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EDWARD M. MOODY

COOK COUNTY RECORDER OF DEEDS

DATE: 09/10/2019 04:04 PM PG: 1 OF 12

THIS INSTRUMENT PREPARED
BY AND SHOULD BE RETURNED
TO:

Vanguard Des Plaines Apartments, L.P.
8301 Maryland Avenue, Suite 350
Clayton, MO 63105

ABOVE SPACE FOR RECORDER'S USE ONLY

COVENANT

This Covenant is made by Vanguard Des Plaines Apartments, L.P., an Illinois limited partnership ("Owner").

Owner is the title holder of the real estate which is legally described in Exhibit A attached hereto (the "Subject Property").

Owner hereby covenants and agrees for itself, and its successors and assigns, that Stormwater Volume Control System Maintenance Plan and Agreement (MWRDGC Schedule 'R' Documents) attached hereto as Exhibit B (the "Plan") shall be implemented with respect to the Subject Property, and all maintenance and other requirements under the Plan shall, at all times be the obligation of the Owner, its successors and assigns. This Covenant shall run with the land and shall be binding upon all subsequent owners of any portion of the Subject Property.

[Signature page follows]

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Dated: SEPTEMBER 6, 2019

OWNER:

Vanguard Des Plaines Apartments, L.P., an Illinois limited partnership

By: [Signature]
Name: PAUL LANGDON
Title: VICE PRESIDENT

STATE OF MISSOURI)
) SS
COUNTY OF ST. LOUIS)

I, STACIE A. CARROLL, a Notary Public in and for said County and State, do hereby certify that Paul Langdon, as Vice President of Vanguard Des Plaines Apartments, L.P., an Illinois limited partnership (the "Limited Partnership"), appeared before me this day in person and acknowledged that he signed, sealed and delivered said instrument as his free and voluntary act, and as the free and voluntary act of the Limited Partnership for the uses and purposes therein set forth.

GIVEN under my hand and Notarial Seal this 10th day of September, 2019.

[Signature]
Notary Public



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EXHIBIT A

Legal Description

LOT 1 (EXCEPT THE NORTH 2 1/2 ACRES AND EXCEPT THE EAST 40 FEET THEREOF) IN SUPERIOR COURT COMMISSIONER'S PARTITION OF THE LANDS OF THE MINNA CARLE ESTATE IN SECTION 9, TOWNSHIP 41 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED FEBRUARY 15, 1939 AS DOCUMENT NUMBER 12272132, IN COOK COUNTY, ILLINOIS.

AND

LOT 2 (EXCEPT THAT PART CONVEYED TO ILLINOIS TOLLWAY COMMISSION BY WARRANTY DEED DATED AUGUST 16, 1957 AND RECORDED OCTOBER 14, 1957 AS DOCUMENT NUMBER 17037291) IN SUPERIOR COURT COMMISSIONER'S PARTITION (MADE IN CASE 34S18200) OF LANDS OF MINNA CARLE ESTATE (EXCEPT THAT PART THEREOF TAKEN BY CONDEMNATION IN CASE NO. 95L50192), IN SECTION 9, TOWNSHIP 41 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED FEBRUARY 15, 1939 AS DOCUMENT NUMBER 12272132, IN COOK COUNTY, ILLINOIS.

PIN:

09-09-402-012-0000

09-09-402-009-0000

Address:

150 N East River Road, Des Plaines, IL 60016

2200 Golf Road, Des Plaines, IL 60016

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EXHIBIT B

The Plan

[See attached]

Property of Cook County Clerk's Office

**COOK COUNTY
RECORDER OF DEEDS**

**COOK COUNTY
RECORDER OF DEEDS**

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STORMWATER VOLUME CONTROL SYSTEM MAINTENANCE PLAN AND AGREEMENT (MWRDGC SCHEDULE 'R' DOCUMENTS)

Date: May 18, 2018
Project No. 16-019
Project: **Covington Lexington Woods - Onsite Improvements**
Golf Road & East River Road, Des Plaines, IL
PINs: 09-09-402-012-0000 and 09-09-402-009-0000

All maintenance items shown hereon shall be the responsibility of the owner to complete according to the described schedule.

Sewer Maintenance Plan:

A continuous inspection program should be implemented where approximately 20% of the system is visually inspected each year. In general, the complete system should be inspected every 5 years.

Manholes – They should be visually inspected for defects and needed repairs.

Sewers – Lamping should be performed on the 5 years cycle. TV inspection should be performed if visual inspection warrants it.

Flow Monitoring – When visual or other inspections indicate possible excess flow problems in certain systems, flow monitoring should be performed at key manholes. Smoke testing, dye testing and excavation may be required in some subsystems where complaints or backup causes are difficult to locate.

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Volume Control Facilities:

Underground storage systems must be designed so that the system has easy access for inspection and maintenance. In this system, a 4" perforated underdrain is located within clean CA-7 stone which shall serve as this project's volume control measure. This perforated underdrain has periodic cleanouts along the piping, and a catch basin at the downstream end, which will allow for access for required cleaning. During a rainfall event, water is collected in these areas and given the opportunity to either filter through the soil media or evaporate. System maintenance procedures must meet OSHA confined space entry requirements, which include clearly marking entrances to confined space areas. This may be accomplished by hanging a removable sign on the access steps in the catch basin structure.

Maintenance of vegetation planted in the volume control areas shall include annual pruning and weeding in order to preserve plant health and longevity.

All infiltration system components expected to receive and/or trap debris and sediment must be inspected for proper functionality on an annual schedule, at a minimum. Upon inspection if debris is noticeably visible in the sump of the catch basin, it should be removed via vactor truck.

All debris and sediment should be removed and disposed of in accordance to local and state regulations. Frequency of cleaning will vary due to site conditions and storage capacity. During maintenance operations, oils and floatables should be removed first by skimming the top layer of water with a vacuum truck.

The infiltration areas of the system are equipped with cleanouts to visually inspect the infiltration media of the system. If during regular inspection, sedimentation is found in the infiltration media, then cleaning via Jet-Vac process is required.

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Whenever possible, maintenance activities should be performed during inspection. These activities should be supplemented by repair/replacement as required. A Registered Professional Engineer (PE) shall be hired/consulted for design resolution.

Stormwater Detention Facilities:

Underground storage must be designed so that the storage mechanism (large diameter pipe in this case) can have easy access for inspection and maintenance. Maintenance procedures must meet OSHA confined space entry requirements, which include clearly marking entrances to confined space areas. This may be accomplished by hanging a removable sign in the access riser(s), just under the access lid.

All detention/infiltration basin components expected to receive and/or trap debris and sediment must be inspected for proper functionality on an annual schedule, at a minimum. Upon inspection if debris is noticeably visible, it should be determined if maintenance is necessary. This can be measured by recording the measurement from the rim of the access to the bottom of the large diameter pipe upon installation. Upon inspection, if this measurement decreases by 1.0' we recommend cleaning of the system.

All debris and sediment should be removed and disposed of in accordance to local and state regulations. Frequency of cleaning will vary due to site conditions and storage capacity. In addition, low pressure power washing and vacuuming of the aggregate surface should be performed on a yearly basis, at a minimum, or if sediment occupies more than one-tenth of the system's volume. During maintenance operations, oils and floatables should be removed first by skimming the top layer of water with a vacuum truck.

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Whenever possible, maintenance activities should be performed during inspection. These activities should be supplemented by repair/replacement as required. A Registered Professional Engineer (PE) shall be hired/consulted for design resolution.

Pool Maintenance Plan:

The pool shall be a concrete pool designed to use saltwater in accordance with all local building and health codes.

Water filtration will be via a disposable cartridge filter system that does **not** require backwashing of the filter.

During in-season use, the pool water level and water quality will be maintained by an automatic system.

Any drainage of the pool will be done using the pool's mechanical system and into the adjacent storm sewer system, via a pump and piping. The pool shall not be drained earlier than 24 hours following a rainfall.

All electrical & mechanical systems shall be monitored on a regular basis to ensure safety and functionality, with inspections happening at the beginning and end of each season. Systems shall be repaired on an as-needed basis.

Daily maintenance (skimming & water testing) shall be performed by the Owner or a qualified technician.

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In the event of a significant failure of the pool or the filter system in-season, the pool will be drained only enough to make any necessary repairs as soon as possible.

The pool will not be drained during the off-season except as required to protect the mechanical system, and for regular maintenance and repairs.

The pool shall be winterized at the end of each season per local requirements.

500-Gallon Sand Oil Interceptor Maintenance Plan:

Sand Oil Interceptor to be emptied once every 12 months, or more frequently if necessary. At time of cleanout, the inlets and outlets are to be inspected for clogging and cleaned as required.

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WMO SCHEDULE R

Watershed Management Permit No. 17-157

OFFICE OF THE RECORDER OF DEEDS OF COOK COUNTY

NOTICE OF WATERSHED MANAGEMENT PERMIT REQUIREMENTS AND OBLIGATIONS OF PERPETUAL MAINTENANCE & OPERATION

SPACE RESERVED
PLACE STICKER HERE
PROOF OF EXECUTED
RECORDATION DOCH#

Name of Project: Covington Lexington Woods

A. NOTICE IS HEREBY GIVEN that the undersigned is (select one) (the owner and record title holder),(a principal beneficiary of Land Trust No. _____ held by _____ as Trustee), (an Officer _____ (Name of Trust Holder) _____ (Official capacity) of _____ Corporation), (a General Partner _____ partnership), (Name of Corporation) _____ (Name of Partnership) Contract Purchaser

(a Managing Member of Covington Land Acquisitions Limited Liability Company ("LLC")), which is the record title holder of the property (Name of Partnership)

is the record title holder of the property or properties shown on the attached plat of survey and legally described on the attached sheet(s); said recordation document and or record plan, attached hereto as Exhibit "R" and specifically incorporated by reference herein; said property being developed and built up for the benefit or use of more than one owner or user, is subject to the rules and regulations of the Metropolitan Water Reclamation District of Greater Chicago ("District") governing stormwater maintenance and operation requirements.

B. NOTICE IS FURTHER GIVEN that a Watershed Management Permit ("Permit") District Permit No.: (covering the project indicated and designated by the number shown above) has been granted by the District with respect to the property described in Exhibit "R", for the development and/or redevelopment and/or construction of a qualified sewer system as shown on the permit and accompanying documents on file with the District.

*C. NOTICE IS FURTHER GIVEN that the following facilities contemplated for construction under the permit on file with the District requires perpetual maintenance and operation by the co-permittee and / or the current property owner, to meet the requirements of the watershed management permit:

- | | Applicability | |
|---|---|--|
| A) Volume Control Facilities | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |
| B) Detention Facilities (Existing and Proposed) | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |
| C) Offsite or Trade-off Detention Facilities | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |
| D) Stormwater Management System(s) Component(s) | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |
| E) Native Planting Conservation Area(s) | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| F) Compensatory Storage Area(s) | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| G) Wetland/Buffer Mitigation Area(s) | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| H) Riparian Environment Mitigation Area(s) | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| I) Qualified Sewer Construction | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |
| J) Other _____ | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
- (Include attachments as necessary)

D. THIS NOTICE, after it has been recorded, shall not be withdrawn, rescinded or removed, except after the District requirements relative to obligation of perpetual maintenance and operation of facilities have been satisfied with respect to the entire property described in Exhibit "R", and a written release from the obligations hereunder is obtained from the District.

Schedule R is to be executed by owner and furnished to District for proof of recordation. Owner is to pay all expenses for recording after construction and as-built survey is complete and prior to RFI to obtain return on deposit. Submit one original and one copy of the executed and recorded Schedule R along with record drawings, maximum size 30"x 36". The information provided on the record drawings must be legible when it is recorded (microfilmed). All documents submitted for filing must comply with the Illinois Plat Act and additional requirements as set forth by the County Recorder of Deeds.

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17-157

WMO Schedule R (Continued) Watershed Management Permit No.

This notice is intended to be given to any party or parties hereinafter acquiring any interest in the aforescribed property, or dealing with said property in any manner whatsoever, notifying them of the requirements for obligation of perpetual maintenance and operation for facilities for said property as provided herein. The owner hereby certifies that the property is recorded in the office of the Cook County Recorder of Deeds.

Signed by owner and record title holder dated
this 12th day of April, 2018

Impress

CHOOSE A, B, C, or D

Corporate

- A (for individual owner) _____ Owner Seal Here
- B (for Partnership) _____ General Partner
- C (for Limited Liability Company) R. J. Kennedy _____ Managing Member
- D (for Corporation) _____ President
- _____ Corporate Secretary
- E (for property in a land trust) _____ Individual holding power of direction

NOTARIZATION OF OWNER'S SIGNATURE

NOTE: (For individual, Partnership or Corporation) (if title to property is held in land trust, the trust officer must countersign in space provided.)

CHOOSE A, B, C, D, or E, same as above

State of Missouri
County of St. Louis

A INDIVIDUAL OWNER

I, the undersigned, a Notary Public in and for said County, in the State aforesaid, DO HEREBY CERTIFY that _____ personally known to me to be the same person(s) whose name (s) (is) (are) subscribed to the foregoing instrument appeared before me this day in person, and acknowledged that (he) (she) signed, sealed and delivered the said instrument as (his) (her) free and voluntary act, for the uses and purposes therein set forth, or,

B PARTNERSHIP

I, the undersigned, a Notary Public in and for said County, in the State aforesaid, DO HEREBY CERTIFY that _____ personally known to me to be a general partner of the _____ partnership, personally known to me to be the same person(s) whose name (s) (is) (are) subscribed to the foregoing instrument appeared before me this day in person, and acknowledged that (he) (she) signed, sealed and delivered the said instrument as (his) (her) free and voluntary act, for the uses and purposes therein set forth, or,

C Limited Liability Company (LLC)

I, the undersigned, a Notary Public in and for said County, in the State aforesaid, DO HEREBY CERTIFY that Brian J. Kennedy, Managing Member of Covington Land Acquisitions, LLC, is personally known to me to be the same person whose name is subscribed to the preceding instrument as Managing Member, appeared before me this day in person, and acknowledged that (he) (she) signed, sealed and delivered the said instrument as Managing Member of the LLC, as (his) (her) free and voluntary act, and the free and voluntary act of the LLC, for the uses and purposes therein set forth, or,

D CORPORATION

I, the undersigned, a Notary Public in and for said County, in the State aforesaid, DO HEREBY CERTIFY that _____, President of _____, and _____ Secretary of the corporation, are personally known to me to be the same persons whose names are subscribed to the preceding instrument as President and Secretary respectively, appeared before me this day in person and acknowledged that they signed and delivered the instrument as President and Secretary of the corporation, and affixed the corporate seal of the corporation, pursuant to authority given by the Board of Directors of the corporation, as their free and voluntary act, and as the free and voluntary act of the corporation, for the uses and purposes there stated.

Given under my hand and official seal, this 12th day of Apr, 2018

KAREN L. OLIVER
Notary Public - Notary Seal
State of Missouri
Commissioned for St. Louis County
My Commission Expires: August 23, 2018
Commission Number: 14429701

Commission expires 8/23, 2018 (Notary Public)

Karen L. Oliver

E LAND TRUST

COUNTERSIGNATURE

_____ held by _____ as Trustee.
(Trust Officer) (Trust No.) (Name of Trustee)

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