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**THIS DOCUMENT WAS PREPARED BY:**

Klein Thorpe & Jenkins, Ltd.  
20 North Wacker Drive, Suite 1660  
Chicago, IL 60606  
George A. Wagner

**AFTER RECORDING RETURN TO:**

Cook County Recorders Box 324 (GAW)

Klein Thorpe & Jenkins, Ltd.  
20 North Wacker Drive, Suite 1660  
Chicago, IL 60606  
Attn: George A. Wagner



Doc# 2318822012 Fee \$88.00

KAREN A. YARBROUGH

COOK COUNTY CLERK

DATE: 07/07/2023 10:38 AM PG: 1 OF 4

[The above space for recording purposes]

## VILLAGE OF NORTHFIELD RIGHT-OF-WAY/EASEMENT ENCROACHMENT AGREEMENT

RE: Proposed Public Right-of-Way use for brick paver/decorative concrete/asphalt driveway approach/brick mailboxes/lawn sprinkler heads/decorative landscaping and/or proposed easement encroachment for pool/deck/fence/shed/retaining wall/patio and/or service walk.

Owner, Craig Smith and Deborah Vandegriest ("OWNER") represent that we are the legal owners of real property commonly known as:

166 Haff Rd Northfield, Northfield, Illinois 60093  
(insert property address)

PIN(S): 05-19-321-012 & 05-19-321-013 (the "Property").

(A survey of the Property, containing its legal description, is attached and made a part hereof as "EXHIBIT A")

Owner is undertaking the following Project at the Property that will encroach on the public right-of-way or an easement:

Project: Driveway

Owner acknowledges that the Village of Northfield Municipal Code (the "Village Code") does not permit the construction of a driveway, consisting of any material other than concrete or asphalt, in the public right-of-way. Owner assumes any and all risks associated with its construction of the driveway in the public right-of-way at the Property out of brick paver/decorative concrete/embossed or colored asphalt, and further assumes full responsibility to maintain, repair, and replace said driveway, if necessary, in the event of any damage by the Village of Northfield (the "Village") or other public agencies, or due to normal wear and tear.

Owner further understands that, on streets without curbs, the decorative drive must end no less than two feet from the edge of existing pavement.

Owner understands that the Village will allow the construction of a pool/deck/fence/shed/retaining wall/patio and/or service walk encroaching upon an easement only upon the written permission of all utilities affected by said construction.

RECORDING FEE 88.00  
DATE 7-7-23 COPIES 6X  
OK BY: JP

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Owner agrees that the pool/deck/fence/shed/retaining wall/patio and/or service walk encroaching upon the easement at the Property is being allowed by the Village at Owner's sole risk and Owner is responsible to maintain, repair, and replace if necessary, in the event of any damage by the Village or other public agencies, or due to normal wear and tear.

Owner also understands that the Village Code does not permit any obstructions in the public right-of-way and that any lawn sprinkler systems, brick mailboxes, decorative landscaping placed upon the public right-of-way will be allowed by the Village at Owner's risk, and Owner is responsible to maintain, repair, and replace if necessary, in the event of any damage by the Village or other public agencies, or due to normal wear and tear.

Owner covenants and agrees that all construction related to the Project will be performed in accordance with the Village of Northfield's Building Codes.

Owner, in consideration of the Village's allowing it to utilize the public right-of-way abutting the Property and/or easement encroachment for the aforesaid purposes, covenants and agrees to protect, indemnify, defend and hold harmless the Village, its officials, officers, employees and agents, against any and all claims, costs, actions, losses, demands, injuries and expenses of whatever nature, including, but not limited to attorney's fees, in any way related to the aforesaid uses in public right-of-way and/or easement encroachment and/or any acts or omissions by the Owner, its contractors, subcontractors, agents or employees in constructing, maintaining or in any way related to Owner's use of the public right-of-way abutting the Property and/or easement encroachment.

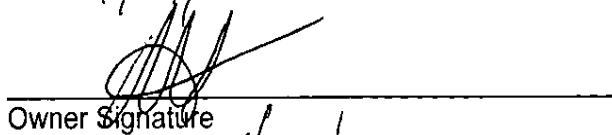
Owner understands that the terms and conditions contained herein apply uniquely to the public right-of-way abutting the Property and the easements on or about the Property, and it is the intent of Owner and the Village to have the terms and conditions of this instrument run with the land and be binding upon subsequent purchasers.

This document shall be notarized and recorded with the Cook County Recorder of Deeds.

  
Owner Signature

Craig Baxter  
Print Name

Date: 4/19/23

  
Owner Signature

Deborah Vandergriest  
Print Name

Date: 4/24/23

**VILLAGE OF NORTHFIELD**

  
Community Development Director

Date: 4/25/23

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NOTARY:

STATE OF ILLINOIS  
COUNTY OF COOK

I, Christine Stanke, a Notary Public in and for the County and State aforesaid, do hereby certify Craig Baxter is personally known to me to be the same person whose name is here subscribed to the foregoing instrument, and appeared before me this day in person and acknowledged that he signed and delivered said instrument as his free and voluntary act for the uses and purposes therein set forth. Given under my hand and notarial seal this 19th day of April, 2023.

Notary Signature: Christine A. Stanke

[SEAL]



STATE OF ILLINOIS  
COUNTY OF COOK

I, Christine Stanke, a Notary Public in and for the County and State aforesaid, do hereby certify Deborah Vandergrift, is personally known to me to be the same person whose name is here subscribed to the foregoing instrument, and 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 set forth. Given under my hand and notarial seal this 24th day of April, 2023.

Notary Signature: Christine A. Stanke

[SEAL]



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## EXHIBIT A

**166 HAPP ROAD**

**NORTHFIELD, ILLINOIS**

Legal Description:

LOTS 1 AND 2 IN SCHMIDT'S SUBDIVISION OF THAT PART OF LOT 2 IN HAPP'S SUBDIVISION OF THE SOUTH 107 ACRES OF THE SOUTHWEST ¼ OF SECTION 19, TOWNSHIP 42 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS, LYING WEST OF HAPP ROAD AND EAST OF THE RIGHT OF WAY OF THE PUBLIC SERVICE COMPANY OF NORTHERN ILLINOIS, IN THE VILLAGE OF NORTHFIELD, COOK COUNTY, ILLINOIS, ACCORDING TO THE PLAT THEREOF RECORDED IN THE RECORDERS OFFICE OF COOK COUNTY, ILLINOIS ON DECEMBER 26, 1928 AS DOCUMENT 10042652, IN COOK COUNTY, ILLINOIS.

Real Estate Index No: 05-19-321-013-0000 AND 05-19-321-012-0000

Office of Cook County Clerk's Office