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KAREN A. YARBROUGH

COOK COUNTY CLERK

DATE: 12/29/2020 04:26 PM PG: 1 OF 14

**SUBCONTRACTOR'S
NOTICE AND
CLAIM FOR LIEN**

**STATE OF ILLINOIS)
)
COUNTY OF COOK)**

The Claimant, Gary Geisler, 10112 Reed Rd., Huntley, Illinois 60142, hereby files a notice and claim for mechanics lien, as hereinafter more particularly stated, against D G Builders and Developers LLC, 54 N. Lively Blvd., Elk Grove, Village, IL 60007, ("Contractor"), Kumar Enterprises, Inc., 54 N. Lively Blvd., Elk Grove Village, IL 60007 ("Owner"), and Millenium Bank, 2077 Miner Street, Des Plaines, IL 60015 ("Lender").

That, at all relevant times, Owner, and all other(s) owning or claiming an interest in the hereinafter-described real property, or any of them, was (were) the owner(s) of the following-described real property, to-wit:

SEE LEGAL DESCRIPTION AND PIN NUMBERS, ATTACHED HERETO AS EXHIBIT A

Address of Premises: 1 Beverly Lane, Arlington Heights, IL 60162

and Contractor was Owner's contractor for certain improvements made at the above-referenced premises in Arlington Heights, IL 60162

In December 2017 the Contractor made a contract with the Claimant by directing Claimant to provide pre-construction services including preliminary estimating, scheduling, project scope, meeting with village officials and engineering and architect firms for the development of a series of single-family houses on the premises described above. Once construction was started, Claimant provided services including the property management, supervision and management of subcontractors and all aspects of construction (hereinafter referred to as "the Work"), for the development of a series of single-family houses on the premises described above. This contract was reduced to writing on or about November 20, 2018. The contract provided that Claimant was to provide preconstruction services for \$5,000 per month and once construction began, Claimant was to be paid \$10,000 per month. Claimant began providing preconstruction services in December 2017 and continued to provide those services

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EXHIBIT A LEGAL DESCRIPTION

PARCEL 1:

LOTS 40 THROUGH 52, THAT PORTION OF LOT A LYING WEST OF THE EAST LINE OF LOT 52 EXTENDED SOUTH AND LOT B BOTH INCLUSIVE, IN ARLINGTON MARKET, BEING A SUBDIVISION OF PART OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 29, TOWNSHIP 42 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED FEBRUARY 28, 2007 AS DOCUMENT 0705915065 AND CORRECTED BY CERTIFICATE OF CORRECTION RECORDED JULY 30, 2007 AS DOCUMENT 0721144016, IN COOK COUNTY, ILLINOIS.

PARCEL 2:

LOTS 53 THROUGH 56, G AND H IN ARLINGTON CROSSINGS RESUBDIVISION NO. 2, BEING A RESUBDIVISION OF PARTS OF ARLINGTON CROSSINGS AND ARLINGTON CROSSINGS RESUBDIVISION NO. 1, BEING A RESUBDIVISION IN THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 29, TOWNSHIP 42 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JUNE 13, 2014 AS DOCUMENT 1416434055 AND CORRECTED BY CERTIFICATE OF CORRECTION RECORDED JANUARY 28, 2015 AS DOCUMENT 1502813067, IN COOK COUNTY, ILLINOIS.

PARCEL 2A:

THAT PORTION OF LOT C IN THE FINAL PLAT OF SUBDIVISION OF ARLINGTON CROSSINGS RESUBDIVISION NO. 1, PURSUANT TO THE PLAT THEREOF RECORDED ON JUNE 28, 2011 AS DOCUMENT NUMBER 1117918008, BEING A RESUBDIVISION OF ARLINGTON MARKET, BEING A SUBDIVISION IN THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 29, TOWNSHIP 42 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED FEBRUARY 28, 2007 AS DOCUMENT NUMBER 0705915065, AND AS CORRECTED BY CERTIFICATE OF CORRECTION RECORDED JULY 30, 2007 AS DOCUMENT NUMBER 0721144016 ALL IN COOK COUNTY, ILLINOIS, WHICH FALLS IN THAT PART OF BEVERLY LANE LYING SOUTH OF THE NORTH LINE OF LOT 40 IN ARLINGTON MARKET SUBDIVISION (CREATED PURSUANT TO THE PLAT RECORDED AS DOCUMENT NO. 0705915065) EXTENDED WESTERLY.

PARCEL 3:

NON-EXCLUSIVE, PERPETUAL EASEMENTS FOR THE BENEFIT OF PARCELS 1 AND 2 AS CREATED BY THE COMMUNITY DECLARATION FOR ARLINGTON CROSSINGS AND ARLINGTON MARKET RECORDED DECEMBER 17, 2010 AS DOCUMENT 103514040 AS AMENDMENT BY SPECIAL AMENDMENT NO. 1 RECORDED JULY 21, 2011 AS DOCUMENT 1120211081 AND FURTHER AMENDED BY AMENDMENT NO. 1 RECORDED AUGUST 21, 2014 AS DOCUMENT 1423304095, FOR PUBLIC UTILITIES; VEHICULAR AND PEDESTRIAN INGRESS AND EGRESS; USE AND ENJOYMENT OF THE COMMUNITY AREA AND UTILITY MAINTENANCE AREAS LOCATED WITHIN THE COMMUNITY AREAS OF THE LAND DESCRIBED ON EXHIBIT 'A' ATTACHED THERETO.

PARCEL 4:

NON-EXCLUSIVE, PERPETUAL EASEMENTS FOR THE BENEFIT OF PARCELS 1 AND 2 AS CREATED BY THE DECLARATION AND RESERVATION OF EASEMENTS RECORDED NOVEMBER 03, 2010 AS DOCUMENT NUMBER 1030733127 FOR PUBLIC AND PRIVATE UTILITIES AND VEHICULAR AND PEDESTRIAN INGRESS AND EGRESS OVER LOTS C, D,

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E AND F IN ARLINGTON CROSSINGS SUBDIVISION, BEING A RESUBDIVISION OF ARLINGTON MARKET, BEING A SUBDIVISION IN THE SW4 OF THE SOUTHEAST 1/4 OF SECTION 29, TOWNSHIP 42 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

PARCEL 5:

NON-EXCLUSIVE, PERPETUAL EASEMENTS FOR THE BENEFIT OF PARCELS 1 AND 2 AS CREATED BY THE DECLARATION FOR ARLINGTON CROSSING TOWNHOMES AND PROVISIONS RELATING TO EASEMENTS AFFECTING PORTIONS OF THE DEVELOPMENT AREA OTHER THAN THE PREMISES RECORDED DECEMBER 17, 2010 AS DOCUMENT NO. 1035144041 FOR PUBLIC AND PRIVATE UTILITIES OVER THE COMMON AREA AND LOTS; AND FOR VEHICULAR AND PEDESTRIAN INGRESS AND EGRESS OVER THE PRIVATE ROADS LOCATED ON THE COMMON AREAS, ALL DESCRIBED ON EXHIBIT 'B' ATTACHED THERETO.

PARCEL 6:

NON-EXCLUSIVE, PERPETUAL EASEMENTS FOR THE BENEFIT OF PARCELS 1 AND 2 AS CREATED BY THE PLAT RECORDED FEBRUARY 28, 2007 AS DOCUMENT NUMBER 0705915065, AND AS NOTED ON PLAT RECORDED JULY 1, 2010 AS DOCUMENT NUMBER 1018229011, FOR PEDESTRIAN INGRESS AND EGRESS OVER AND UPON THE PEDESTRIAN BRIDGE AND THE PEDESTRIAN ACCESS EASEMENT AREA; AND FOR CROSS-DRAINAGE ACCESS & MAINTENANCE OVER THE AREA AS DEFINED ON THE PLATS; AND FOR PUBLIC UTILITIES OVER THE AREA AS DEFINED ON THE PLATS.

PINS:

03-29-411-056-0000
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51 N. Beverly Lane, Arlington Heights, IL 6004

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EXHIBIT B

SUBJECT TO:

1. GENERAL REAL ESTATE TAXES NOT YET DUE AND PAYABLE AT THE TIME OF CLOSING.
2. EXISTING UNRECORDED LEASES AND ALL RIGHTS THEREUNDER OF THE LESSEES AND OF ANY PERSON OR PARTY CLAIMING BY, THROUGH OR UNDER THE LESSEES.
3. EASEMENT IN FAVOR OF THE ILLINOIS BELL TELEPHONE COMPANY AND THE COMMONWEALTH EDISON COMPANY, AND ITS/THEIR RESPECTIVE SUCCESSORS AND ASSIGNS, TO INSTALL, OPERATE AND MAINTAIN ALL EQUIPMENT NECESSARY FOR THE PURPOSE OF SERVING THE LAND AND OTHER PROPERTY, TOGETHER WITH THE RIGHT OF ACCESS TO SAID EQUIPMENT, AND THE PROVISIONS RELATING THERETO CONTAINED IN THE GRANT RECORDED SEPTEMBER 17, 1959 AS DOCUMENT NO. 17661319. (AFFECTS EASEMENT PARCELS)
4. EASEMENT TO NORTHERN ILLINOIS GAS COMPANY RECORDED OCTOBER 13, 1971 AS DOCUMENT 21667600 OVER A STRIP OF LAND 4 FEET IN WIDTH, LYING 2 FEET ON EACH SIDE OF A CENTER LINE DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE SOUTH LINE OF PARCEL C WHICH IS 123 FEET OF THE SOUTHWEST CORNER OF SAID PARCEL C THENCE NORTH ALONG A LINE 123 FEET EAST OF AND PARALLEL WITH THE WEST LINE OF SAID PARCEL C FOR A DISTANCE OF 376 FEET TO THE NORTH LINE OF AFORESAID PARCEL C. (AFFECTS THAT PART OF THE LAND FALLING IN PRIVATE ROAD KNOWN AS BEVERLY LANE) (AFFECTS EASEMENT PARCELS)
5. TERMS, CONDITIONS AND LIMITATIONS CONTAINED IN THE NO FURTHER REMEDIATION LETTER ISSUED BY THE ILLINOIS ENVIRONMENTAL PROTECTION AGENCY, AS FOLLOWS:

RECORDED OCTOBER 6, 1997 AS DOCUMENT 97742854;
RECORDED APRIL 23, 2002 98267746;
RECORDED AUGUST 5, 2013 AS DOCUMENT 1321744051.

(AFFECTS THE LAND AND OTHER PROPERTY)
6. AN ORDINANCE AMENDING THE COMPREHENSIVE PLAN OF THE VILLAGE OF ARLINGTON HEIGHTS WAS RECORDED NOVEMBER 3, 2006 AS DOCUMENTS 0630722027 AND 0630722028 AND THE TERMS AND CONDITIONS CONTAINED THEREIN.
7. EASEMENTS AND SETBACK LINE AS SET FORTH ON THE PLAT OF ARLINGTON MARKET SUBDIVISION RECORDED FEBRUARY 28, 2007 AS

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DOCUMENT NUMBER 0705915065, TOGETHER WITH THE EASEMENT PROVISIONS CONTAINED THEREON.

8. CROSS DRAINAGE EASEMENT AS SHOWN ON THE PLAT OF SUBDIVISION OF ARLINGTON MARKET RECORDED AS DOCUMENT NUMBER 0705915065. (AFFECTS THAT PARTS OF LOTS "A" & "B" AS SHOWN ON SAID PLAT) (AFFECTS EASEMENT PARCELS)
9. PEDESTRIAN ACCESS EASEMENT AS SHOWN ON THE PLAT OF ARLINGTON MARKET RECORDED AS DOCUMENT 0705915065. (AFFECTS EASEMENT PARCELS)
10. UTILITY EASEMENT, AND THE EASEMENT PROVISIONS AND GRANTEES AS SET FORTH ON THE PLAT OF ARLINGTON MARKET RECORDED AS DOCUMENT 0705915065. REFERENCE IS MADE TO SAID PLAT FOR EXACT LOCATIONS.
11. SIDEWALK, SEWER AND WATER EASEMENT, AND THE EASEMENT PROVISIONS AND GRANTEES AS SHOWN ON THE PLAT OF SUBDIVISION OF ARLINGTON MARKET RECORDED AS DOCUMENT NUMBER 0705915065. REFERENCE IS MADE TO SAID PLAT FOR EXACT LOCATIONS.
12. SETBACK AS SHOWN ON THE PLAT OF SUBDIVISION OF ARLINGTON MARKET RECORDED AS DOCUMENT NUMBER 0705915065. REFERENCE IS MADE TO SAID PLAT FOR EXACT LOCATIONS. (AFFECTS PARCEL 1)
13. PRIVATE ROADWAY EASEMENT AS SHOWN ON THE PLAT OF SUBDIVISION OF ARLINGTON MARKET RECORDED AS DOCUMENT NUMBER 0705915065. THE NORTHWEST PORTION OF LOT 40 AND 53 AS SHOWN ON THE PLAT OF SUBDIVISION; THE SOUTH PORTION AS SHOWN ON THE PLAT OF SUBDIVISION OF LOT "C".
14. PRIVATE ROADWAY EASEMENT AS SHOWN ON THE PLAT OF SUBDIVISION OF ARLINGTON MARKET RECORDED AS DOCUMENT NUMBER 0705915065. (AFFECTS LOT "A" AND LOT "B") (AFFECTS EASEMENT PARCELS)
15. INGRESS AND EGRESS AND SEWER AND WATER EASEMENT AS SHOWN ON THE PLAT OF SUBDIVISION OF ARLINGTON MARKET RECORDED AS DOCUMENT NUMBER 0705915065. (AFFECTS LOT "A" AND LOT "B") (AFFECTS EASEMENT PARCELS)
16. LANDSCAPE AREA AS SHOWN ON PLAT OF SUBDIVISION OF ARLINGTON MARKET RECORDED AS DOCUMENT NUMBER 0705915065. (AFFECTS LOT "A" AS SHOWN ON THE PLAT OF SUBDIVISION) (AFFECTS EASEMENT PARCELS)

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17. FENCE EASEMENT AS SHOWN ON THE PLAT OF SUBDIVISION OF ARLINGTON MARKET RECORDED AS DOCUMENT NUMBER 0705915065. (AFFECTS EASEMENT PARCELS)
18. NOTATIONS CONTAINED ON THE PLAT OF SUBDIVISION OF ARLINGTON MARKET RECORDED AS DOCUMENT NUMBER 0705915065.

ADDITIONAL EASEMENT PROVISIONS;
PEDESTRIAN BRIDGE ACCESS EASEMENT (ACCESS PATH FROM RESIDENTIAL TO COMMERCIAL PROPERTY)

THE OWNER AND OCCUPANTS OF LOTS 3 THROUGH 58, INCLUSIVE (COLLECTIVELY THE "RESIDENTIAL LOTS"), INCLUDING THE APPLICABLE HOMEOWNERS ASSOCIATION (THE "ASSOCIATION") REPRESENTING SUCH OWNERS, AS PROVIDED IN THE DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS FOR THE ARLINGTON MARKET RESIDENTIAL DEVELOPMENT, (THE "DECLARATION OF COVS"), AND THEIR RESPECTIVE LICENSEES, INVITEES, SUCCESSORS AND ASSIGNS, ARE HEREBY GRANTED A PERPETUAL NON-EXCLUSIVE EASEMENT OVER AND UPON THE PEDESTRIAN BRIDGE AND THE PEDESTRIAN ACCESS EASEMENT AREA FOR THE PURPOSE OF PROVIDING PEDESTRIAN INGRESS AND EGRESS TO AND FROM THE RESIDENTIAL LOTS FROM AND TO LOTS 1 AND 2 AS SHOWN ON THE THIS PLAT.

CROSS DRAINAGE EASEMENT AND MAINTENANCE OF IMPROVEMENTS: A PERPETUAL NON-EXCLUSIVE EASEMENT FOR THE MAINTENANCE, REPAIR, AND REPLACEMENT OF THE DRAINAGE, DETENTION, AND/OR RETENTION OF STORM WATER RUNOFF, IS HEREBY DECLARED, CREATED, RESERVED AND GRANTED OVER, UNDER, AND UPON THOSE PORTIONS OF THE PROPERTY (EACH A "DRAINAGE EASEMENT PARCEL") SHOWN AND LABELLED ON THIS PLAT AS BEING SUBJECT TO "CROSS DRAINAGE EASEMENT". THE FOREGOING DRAINAGE EASEMENT BURDENS EACH LOT CONTAINING ONE OF MORE DRAINAGE EASEMENT PARCELS (OR ANY PORTION THEREOF) AND BENEFITS THE OWNERS AND OCCUPANTS OF THE ENTIRE PROPERTY SHOWN ON THIS PLAT AND THE ASSOCIATION. THE "DRAINAGE FACILITIES" SHALL MEAN AND CONSIST OF ANY UNDERGROUND DETENTION FACILITIES AND STORM SEWER PIPES AND OTHER RELATED FACILITIES LOCATED THROUGHOUT THE PROPERTY IN DRAINAGE EASEMENT PARCELS.

MAINTENANCE AND COST SHARING: THE OBLIGATION TO PERFORM ALL MAINTENANCE, REPAIR AND REPLACEMENT OF THE DRAINAGE FACILITIES SHALL BE THAT OF THE OWNERS OF LOTS 3 THROUGH 58, INCLUSIVE (TO BE PERFORMED ON THEIR BEHALF BY THE ASSOCIATION); PROVIDED, HOWEVER, THAT OWNERS OF LOTS 1 AND 2 SHALL REIMBURSE THE ASSOCIATION (WITH THE OWNER OF LOT 1 AND 2 EACH

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ALLOCATED 5% UNLESS THEY AGREE OTHERWISE AND SO NOTIFY THE ASSOCIATION)

RIGHT TO PERFORM: IF THE ASSOCIATION FAILS TO PERFORM ITS OBLIGATIONS OF MAINTENANCE, REPAIR OR REPLACEMENT OF THE DRAINAGE FACILITIES, THE OWNERS OF LOT 1 AND/OR 2, AFTER GIVING THE ASSOCIATION WRITTEN NOTICE AND A REASONABLE OPPORTUNITY TO CURE SUCH FAILURE WITHIN 30 DAYS AFTER SUCH NOTICE (OR LESS TIME IN THE EVENT OF AN EMERGENCY), MAY PERFORM THE REQUIRED MAINTENANCE, REPAIR OR REPLACEMENT, IN WHICH EVENT THE ASSOCIATION SHALL PROMPTLY REIMBURSE SAID OWNER(S) FOR 90% OF THE REASONABLE AMOUNT EXPENDED, TOGETHER WITH INTEREST ON THE AMOUNT DUE OF 1% PER MONTH (OR ANY PORTION OF A MONTH) UNTIL PAID.

CROSS PARKING EASEMENT BETWEEN RETAIL LOT OWNERS ALL OWNERS, OCCUPANTS, TENANTS AND LICENSEES OF LOTS 1 AND 2, AND THEREIN RESPECTIVE INVITEES, SUCCESSORS AND ASSIGNS, ARE HEREBY GRANTED A NON-EXCLUSIVE EASEMENT FOR THE PURPOSE OF PARKING AUTOMOBILES AND OTHER VEHICLES ON ANY PARKING FIELD NOW OR HEREAFTER EXISTING ON LOTS 1 AND 2, SUBJECT TO THE REASONABLE PARKING RULES AND REGULATIONS ESTABLISHED BY THE OWNER(S) OF SUCH LOTS.

RIGHT FOR FUTURE EASEMENTS

1. **ACCESS TO NORTH LINCOLN LANE IF,** AT ANY TIME IN THE FUTURE, THE VILLAGE OF ARLINGTON HEIGHTS MANDATES VEHICULAR ACCESS FROM LINCOLN AVENUE TO AND THROUGH THE PRIVATE ROADWAY SYSTEM LOCATED ON (LOTS A, B 57 AND 58), INCLUSIVE, OR ANY PART OF SUCH ROADWAY SYSTEM, THEN THE OWNERS OF LOTS 3 THROUGH 58 (AND THE ASSOCIATION) AGREE TO GRANT A NON-EXCLUSIVE EASEMENT TO THE PUBLIC OVER ALL SUCH PRIVATE ROADWAYS TO THE EXTENT REQUIRED BY THE VILLAGE, FOR THE PURPOSES OF SUCH VEHICULAR ACCESS. ANY SUCH EASEMENT SHALL CONTAIN APPROPRIATE PROVISIONS FOR CROSS EASEMENTS, AS APPLICABLE, AND SHARING OF COSTS AND OTHER CUSTOMARY PROVISIONS.

ACCESS FOR RESIDENTIAL DEVELOPMENT TO THE WEST IF, AT ANY TIME IN THE FUTURE, THE VILLAGE OF ARLINGTON HEIGHTS GRANTS APPROVAL FOR ANY NEW RESIDENTIAL DEVELOPMENT IMMEDIATELY ADJACENT TO, AND WEST OF THE RESIDENTIAL LOTS, AND AS PART OF SUCH APPROVAL, THE VILLAGE GRANTS APPROVAL FOR A CURB CUT AND MANDATES THAT SUCH NEW RESIDENTIAL DEVELOPMENT SHALL BE CONNECTED TO, AND HAVE VEHICULAR ACCESS OVER, THE EXISTING ROADWAY SYSTEM LOCATED ON (LOTS A, B, 57 AND 58). INCLUSIVE, OR ANY PART OF SUCH ROADWAY SYSTEM, THEN THE OWNERS OF LOTS 3 THROUGH 58 (AND THE ASSOCIATION), AGREE TO GRANT FOR THE

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BENEFIT OF THE OWNERS OF SUCH NEW RESIDENTIAL DEVELOPMENT A NON-EXCLUSIVE EASEMENT OVER ALL SUCH PRIVATE ROADWAYS, TO THE EXTENT REQUIRED BY THE VILLAGE FOR THE PURPOSES OF SUCH VEHICULAR ACCESS. ANY SUCH EASEMENTS SHALL CONTAIN APPROPRIATE PROVISIONS FOR CROSS EASEMENTS, AS APPLICABLE, AND SHARING OF COSTS AND OTHER PROVISIONS.

ACCESS FOR BUSINESS ALONG HICKORY ACCESS EASEMENTS FOR VEHICULAR, PEDESTRIAN AND MAINTENANCE PURPOSES SHALL BE PROVIDED FOR THE BENEFIT OF THE EXISTING BUSINESSES LOCATED AT 15, 25 AND 29 HICKORY STREET, TO THE EXTENT REQUIRED TO PROVIDE THEM WITH ACCESS TO THEIR REAR SERVICE AREAS. SUCH EASEMENTS WILL BE PROVIDED OVER THE MOTOR COURT AND ROADWAYS ON THE PLATTED PROPERTY THAT ARE ADJACENT TO SAID BUSINESSES.

EMERGENCY ACCESS EASEMENT PROVISIONS A NON-EXCLUSIVE EASEMENT IS HEREBY RESERVED AND GRANTED TO THE VILLAGE OF ARLINGTON HEIGHTS, AND ITS SUCCESSORS AND ASSIGNS, OVER ALL THAT AREA DESIGNATED ON THE ATTACHED PLAT AS "INGRESS/EGRESS" FOR EMERGENCY VEHICLE ACCESS TO THE PROPERTY WITHIN AND ADJOINING THIS SUBDIVISION.

19. TERMS AND PROVISIONS OF ORDINANCE AMENDING PLANNED UNIT DEVELOPMENT ORDINANCE NUMBERS 06-043 AND 07-077, APPROVING A PRELIMINARY PLAT OF RESUBDIVISION AND GRANTING CERTAIN VARIATIONS FROM CHAPTER 28 OF THE ARLINGTON HEIGHTS MUNICIPAL CODE RECORDED JUNE 4, 2010 AS DOCUMENT NUMBER 1015510010. (AFFECTS EASEMENT PARCELS)
20. DECLARATION AND RESERVATION OF EASEMENTS DATED OCTOBER 25, 2010 AND RECORDED NOVEMBER 3, 2010 AS DOCUMENT NO. 1030733127 MADE BY PB AND J IV, LLC, REGARDING EASEMENTS FOR ACCESS AND UTILITIES BENEFITTING THE LAND. THE TERMS, PROVISIONS AND CONDITIONS AS CONTAINED THEREIN. (AFFECTS THE LAND AND OTHER PROPERTY)
21. COMMUNITY DECLARATION FOR ARLINGTON CROSSINGS AND ARLINGTON MARKET DATED DECEMBER 16, 2010 AND RECORDED DECEMBER 17, 2010 AS DOCUMENT NO. 1035144040 MADE BY PULTE HOME CORPORATION AND PB AND J IV, LLC RELATING ASSESSMENTS, ACCESS, EASEMENTS, MAINTENANCE AND OTHERS. THE TERMS, PROVISIONS AND CONDITIONS AS CONTAINED THEREIN.

SPECIAL AMENDMENT NO. 1 TO COMMUNITY DECLARATION FOR ARLINGTON CROSSINGS AND ARLINGTON MARKET RECORDED JULY 21, 2011 AS DOCUMENT NUMBER 1120211081.

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ASSIGNMENT OF RIGHTS OF DECLARANT FROM PB AND J IV, LLC AND M/I HOMES OF CHICAGO, LLC, A DELAWARE LIMITED LIABILITY COMPANY, RECORDED MAY 29, 2014 AS DOCUMENT NUMBER 1414942062.

AMENDMENT NO. 1 TO COMMUNITY DECLARATION FOR ARLINGTON CROSSINGS AND ARLINGTON MARKET RECORDED AUGUST 21, 2014 AS DOCUMENT NUMBER 1423304095.

(AFFECTS THE LAND AND OTHER PROPERTY)

22. RESTRICTIVE COVENANT RECORDED APRIL 13, 2011 AS DOCUMENT 1110341017 MADE BY PB&J IV, RELATING TO USE OF THE LAND COMMONLY KNOWN AS SF PARCEL AND DESCRIBED ON EXHIBIT 'A' ATTACHED THERETO AND RELATING TO TERMINATION OF THE PURCHASE AGREEMENT AND THE TERMS AND CONDITIONS SET FORTH THEREIN. (AFFECTS THE LAND AND OTHER PROPERTY)

23. CROSS DRAINAGE EASEMENT AND DRAINAGE FACILITY RELOCATION AGREEMENT MADE BY PB&J IV LLC RECORDED APRIL 13, 2011 AS DOCUMENT 1110341019 AND THE TERMS AND CONDITIONS SET FORTH THEREIN.

24. ORDINANCE AMENDING PLANNED UNIT DEVELOPMENT ORDINANCE NUMBER 10-022, AND APPROVING A PRELIMINARY PLAT OF RESUBDIVISION, AND GRANTING CERTAIN VARIATIONS FROM CHAPTER 28 OF THE ARLINGTON HEIGHTS MUNICIPAL CODE, RECORDED AUGUST 12, 2011 AS DOCUMENT NUMBER 1122410037.

ORDINANCE APPROVING AN AMENDMENT TO A PLANNED UNIT DEVELOPMENT RECORDED MAY 30, 2014 AS DOCUMENT 1415029008.

25. CONSTRUCTION ACCESS AND MAINTENANCE EASEMENT AGREEMENT MADE BY PULTE HOME CORPORATION; PB AND J IV LLC, AN ILLINOIS LIMITED LIABILITY COMPANY AND PB&J V LLC, AN ILLINOIS LIMITED LIABILITY COMPANY RECORDED APRIL 13, 2011 AS DOCUMENT 1110341020. (AFFECTS THE LAND AND OTHER PROPERTY)

26. AN ORDINANCE OF THE VILLAGE OF ARLINGTON HEIGHTS DESIGNATING THE HICKORY/KENSINGTON AREA A REDEVELOPMENT PROJECT AREA PURSUANT TO THE REAL PROPERTY TAX INCREMENT ALLOCATION REDEVELOPMENT PROJECT ACT, A COPY OF WHICH WAS RECORDED AUGUST 20, 2014 AS DOCUMENT 1423245035.

AN ORDINANCE ADOPTING TAX INCREMENT ALLOCATION FINANCING FOR THE HICKORY/KENSINGTON AREA, A COPY OF WHICH WAS RECORDED AUGUST 20, 2014 AS DOCUMENT 1423245036.

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AN ORDINANCE APPROVING A TAX INCREMENT REDEVELOPMENT PLAN AND REDEVELOPMENT PROJECT ARE THE HICKORY/KENSINGTON AREA, A COPY OF WHICH WAS RECORDED AUGUST 20, 2014 AS DOCUMENT 1423245037.

(AFFECTS THE LAND AND OTHER PROPERTY)

27. EASEMENT FOR SEWER AND WATER AND UTILITY, AND THE EASEMENT PROVISIONS AND GRANTEEES, AS SHOWN ON THE PLAT OF SUBDIVISION RECORDED AS DOCUMENT 1018229011.

REFERENCE IS MADE TO SAID PLAT FOR EXACT LOCATIONS.

(AFFECTS PARCEL 2 AND EASEMENT PARCELS)

28. EASEMENTS FOR PRIVATE ROADWAY, INGRESS AND EGRESS, SEWER, WATER AND UTILITY, AND THE EASEMENT PROVISIONS AND GRANTEEES, AS SHOWN ON THE PLAT OF ARLINGTON CROSSINGS RESUBDIVISION NO. 1 RECORDED AS DOCUMENT 1117918008. (AFFECTS EASEMENT PARCELS)

29. SIDE SETBACK AS SHOWN ON THE PLAT OF ARLINGTON CROSSINGS RESUBDIVISION NO. 2 RECORDED AS DOCUMENT 1416434055, OVER THE NORTH 10 FEET OF LOT 53 AND THE EAST 16.5 FEET OF LOTS 53, 54, 55 AND 56. (AFFECTS PARCEL 2)

30. PRIVATE ROADWAY EASEMENT AS SHOWN ON THE PLAT OF ARLINGTON CROSSINGS RESUBDIVISION NO. 2 RECORDED AS DOCUMENT 1416434055. REFERENCE IS MADE TO SAID PLAT FOR EXACT LOCATIONS. (AFFECTS LOTS 53 AND 56 OF PARCEL 2)

31. EASEMENT NOTES AS SHOWN ON THE PLAT OF ARLINGTON CROSSINGS RESUBDIVISION NO. 2 RECORDED AS DOCUMENT 1416434055:

A PRIVATE INGRESS/EGRESS EASEMENT, SEWER AND WATER EASEMENT IS GRANTED OVER ALL OF LOTS G AND H.

A BLANKET PUBLIC PEDESTRIAN INGRESS/EGRESS EASEMENT IS GRANTED OVER ALL OF LOTS G AND H.

(AFFECTS EASEMENT PARCELS)

32. RECITAL AS SHOWN ON THE PLAT OF ARLINGTON CROSSINGS RESUBDIVISION NO. 2 RECORDED AS DOCUMENT 1416434055:

EASEMENT PROVISIONS AND RIGHT FOR FUTURE EASEMENTS REMAIN IN EFFECT AS ESTABLISHED BY THE FINAL PLAT OF SUBDIVISION OF ARLINGTON MARKET, THEY ARE BEING RESTATED HEREON TO CLARIFY

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THE EFFECT THIS RESUBDIVISION HAS ON SAID PROVISIONS AND RIGHTS:

ADDITIONAL EASEMENT PROVISIONS:

1. CROSS-DRAINAGE EASEMENT AND MAINTENANCE OF IMPROVEMENTS.
2. ACCESS FOR BUSINESS AND RESIDENTIAL DEVELOPMENT TO THE WEST.

(AFFECTS PARCEL 2)

33. A NON-EXCLUSIVE EASEMENT RESERVED AND GRANTED TO THE VILLAGE OF ARLINGTON HEIGHTS AND ITS SUCCESSORS AND ASSIGNS, OVER ALL THAT AREA DESIGNATED ON SAID PLAT AS "PRIVATE INGRESS/EGRESS EASEMENT" FOR EMERGENCY VEHICLE ACCESS TO THE PROPERTY WITHIN AND ADJOINING THE SUBDIVISION, AS SHOWN ON THE PLAT OF ARLINGTON CROSSINGS RESUBDIVISION NO. 2 RECORDED AS DOCUMENT 1416434055.
34. EASEMENT RESERVED BY THE PLAT OF CONSOLIDATION RECORDED AS DOCUMENT 16909135 AND THEREBY GRANTED TO THE ILLINOIS BELL TELEPHONE COMPANY AND THE COMMONWEALTH EDISON COMPANY AND THEIR RESPECTIVE SUCCESSORS AND ASSIGNS TO INSTALL, LAY, CONSTRUCT, RENEW, OPERATE AND MAINTAIN CONDUITS, CABLES, POLES AND WIRES, OVERHEAD AND UNDERGROUND, WITH ALL NECESSARY BRACES, GUYS, ANCHORS AND OTHER EQUIPMENT FOR THE PURPOSE OF SERVING THE SUBDIVISION AND OTHER PROPERTY WITH TELEPHONE AND ELECTRIC SERVICE IN THE EAST 5 FEET OF THE SOUTH 337 FEET OF PARCEL C AFORESAID, AND THE WEST 23 FEET OF THE EAST 28 FEET OF THE NORTH 5 FEET OF THE SOUTH 312 FEET OF PARCEL C AFORESAID; TOGETHER WITH THE RIGHT TO OVERHANG ALL LOTS WITH AERIAL SERVICE WIRES TO SERVE ADJACENT LOTS, AND THE RIGHT TO ENTER UPON THE LOTS AT ALL TIMES TO INSTALL, LAY, CONSTRUCT, RENEW, OPERATE, AND MAINTAIN WITHIN SAID EASEMENT AREAS THE ABOVE NOTED FACILITIES AND EQUIPMENT, TOGETHER WITH THE RIGHT TO CUT DOWN AND REMOVE OR TRIM AND KEEP TRIMMED ANY TREES, SHRUBS, OR SAPLINGS THAT INTERFERE OR THREATEN TO INTERFERE WITH ANY OF SAID EQUIPMENT; SAID GRANT PROVIDES THAT NO PERMANENT BUILDINGS OR TREES SHALL BE PLACED ON SAID EASEMENT.
35. EASEMENT RESERVED BY PLAT DOCUMENT 16909135 TO THE ILLINOIS BELL TELEPHONE COMPANY AND THE COMMONWEALTH EDISON COMPANY IN WEST 110 FEET OF SOUTH 5 FEET OF NORTH 69.37 FEET OF PARCEL A, THE WEST 40 FEET OF THE SOUTH 5 FEET OF THE NORTH 209.37 FEET OF PARCEL A, THE WEST 40 FEET OF THE NORTH 5 FEET OF THE SOUTH 110 FEET OF PARCEL A.

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36. POSSIBLE RIGHTS OR EASEMENTS FOR SERVICE AREAS, PARKING AREAS AND DRIVEWAYS AS SHOWN ON THE PLAT ATTACHED TO THE LEASE RECORDED AS DOCUMENT 16673429 AND THE TERMS AND CONDITIONS CONTAINED THEREIN.
37. TERMS, PROVISIONS AND CONDITIONS CONTAINED IN THE DECLARATION FOR EASEMENTS OVER THE LAND, AS CREATED BY INSTRUMENT RECORDED AS DOCUMENT 16937657.
38. TERMS, PROVISIONS, CONDITIONS AND LIMITATIONS OF THE ORDINANCE RECORDED OCTOBER 17, 1980 AS DOCUMENT 25628132 FOR THE PURPOSES OF REGULATING AND ENFORCING ALL VEHICULAR TRAFFIC AND PARKING OF AUTOMOBILES WITHIN THE ARLINGTON MARKET SHOPPING CENTER.
39. TERMS, PROVISIONS, CONDITIONS AND LIMITATIONS AS CONTAINED IN ORDINANCE GRANTING A SPECIAL USE FOR A RESTAURANT, A COPY OF WHICH WAS RECORDED JULY 21, 1988 AS DOCUMENT 88321637.
40. ENVIRONMENTAL NO FURTHER REMEDIATION LETTER RECORDED APRIL 3, 1998 AS DOCUMENT 92267746 NO.: 0314035203; LUST INCIDENT NO.: 930678, 961227, 961964 AND 961974.
41. "ENTRANCE TREATMENT EASEMENT AREA" AS SHOWN ON THE PLAT OF SUBDIVISION OF ARLINGTON MARKET RECORDED AS DOCUMENT NUMBER 0705915065.
42. CROSS DRAINAGE EASEMENT AS SHOWN ON THE PLAT OF SUBDIVISION OF ARLINGTON MARKET RECORDED AS DOCUMENT NUMBER 0705915065; (AFFECTS THAT PARTS OF LOTS 1, 2, LOTS "A", LOT "B" AS SHOWN ON THE PLAT OF SUBDIVISION).
43. SURVEY MADE BY EDWARD J. MOLLOY AND ASSOCIATES DATED JUNE 29, 2004 AS ORDER NO. 2004-0587 DISCLOSES THE FOLLOWING: INTEREST OF UTILITY COMPANIES TO MAINTAIN LINES AND EQUIPMENT LOCATED ON THE LAND AS DISCLOSED BY MANHOLES, CATCH BASINS, FIRE HYDRANTS, B-BOXES, WATER VALVE VAULT, OVERHEAD WIRES, UTILITY POLES GAS METERS AND ELECTRIC METERS.
44. DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS FOR THE ARLINGTON MARKET HOMEOWNER'S ASSOCIATION RECORDED FEBRUARY 28, 2007 AS DOCUMENT NUMBER 0705918075 AND THE TERMS AND PROVISIONS CONTAINED THEREIN, INCLUDING PROVISIONS FOR LIENS.
45. TERMS, CONDITIONS AND LIMITATIONS CONTAINED IN THE LEAKING UNDERGROUND STORAGE TANK ENVIRONMENTAL NOTICE ISSUED BY

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THE ILLINOIS ENVIRONMENTAL PROTECTION AGENCY RECORDED APRIL 23, 2002 AS DOCUMENT 0020466140.

46. ENVIRONMENTAL NO FURTHER REMEDIATION LETTER RECORDED OCTOBER 6, 1997 AS DOCUMENT 97742854 RELATING TO NO.: 0314035203; LUST INCIDENT NO.: 930678, 961227, 961964 AND 961974.

47. THE USE AND ENJOYMENT OF THE EASEMENTS REFERENCED IN PARCEL 3 OF SCHEDULE A IS SUBJECT TO SAID EASEMENTS BEING OPEN AND IN USE.

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