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Prepared by:

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Edward M. Moody
Cook County Recorder of Deeds
Date: 01/25/2019 09:58 AM Pg: 1 of 8

Chicago Title

1701 Golf Road

Rolling Meadows, IL 60008

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Chicago Title Insurance

1701 Golf Road

Rolling Meadows, IL 60008

Cover sheet for Declaration of Covenants, Conditions, and Restrictions

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EXHIBIT B

ZONING ORDINANCE VARIATION

**RE: ZBA 18-03: Property of Martin and Mary O'Donnell
at 239 W. Station Street**

**Request for Approval of Variations from the Zoning Ordinance and of
Exceptions from Certain Provisions of the Development Regulations
which are Part of the Village Code
Relative to the "Gordon Family Resubdivision"**

DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS

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UNOFFICIAL COPYDECLARATION OF COVENANTS,
CONDITIONS, AND RESTRICTIONS

THIS DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS ("Declaration") is made and entered into this 23 day of January, 2018, by and among MARTIN O'DONNELL and MARY O'DONNELL, husband and wife (hereinafter collectively referred to as the "Owners") and BONNIE D. GORDON, as Trustee of the Bonnie D. Gordon Trust dated January 13, 2011 (hereinafter referred to as "the Trust") and the VILLAGE OF BARRINGTON, an Illinois municipal corporation, Cook and Lake Counties, Illinois (hereinafter referred to as the "Village"):

WITNESSETH:

WHEREAS, on behalf of themselves as the owners of the property which is the subject of this Declaration and their heirs, successors, and assigns, the Owners hereby state that they are the respective owners of record and/or each has an interest in the following two (2) adjacent properties located within the Village of Barrington:

- A. The property commonly known as 239 W. Station Street, Barrington, IL, which is legally described as follows:

THE NORTH SIXTY-SIX (66) FEET OF THAT PART OF SECTION 1, TOWNSHIP 42 NORTH, RANGE 9 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS: COMMENCING AT A POINT 146.5 FEET EAST AND 263 FEET SOUTH OF THE NORTHWEST CORNER OF SAID SECTION 1; THENCE EAST ALONG THE SOUTH LINE OF STATION STREET PARALLEL WITH THE NORTH LINE OF SAID SECTION, 51.5 FEET; THENCE SOUTH ALONG A LINE PARALLEL WITH THE WEST LINE OF SAID SECTION 132 FEET; THENCE WEST ALONG A LINE PARALLEL WITH THE NORTH LINE OF SAID SECTION 51.5 FEET; THENCE NORTH 132 FEET MORE OR LESS TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS. P.I.N. 01-01-100-012 (hereinafter, the "Property" or "239 W. Station Street")

which Property has been resubdivided into Lot 1 and Lot 2 of the Gordon Family Resubdivision of the Property; and

After recording, please return to:

Mr. James P. Bateman
Bateman Law Offices, Ltd.
800 Hart Road, Suite 311
Barrington, IL 60010
Telephone (847) 381-7840

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- B. The Owners also presently own the property commonly known as 203 S. Dundee Avenue, which is legally described as follows:

COMMENCING AT A POINT 16.5 FEET EAST AND 363 FEET SOUTH OF THE NORTHWEST CORNER OF SECTION 1, TOWNSHIP 42 NORTH, RANGE 9 EAST OF THE THIRD PRINCIPAL MERIDIAN; THENCE EAST ALONG THE SOUTH LINE OF STATION STREET, PARALLEL WITH THE NORTH LINE OF SAID SECTION 130 FEET; THENCE SOUTH PARALLEL WITH THE WEST LINE OF SAID SECTION 66 FEET; THENCE WEST PARALLEL WITH THE NORTH LINE OF SAID SECTION 130 FEET TO THE EAST LINE OF DUNDEE AVENUE; THENCE NORTH 66 FEET OF THE PLACE OF BEGINNING IN THE NORTHWEST QUARTER OF SECTION 1, TOWNSHIP 42 NORTH, RANGE 9 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS. P.I.N. 01-01-100-037 (hereinafter, the "203 S. Dundee Avenue Property")

WHEREAS, Bonnie D. Gordon, as Trustee of the Bonnie D. Gordon Trust Dated January 13, 2011 (hereinafter sometimes referred to as the "Trustee"), declares on behalf of herself and her beneficiaries, heirs, successors, and/or assigns, that she, as Trustee of the aforesaid trust, is the owner of the property commonly known as 237 W. Station Street, Barrington, Illinois, which property is also the subject of this Declaration, and which is legally described as follows:

THAT PART OF THE WEST HALF OF THE NORTHWEST QUARTER OF SECTION 1, TOWNSHIP 42 NORTH, RANGE 9, EAST OF THE THIRD PRINCIPAL MERIDIAN, BOUNDED AND DESCRIBED AS FOLLOWS: BEGINNING AT A POINT 363 FEET SOUTH OF THE NORTH LINE OF SAID SECTION, MEASURED ON A LINE PARALLEL WITH THE WEST LINE OF SAID SECTION, AND 198 FEET EAST OF THE WEST LINE OF SAID SECTION, MEASURED ON A LINE PARALLEL WITH THE NORTH LINE OF SAID SECTION, SAID POINT BEING IN THE SOUTH LINE OF STATION STREET, RUNNING THENCE EAST ALONG THE SOUTH LINE OF STATION STREET, PARALLEL WITH THE NORTH LINE OF SAID SECTION 114.2 FEET; THENCE SOUTH TO A POINT IN A LINE PARALLEL WITH AND 495 FEET SOUTH OF THE NORTH LINE OF SAID SECTION WHICH POINT IS 313.1 FEET EAST OF THE WEST LINE OF SAID SECTION, MEASURED ON SAID LAST DESCRIBED LINE; THENCE WEST ON A LINE PARALLEL WITH THE NORTH LINE OF SAID SECTION 115.1 FEET, THENCE NORTH 132 FEET TO THE PLACE OF BEGINNING, ALL LOCATED IN THE COUNTY OF COOK, STATE OF ILLINOIS.

P.I.N. 01-01-100-039 (hereinafter, "237 W. Station Street" or the "Gordon Property")

WHEREAS, as a condition precedent to the Village's granting of certain variations from the Village's Zoning Ordinance and exceptions from the Village's Development Regulations which are part of the Village of Barrington Village Code relative to the Property identified herein as 239 W. Station Street (P.I.N. 01-01-100-012) and the Gordon Property at 237 W. Station Street (P.I.N. 01-01-100-039), the Owners and Trustee, for themselves individually and for their respective beneficiaries, heirs, successors, and assigns, acknowledge and agree to impose the covenants, conditions and restrictions contained in this Declaration on both Lot 1 and Lot 2 of the Gordon Family Resubdivision, which Declaration shall be recorded against title to Lot 1 and Lot 2 of the Resubdivision as a condition of and as required by Village of Barrington Ordinance No. 2018-

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4041; and

WHEREAS, the Owners and the Trustee have offered and agreed to impose the following covenants, conditions and restrictions on said properties as set forth below:

NOW, THEREFORE, IT IS HEREBY DECLARED AND AGREED by the Owners and the Trustee, on behalf of themselves individually and on behalf of their respective beneficiaries, heirs, successors, and assigns, as follows:

SECTION 1: Pursuant to the resubdivision of the Property identified herein as 239 W. Station Street (P.I.N. 01-01-100-012), and effective upon the date of the recording of the final Plat of Resubdivision for the Gordon Family Resubdivision:

- A. Lot 2 on the Plat of Resubdivision of the Gordon Family Resubdivision shall not be further divided or subdivided, and no part of such lot less other than the whole thereof shall, after the aforesaid date, be separated or conveyed separately or used except as appurtenant to and part of the remainder of such lot, except that, upon the sale of the property at 203 S. Dundee Avenue, the owners thereof shall first be required to consolidate that property with Lot 2 of the Gordon Family Resubdivision ("Lot 2").
- B. No part of Lot 2 shall be considered buildable by the Village of Barrington, and the Owners on behalf of themselves and on behalf of their respective heirs, successors, and assigns agree that they shall not construct, install, and/or otherwise improve said Lot 2 with any further improvements beyond the maintenance, repair, and/or replacement of the existing parking area and driveway with a parking area and driveway having the same dimensions as presently exist, and the impervious areas on said Lot 2 shall not be increased.
- C. Lot 2 shall only be sold or otherwise conveyed in combination with the property at 203 S. Dundee Avenue (P.I.N. 01-01-100-037), and only after Lot 2 and 203 S. Dundee Avenue have been consolidated into a single zoning lot pursuant to a Plat of Consolidation therefor recorded in a timely manner with the Cook County Recorder of Deeds, which consolidated zoning lot shall thereafter be required to be held in common ownership and shall only be conveyed as a single zoning lot.
- D. Lot 1 of said Resubdivision now consists of approximately 2,772 square feet of the Property and the adjacent Gordon Property to the East identified as 237 W. Station Street (P.I.N. 01-01-100-039), and therefore, said Lot 1 has been consolidated into a single zoning lot pursuant to the Plat of Resubdivision for the Gordon Family Resubdivision which has been recorded with the Cook County Recorder of Deeds on 1/17/19 as Document No. 1901745034.
- E. Said Lot 1 of said Resubdivision shall only be further divided, subdivided, or resubdivided if such further resubdivision complies with the provisions of the Village of Barrington Zoning Ordinance as then exist at the time of such further resubdivision unless the provisions of Paragraph D have been or are hereafter amended pursuant to Paragraph 2 of this Declaration.
- F. This Declaration shall be recorded against the title to the Property (i.e., 239 W. Station Street),

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and against title to the Gordon Property at 237 W. Station Street at the same time that the aforesaid Plat of Resubdivision is recorded with the Cook County Recorder of Deeds.

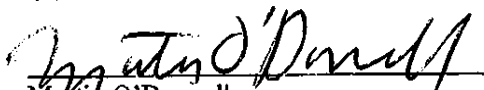
SECTION 2: The covenants, conditions and restrictions contained herein shall apply to and continue to run with title to the Lot 1 and Lot 2 of the Gordon Family Resubdivision as legally described in the recorded Plat of Resubdivision therefor until January 1, 2039 and shall thereafter be automatically renewed for successive twenty (20) year periods unless thirty (30) days prior to the end of said initial period, or within thirty (30) days prior to the end of any automatic subsequent extension hereof, there is filed with the Recorder of Deeds of Cook County, Illinois, a declaration abolishing or amending this Declaration of Covenants, Conditions and Restrictions executed by the then owners of record of both Lot 1 and Lot 2 identified in the aforesaid Plat of Resubdivision for the Gordon Family Resubdivision recorded with the Cook County Recorder and also executed by the Village President and Village Clerk of the Village of Barrington pursuant to authorization duly granted by ordinance or resolution of the Corporate Authorities of the Village of Barrington.


SECTION 3: Each covenant, condition, and restriction set forth herein shall be for the benefit of all of the respective owners of Lot 1 and Lot 2 of the Gordon Family Resubdivision, as well as for the benefit of the Village of Barrington. The Owners, the Trust, and/or their respective beneficiaries, heirs, successors, and/or assigns, and/or the Village of Barrington shall have the separate right to enforce these covenants, conditions and restrictions, but the Village of Barrington shall not be obligated to do so.

SECTION 4: If the parties hereto, or any of their heirs, successors, or assigns shall violate or shall attempt to violate any provision(s) of this Declaration, it shall be lawful for the Owners, the Trustee, and/or their respective heirs, successors, and assigns, and/or the Village of Barrington to prosecute any proceeding at law and/or in equity against such parties, their heirs, successors, or assigns, to enforce such covenants, conditions and/or restrictions and to prevent such person or persons from doing so, and/or to recover damages for such violation, or both, and in any action to enforce this Declaration, the prevailing party shall also have the right to recover attorneys' fees and other costs of such action.

IN WITNESS WHEREOF, the Owners and the Trustee have executed this Declaration on the date aforesaid.

OWNERS OF 239 W. STATION STREET:


Martin O'Donnell,


Mary O'Donnell

OWNER OF 237 W. STATION STREET:

Bonnie D. Gordon, as Trustee of the Bonnie
D. Gordon Trust Dated January 13, 2011


Bonnie D. Gordon, as Trustee aforesaid

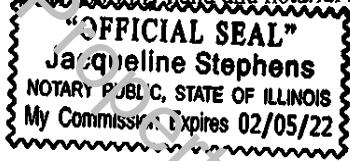
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STATE OF ILLINOIS) SS.

COUNTY OF Cook)

I, Jaqueline Stephens, a Notary Public in and for said County, in the State aforesaid, do hereby certify that MARTIN O'DONNELL and MARY O'DONNELL, who are husband and wife and who are personally known to me to be the same persons whose names are subscribed to the foregoing instrument appeared before me this day in person and acknowledged that they signed and delivered said instrument as their free and voluntary act for the uses and purposes therein given.

WITNESS my hand and notarial seal this 14 day of January, 2018.



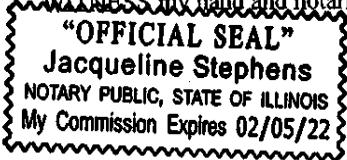
Jaqueline Stephens
Notary Public

STATE OF ILLINOIS) SS.

COUNTY OF Cook)

I, Jaqueline Stephens, a Notary Public in and for said County, in the State aforesaid, do hereby certify that BONNIE D. GORDON, as Trustee of the Bonnie D. Gordon Trust Dated January 13, 2011, who is personally known to me to be the same person whose name is subscribed to the foregoing instrument appeared before me this day in person and acknowledged that she signed and delivered said instrument as her free and voluntary act for the uses and purposes therein given.

WITNESS my hand and notarial seal this 15 day of January, 2018.



Jaqueline Stephens
Notary Public

ACCEPTANCE:

On behalf of the Village of Barrington, an Illinois municipal corporation, Cook and Lake Counties, Illinois, the foregoing Declaration of Covenants, Conditions and Restrictions is hereby accepted and agreed to this 16 day of January, 2018.

VILLAGE OF BARRINGTON:

By: Karen Y. Darch
Karen Y. Darch
Its Village President and Authorized Agent

ATTEST:

Tony Ciganek
Tony Ciganek, Its Village Clerk



