



\*2120041132\*

THIS INSTRUMENT PREPARED  
BY AND AFTER RECORDING  
RETURN TO:

Doc# 2120041132 Fee \$93.00

RHSP FEE:\$9.00 RPRF FEE: \$1.00

KAREN A. YARBROUGH

COOK COUNTY CLERK

DATE: 07/19/2021 04:06 PM PG: 1 OF 6

Brian G. Boylan  
Attorney at Law  
30W180 Butterfield Road  
Warrenville, IL 60555

AMENDMENT TO DECLARATION OF DRIVEWAY ACCESS EASEMENT

This Amendment to Declaration of Driveway Access Easement (hereinafter "Amendment"), is executed by CIMA Developers, LP, an Illinois limited partnership (hereinafter "Parcel A Owner") and John R. Abel and Terry S. Abel (hereinafter "Parcel B Owner") for the purposes of amending the Declaration of Driveway Access Easement dated November 4<sup>th</sup>, 2015 and duly recorded on November 17<sup>th</sup>, 2015 as document #1532129027 (hereinafter "Declaration") benefitting and binding upon lots and land located in Cook County, Illinois as more fully described herein.

This Amendment is executed this 4 day of March, <sup>2021</sup>~~2020~~.

RECITALS

WHEREAS Parcel A Owner is the owner of a parcel of land legally described in Exhibit A, referred to herein as "Parcel A", and Parcel B Owner is the owner of a parcel of land legally described in Exhibit B, referred to herein as "Parcel B" (Parcel A Owner and Parcel B Owner hereinafter collectively referred to as "Owners" or "Parties"), and

WHEREAS Parcel A Owner intends to develop Parcel A for commercial retail purposes, as currently indicated on the plan attached as Exhibit "C", and

WHEREAS section 5 of the Declaration established a number of specific covenants running with the land, and the Owners desire to amend or eliminate certain covenants contained therein,

NOW, THEREFORE, for and in consideration of the mutual covenants and promises herein set forth, and for other good and valuable consideration, the receipt and sufficiency of which are herewith acknowledged, the Parties hereto agree as follows:

AGREEMENT

1. The Recitals set forth above are fully incorporated into this Amendment by reference.
2. In the event of any conflict between the terms of the Declaration and this Amendment, this Amendment shall control.

S Y  
P G  
S Y-H  
M Y  
SC Y  
E N  
INT EK

# UNOFFICIAL COPY

3. The obligation of the Parcel A Owner set forth in section 5(B) of the Declaration requiring the planting and maintenance of a hedge of evergreen bushes is hereby stricken.
4. Section 5(D) of the Declaration requiring the installation of automobile bumper stops for parking spaces located on Parcel B as written is hereby stricken, and replaced with the following:

Upon written request of the Parcel B Owner, Parcel A Owner shall cause to be installed, upon completion of development of Parcel A, at the sole cost and expense of the Parcel A Owner, automobile bumper stops for up to ten (10) parking spaces to be maintained on Parcel B by the Parcel B Owner. Failure of Parcel B Owner to submit a written request shall operate as a waiver. This obligation of Parcel A Owner shall automatically terminate no later than December 31, 2021.

5. Any and all notices required to be provided to the Parcel A Owner pursuant to the Declaration or this Amendment shall be provided to the following address:

CIMA Developers, LP  
30W180 Butterfield Road  
Warrenville, IL 60555

REMAINDER OF PAGE LEFT BLANK, SIGNATURE PAGE TO FOLLOW

# UNOFFICIAL COPY

IN WITNESS WHEREOF, the undersigned hereby approve and join in this Amendment with the intent to be bound hereby, and with the intent to bind the lots and land referred to herein to the terms, covenants, easements and restrictions herein set forth.

Parcel A Owner

Dan Soltis, VP Real Estate  
CIMA Developers, LP

Parcel B Owner

John R. Abel

Terry S. Abel

STATE OF ILLINOIS )

ss

County of DuPage )

The undersigned, a Notary Public in the County and State aforesaid, does hereby certify that Dan Soltis, personally known to me to be the same person whose name is subscribed to the foregoing document, appeared before me this day and acknowledged that he signed the instrument set forth as his free and voluntary act for the uses and purposes therein set forth.

Given under my hand and official seal this 4<sup>th</sup> day of March, 2020.

  
Notary Public

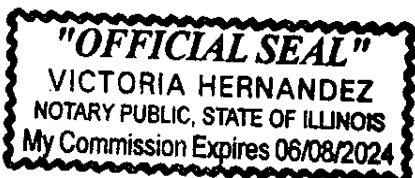
STATE OF ILLINOIS )

ss

County of Kane )

The undersigned, a Notary Public in the County and State aforesaid, does hereby certify that John R. Abel and Terry S. Abel, personally known to me to be the same persons whose names are subscribed to the foregoing document, appeared before me this day and acknowledged that they signed the instrument set forth as their free and voluntary act for the uses and purposes therein set forth.

Given under my hand and official seal this 2 day of February, 2020.



March U.H.  
  
Notary Public

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## EXHIBIT A

LOT ONE (1) IN ARCHOS SUBDIVISION BEING A RESUBDIVISION OF PART OF LOTS THREE (3) AND FOUR (4) IN HOMEIER'S SUBDIVISION OF PART OF THE WEST HALF (W 1/2) OF NORTHWEST QUARTER (NW 1/4) OF SECTION THIRTY-THREE (33) TOWNSHIP FORTY-TWO NORTH (42 N), RANGE TEN (10), EAST (E) OF THE THIRD (3RD) PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

PERMANENT INDEX NUMBER: 02-33-100-026-0000

Commonly known as:

1400 W. Algonquin Rd.

Palatine, IL 60067

Property of COOK County Clerk's Office

**UNOFFICIAL COPY**EXHIBIT B

THAT PART OF THE WEST 100 FEET, AS MEASURED ALONG THE NORTH LINE THEREOF, OF LOT 3 IN HOMEIER'S SUBDIVISION OF PART OF THE WEST HALF OF THE NORTHWEST QUARTER OF SECTION 33, TOWNSHIP 42 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED SEPTEMBER 8, 1967 AS DOCUMENT NUMBER 20254452, IN COOK COUNTY, ILLINOIS, EXCLUDING THAT PORTION TAKEN BY THE STATE HIGHWAY COMMISSION, BOUNDED AND DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF AFORESAID LOT 3 IN HOMEIER'S SUBDIVISION AS MONUMENTED AND OCCUPIED; THENCE ALONG AN ASSUMED BEARING OF SOUTH 00 DEGREES 11 MINUTES 07 SECONDS WEST A DISTANCE OF 100.27 FEET ALONG THE WEST LINE OF SAID LOT 3 FOR A POINT OF BEGINNING; THENCE SOUTH 50 DEGREES 38 MINUTES 25 SECONDS EAST 26.45 FEET TO A POINT, SAID POINT BEING MONUMENTED BY AN ILLINOIS DEPARTMENT OF TRANSPORTATION, DIVISION OF HIGHWAYS SURVEY MARKER; THENCE SOUTH 55 DEGREES 27 MINUTES 49 SECONDS EAST 97.06 FEET TO A POINT ON THE EAST LINE OF THE ABOVE DESCRIBED TRACT; THENCE SOUTH 00 DEGREES 11 MINUTES 07 SECONDS WEST 28.48 FEET TO A POINT ON THE SOUTH LINE OF SAID LOT 3; THENCE NORTH 89 DEGREES 40 MINUTES 58 SECONDS WEST 20.28 FEET ALONG SAID SOUTH LINE TO ITS INTERSECTION WITH THE EXISTING NORTHERLY RIGHT OF WAY LINE OF ALGONQUIN ROAD, SAID POINT BEING ON A 3,133.18 FOOT RADIUS CURVE, THE CENTER OF CIRCLE OF SAID CURVE BEARS NORTH 37 DEGREES 49 MINUTES 28 SECONDS EAST FROM SAID POINT; THENCE ALONG SAID EXISTING RIGHT OF WAY LINE AND NORTHWESTERLY ALONG SAID CURVE 62.05 FEET, CENTRAL ANGLE 01 DEGREES 08 MINUTES 05 SECONDS TO A POINT; THENCE CONTINUING ALONG SAID EXISTING RIGHT OF WAY LINE NORTH 51 DEGREES 02 MINUTES 27 SECONDS WEST ALONG TANGENT 40.53 FEET TO ITS INTERSECTION WITH SAID WEST LINE OF LOT 3; THENCE NORTH 00 DEGREES 11 MINUTES 07 SECONDS EAST 36.15 FEET ALONG SAID WEST LINE OF LOT 3 TO THE POINT OF BEGINNING.

PIN: 02 - 33 - 100 - 020 - 0000

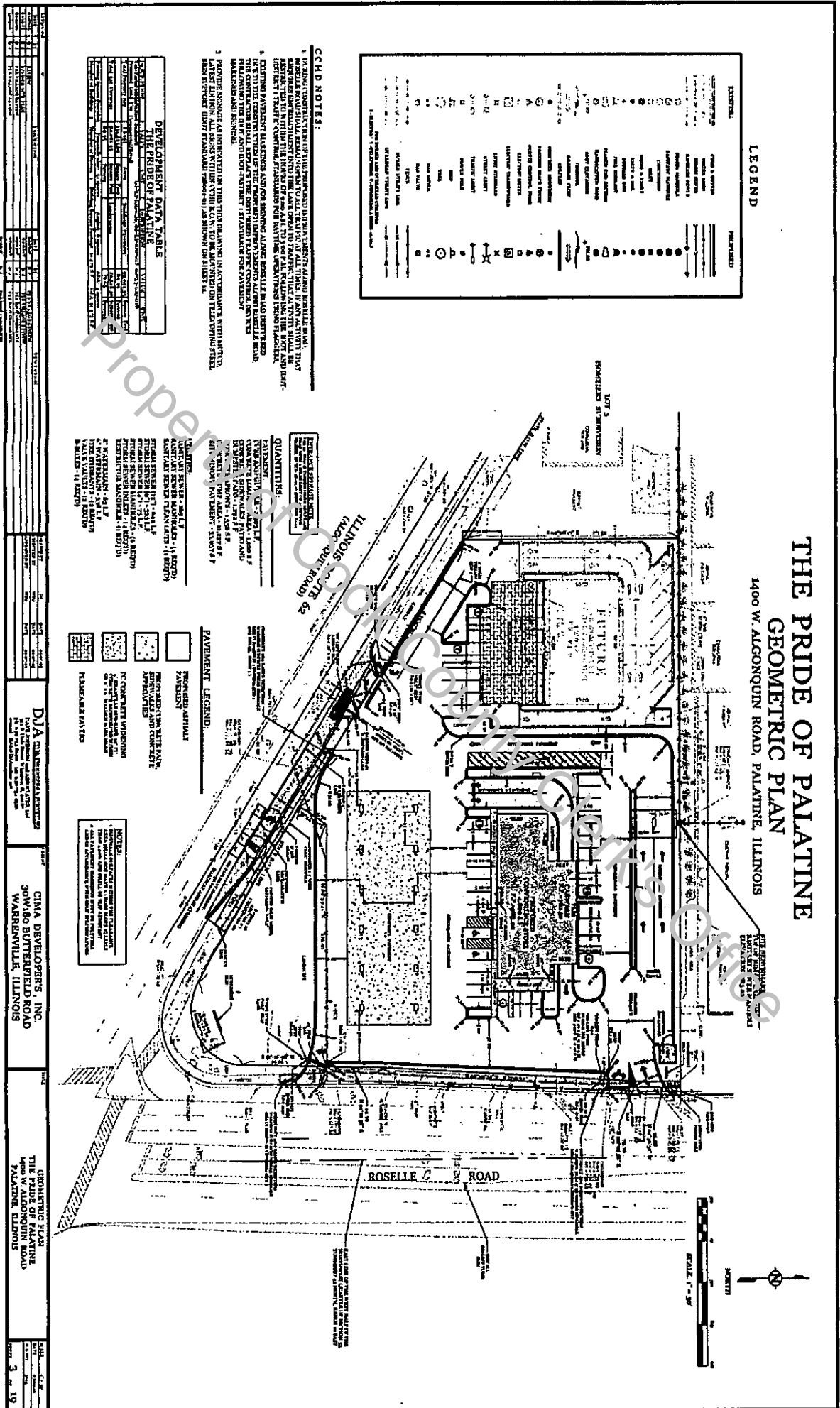
Commonly known as:

1460 W. Algonquin Rd.

Palatine, IL 60067

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EXHIBIT C



## THE PRIDE OF PALATINE GEOMETRIC PLAN 1400 W. ALGONQUIN ROAD, PALATINE, ILLINOIS

1400 W. ALGONQUIN ROAD, PALATINE, ILLINOIS

THE PRIDE OF PALATINE  
DEVELOPMENT PLAN  
DATE: 11/18/78

**LEGEND**

EXISTENTIAL	PROPOSED
1. DRIVE AISLES	1. DRIVE AISLES
2. PARKING SPACES	2. PARKING SPACES
3. DRIVEWAYS	3. DRIVEWAYS
4. DRIVEWAYS	4. DRIVEWAYS
5. DRIVEWAYS	5. DRIVEWAYS
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**DEVELOPMENT DATA TABLE**

NO.	DESCRIPTION	AREA (SQ. FT.)	PERCENTAGE
1	Lot Area	100,000	100%
2	Building Footprint	50,000	50%
3	Parking Spaces	20,000	20%
4	Driveways	10,000	10%
5	Other	20,000	20%

**REMARKS:**

1. CONSTRUCTION OF THE PROPOSED DRIVEWAYS SHALL BE DONE IN ACCORDANCE WITH THE SPECIFICATIONS OF THE ILLINOIS DEPARTMENT OF TRANSPORTATION. THE DRIVEWAYS SHALL BE CONSTRUCTED TO THE FULL WIDTH OF THE DRIVEWAY AND SHALL BE FINISHED TO THE FINISH GRADE OF THE DRIVEWAY. THE DRIVEWAYS SHALL BE FINISHED TO THE FINISH GRADE OF THE DRIVEWAY AND SHALL BE FINISHED TO THE FINISH GRADE OF THE DRIVEWAY.
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3. THE DRIVEWAYS SHALL BE FINISHED TO THE FINISH GRADE OF THE DRIVEWAY AND SHALL BE FINISHED TO THE FINISH GRADE OF THE DRIVEWAY.

**QUANTITIES:**

ASPHALT	10,000
GRAVEL	20,000
CONCRETE	50,000
STEEL	10,000
WOOD	10,000
PAINT	10,000
IRON	10,000
COPPER	10,000
ZINC	10,000
NICKEL	10,000
LEAD	10,000
SILVER	10,000
GOLD	10,000
PLATINUM	10,000
PALLADIUM	10,000
IRIDIUM	10,000
RHODIUM	10,000
PALADIUM	10,000
OSMIUM	10,000
SELENIUM	10,000
TUNGSTEN	10,000
ANTIMONY	10,000
ARSENIC	10,000
COBALT	10,000
NICKEL	10,000
COPPER	10,000
ZINC	10,000
IRON	10,000
STEEL	10,000
CONCRETE	50,000
GRAVEL	20,000
ASPHALT	10,000

**PAVEMENT LEGEND:**

ASPHALT	ASPHALT
GRAVEL	GRAVEL
CONCRETE	CONCRETE
STEEL	STEEL
WOOD	WOOD
PAINT	PAINT
IRON	IRON
COPPER	COPPER
ZINC	ZINC
NICKEL	NICKEL
LEAD	LEAD
SILVER	SILVER
GOLD	GOLD
PLATINUM	PLATINUM
PALLADIUM	PALLADIUM
IRIDIUM	IRIDIUM
RHODIUM	RHODIUM
PALADIUM	PALADIUM
OSMIUM	OSMIUM
SELENIUM	SELENIUM
TUNGSTEN	TUNGSTEN
ANTIMONY	ANTIMONY
ARSENIC	ARSENIC
COBALT	COBALT
NICKEL	NICKEL
COPPER	COPPER
ZINC	ZINC
IRON	IRON
STEEL	STEEL
CONCRETE	CONCRETE
GRAVEL	GRAVEL
ASPHALT	ASPHALT

**NOTES:**

1. THE DRIVEWAYS SHALL BE FINISHED TO THE FINISH GRADE OF THE DRIVEWAY AND SHALL BE FINISHED TO THE FINISH GRADE OF THE DRIVEWAY.
2. THE DRIVEWAYS SHALL BE FINISHED TO THE FINISH GRADE OF THE DRIVEWAY AND SHALL BE FINISHED TO THE FINISH GRADE OF THE DRIVEWAY.
3. THE DRIVEWAYS SHALL BE FINISHED TO THE FINISH GRADE OF THE DRIVEWAY AND SHALL BE FINISHED TO THE FINISH GRADE OF THE DRIVEWAY.

DJA CONSULTING ENGINEERS  
30148 BUTLER ROAD  
WARRNEVILLE, ILLINOIS

GRONATING PLAN  
THE PRIDE OF PALATINE  
1400 W. ALGONQUIN ROAD  
PALATINE, ILLINOIS

DATE: 11/18/78  
PAGE: 3 OF 19