person or circumstance, is to any extent invalid or unenforceable, the remainder of this Release, or the application of such term or provision to persons or circumstances other than those as to which it is held invalid or unenforceable, shall not be affected thereby and each term and provision of this Release shall be valid and be enforced to the fullest extent permitted by law.

[END OF TEXT ON THIS PAGE; SIGNATURE PAGE FOLLOWS]

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IN WITNESS WHEREOF, the Village has executed this Release as of the date first written above.

VILLAGE OF ELK GROVE, an Illinois municipal corporation

By: [Signature]
Name: CRAIG B. JOHNSON
Title: MAYOR

STATE OF ILLINOIS)
) SS
COUNTY OF)

I, the undersigned, a Notary Public, in and for said County, in the State aforesaid, DO HEREBY CERTIFY that CRAIG B. JOHNSON, the MAYOR of VILLAGE OF ELK GROVE, an Illinois municipal corporation, personally known to me to be the same person whose name is subscribed to the foregoing instrument as such MAYOR, appeared before me this day in person, and acknowledged before me that he signed and delivered the said instrument as his free and voluntary act and the free and voluntary act of VILLAGE OF ELK GROVE, for the uses and purposes therein set forth.

GIVEN under my hand and Notarial Seal, this 12th day of DEC, 2017.

Loretta M. Murphy
Notary Public



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EXHIBIT A

Legal Description of Property

PARCEL 1:

THAT PART OF LOT 7 OF AUGUST BUSSE'S DIVISION OF PARTS OF THE EAST HALF OF SECTION 16, TOWNSHIP 41 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN THE COUNTY OF COOK, STATE OF ILLINOIS, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID LOT 7; THENCE EASTERLY ALONG THE SOUTH LINE OF SAID LOT 7 A DISTANCE OF 190.00 FEET TO A POINT ON THE SOUTH LINE OF LOT 7 FOR A POINT OF BEGINNING, SAID POINT BEING 229.37 FEET WEST OF THE SOUTHEAST CORNER OF SAID LOT 7; THENCE NORTHERLY AND PERPENDICULAR TO SAID SOUTH LINE OF LOT 7 A DISTANCE OF 160.80 FEET TO A POINT; THENCE SOUTHWESTERLY ALONG A COMPOUND CURVE TO THE LEFT HAVING A RADIUS OF 420.00 FEET FOR AN ARC DISTANCE OF 44.70 FEET, WHICH FORMS AN ANGLE AT POINT OF TANGENT OF 104° 11' 50" TO THE LEFT OF SAID LAST NORTH LINE EXTENDED; THENCE SOUTHWESTERLY ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 123.00 FEET FOR AN ARC DISTANCE OF 182.21 FEET TO A POINT ON THE SOUTH LINE OF LOT 7; THENCE EASTERLY ALONG THE SOUTH LINE OF LOT 7 A DISTANCE OF 118.71 FEET TO THE POINT OF BEGINNING.

PARCEL 2:

THAT PART OF LOT 7 OF AUGUST BUSSE'S DIVISION OF PARTS OF THE EAST 1/2 OF SECTION 16, TOWNSHIP 41 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID LOT 7; THENCE EASTERLY ALONG THE SOUTH LINE OF SAID LOT 7 A DISTANCE OF 190.00 FEET TO A POINT ON THE SOUTH LINE OF LOT 7 FOR A POINT OF BEGINNING, SAID POINT BEING 229.37 FEET WEST OF THE SOUTHEAST CORNER OF SAID LOT 7; THENCE CONTINUING EASTWARD ALONG SAID SOUTH LINE FOR A DISTANCE OF 178.01 FEET TO A POINT; THENCE NORTHERLY AND PERPENDICULAR TO SAID SOUTH LINE 166.87 FEET TO A POINT; THENCE NORTHWESTERLY ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 420.00 FEET FOR AN ARC DISTANCE OF 179.48 FEET WHICH FORMS AN ANGLE AT A POINT OF TANGENT OF 79° 42' 48" TO THE LEFT OF SAID LAST NORTH LINE EXTENDED; THENCE SOUTHERLY ALONG A LINE, SAID LINE BEING PARALLEL WITH THE LAST DESCRIBED NORTH LINE FOR A DISTANCE OF 160.80 FEET TO THE POINT OF BEGINNING.

PARCEL 3:

THAT PART OF LOT 8 (LYING NORTHERLY OF THE NORTHERLY LINE OF THAT PART OF SAID LOT 8 CONVEYED TO THE ILLINOIS STATE TOLL HIGHWAY COMMISSION BY DEED RECORDED OCTOBER 15, 1956 AS DOCUMENT 16726440) IN AUGUST BUSSE'S DIVISION OF PARTS OF THE EAST HALF OF SECTION 16, TOWNSHIP 41 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, (EXCEPTING FROM SAID LOT 8 THAT PART THEREOF CONVEYED TO THE ILLINOIS STATE TOLL HIGHWAY AUTHORITY BY WARRANTY DEED RECORDED APRIL 21, 1970 AS DOCUMENT 21139137 AND RECORDED MAY 3, 1970 AS DOCUMENT 21154328, AND ALSO EXCEPTING FROM SAID LOT 8 THAT PART TAKEN BY CONDEMNATION IN CASE 96L50469 DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE EASTERLY LINE OF SAID LOT 8 WITH THE

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NORTHERLY RIGHT OF WAY LINE OF THE NORTHWEST TOLLWAY ACCORDING TO DOCUMENT 16726440; THENCE ON AN ASSUMED BEARING OF NORTH 58 DEGREES 23 MINUTES 56 SECONDS WEST ALONG THE SAID NORTHERLY RIGHT OF WAY LINE OF THE NORTHWEST TOLLWAY ACCORDING TO DOCUMENT 16726440 A DISTANCE OF 33.75 FEET; THENCE NORTH 7 DEGREES 44 MINUTES 56 SECONDS EAST 255.25 FEET TO THE NORTHERLY LINE OF SAID LOT 8; THENCE SOUTH 82 DEGREES 56 MINUTES 03 SECONDS EAST ALONG THE SAID NORTHERLY LINE OF LOT 8 A DISTANCE OF 27.48 FEET TO THE NORTHEAST CORNER OF LOT 8; THENCE SOUTH 7 DEGREES 01 MINUTES 35 SECONDS WEST ALONG THE EASTERLY LINE OF SAID LOT 8 A DISTANCE OF 269.24 FEET TO THE POINT OF BEGINNING, AS DESCRIBED IN THE FINAL JUDGMENT ORDER RECORDED MARCH 17, 1999 AS DOCUMENT 99260978) IN COOK COUNTY, ILLINOIS.

PARCEL 4:

THAT PART OF LOT 7 IN AUGUST BUSSE'S DIVISION OF PARTS OF THE EAST 1/2 OF SECTION 16, TOWNSHIP 41 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS, ACCORDING TO THE PLAT THEREOF RECORDED MAY 15, 1928 AS DOCUMENT 10023115, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF SAID LOT 7; THENCE NORTH 82 DEGREES 56 MINUTES 03 SECONDS WEST, ALONG THE SOUTH LINE OF SAID LOT 7, A DISTANCE OF 27.48 FEET TO THE POINT OF BEGINNING; THENCE NORTH 7 DEGREES 44 MINUTES 56 SECONDS EAST, 61.80 FEET; THENCE NORTH 3 DEGREES 56 MINUTES 06 SECONDS EAST, 116.50 FEET; THENCE NORTH 82 DEGREES 15 MINUTES 15 SECONDS WEST, 44.00 FEET; THENCE SOUTH 7 DEGREES 44 MINUTES 45 SECONDS WEST, 7.92 FEET TO A POINT ON A NON TANGENTIAL CURVE, HAVING A RADIUS OF 420.00 FEET, CONCAVE TO THE SOUTHWEST WITH A CENTRAL ANGLE OF 3 DEGREES 33 MINUTES 09 SECONDS, A CHORD LENGTH OF 26.04 FEET AND A CHORD BEARING OF SOUTH 74 DEGREES 25 MINUTES 16 SECONDS EAST; THENCE SOUTHEASTERLY ALONG SAID CURVE, 26.04 FEET; THENCE SOUTH 7 DEGREES 03 MINUTES 57 SECONDS WEST, 166.87 FEET, TO THE SOUTH LINE OF SAID LOT 7; THENCE SOUTH 82 DEGREES 56 MINUTES 03 SECONDS EAST, ALONG SAID SOUTH LINE, 23.96 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS.

Property Address: 2400 S. Arlington Road, Arlington Heights, Illinois 60005

PINS: 08-16-400-033-0000; Part of 08-16-400-034-0000; 08-16-400-035-0000