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DECLARATION OF RESTRICTIVE COVENANTS

This Declaration of Restrictive Covenants ("Declaration") is entered into as of this 25th day of August, 1987 among Skild Manufacturing Company, Inc. ("Skild"), Chicago Title and Trust Company, as Trustee under Trust No. 63352 ("Skild Trust"), The Edlong Corporation ("Edlong"), Northwest National Bank of Chicago, as Trustee under Trust No. 3844 ("Edlong Trust I"), Continental Illinois National Bank and Trust Company of Chicago ("Edlong Mortgagee"), Northwest National Bank of Chicago, as Trustee under Trust No. 10-083120-5 ("Edlong Trust II"), Roger A. Umbach ("Umbach"), American National Bank and Trust Company, as Trustee under Trust No. 66513 ("Umbach Trust"), Golf Mill State Bank ("Umbach Mortgagee"), James P. Grusecki ("Grusecki"), American National Bank and Trust Company, as Trustee under Trust No. 23038 ("Grusecki Trust") and Northwest National Bank of Chicago ("Grusecki Mortgagee").

WITNESSETH:

whereas, the Skild Trust holds title to certain property described on Exhibit A attached hereto and made a part hereof, and Skild owns 100% of the beneficial interest in said Skild Trust;

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WHEREAS, the Edlong Trust I holds title to certain property described on Exhibit B attached hereto and made a part hereof, and Edlong owns 100% of the beneficial interest in said Edlong Trust I;

WHEREAS, the Edlong Trust II holds title to certain property described on Exhibit C attached hereto and made a part hereof, and Edlong owns 100% of the beneficial interest in said Edlong Trust II.

WHEREAS, the Umbach Trust holds title to certain property described on Expibit D attached hereto and made a part hereof, and Umbach owns 100% of the beneficial interest in said Umbach Trust;

WHEREAS, the Grusecki Trust holds title to certain property described on Exhibit E attached hereto and made a part hereof, and Grusecki owns 100% of the beneficial interest in said Grusecki Trust;

WHEREAS, Skild, Skild Trust, Edlong, Umbach and Grusecki
Trust have entered into a Settlement Agreement concerning
certain litigation known as Case No. 82 CH 4997 in the Circuit
Court of Cook County, Illinois, County Department, Chancery
Division ("Settlement Agreement");

WHEREAS, the terms of the Settlement Agreement have fully and completely settled all claims that have arisen or may in the future arise out of the planning, design, construction, installation, use or existence of that certain storm sewer pipe

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referenced in the amended complaint of Case No. 82 CH 4997 ("storm sewer pipe");

NOW, THEREFORE, in consideration of Ten Dollars (\$10.00), the receipt of which is hereby acknowledged, and other good and valuable consideration, the parties hereto agree as follows:

- 1. Skild and Skild Trust shall be barred from raising any claims, suits or actions related to the planning, design, construction, installation, use or existence of the storm sewer ripe against Edlong, Edlong Trust I, Edlong Trust II, Umbach, Umbach Trust, Grusecki or Grusecki Trust.
- 2. Edlong, Edlong Trust I and Edlong Trust II shall be barred from raising any claims, suits or actions related to the planning, design, construction, installation, use or existence of the storm sewer pipe against Skila, Skild Trust, Umbach, Umbach Trust, Grusecki or Grusecki Trust.
- 3. Umbach and Umbach Trust shall be barred from raising any claims, suits or actions related to the planning, design, construction, installation, use or existence of the storm sewer pipe against Skild, Skild Trust, Edlong, Edlong Trust I, Edlong Trust II, Grusecki or Grusecki Trust.

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- 4. Grusecki and Grusecki Trust shall be barred from raising any claims, suits or actions related to the planning, design, construction, installation, use or existence of the storm sewer pipe against Skild, Skild Trust, Edlong, Edlong Trust I, Edlong Trust II, Umbach or Umbach Trust.
- Grusecki Mortgagee become owner of the property describes on Exhibit B, Exhibit D or Exhibit E, respectively, they shall be barred from raising any claims, suits or actions related to the planning, design, construction, installation, use or existence of the storm sewer pipe in the same manner as their respective borrowers as described in paragraphs 2-4 above.
- 6. The parties agree that the aforespio covenants, conditions and restrictions shall bucdan and benefit the properties described on Exhibits A, B, C, D and E hereto in the manner set forth herein.
- 7. The burdens and benefits of the aforesaid covenants, conditions and restrictions shall run with the land and shall be binding upon and shall inure to the benefit of the parties' respective purchasers, heirs, executors, successors and assigns.

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- 8. Notwithstanding the above, the aforesaid covenants, conditions and restrictions, barring any claims, suits or actions related to the storm sewer pipe, shall not apply to the following situations:
 - a. If an unrelated third party or parties make any claim or demand against one or more of the parties hereto arising from the storm sewer pipe, these restrictive covenants shall not bar that party or parties from seeking contribution from one or more of the parties hereto.
 - hereof, fails to maintain the storm sewer pipe on its property or alters, improves or repairs the storm sewer pipe in such a way as to adversely cause any loss or damage to another party or parties' property, such party or parties incurring the loss or damage shall have all their remedies at law or equity to recover for such loss or damage.
- 9. If any alteration, improvement or repair of the storm sewer pipe is desired or necessary, after the date hereof, the party initiating such

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alteration, improvement or repair shall give written notice thereof to all other parties hereto. Such notice shall contain a detailed description of the alteration, improvement or repair to be made which shall include copies of all plans and specifications. If any one or more of the parties receiving such notice does not object to the alteration, improvement or regair, by sending written notice to the party initiating the alteration, improvement or repair within twenty (20) days after receipt of the initial notice, then: (i) such failure to object shall be desmed to be an acceptance of the alteration, improvement or repair of the storm sewer pipe; and (i) notwithstanding anything to the contrary in paragraph 8(b) above, the party or parties failing to object to a notice setting forth proposed aiteration, improvement or repair of the storm sewer pipe shall be barred from raising any claims, suits or actions based on the alteration, improvement or repair of the storm sewer pipe.

10. If any term or condition of this Declaration shall, to any extent, be invalid or unenforceable, the remainder of the Declaration shall not be effected thereby and the

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Declaration shall be valid and enforceable to the fullest extent permitted by law.

This document may be executed in counterpart, 11. each of which shall be deemed an original, but all of which together shall constitute one and the same instrument.

IN WITNESS WHEREOF, the parties have executed this , 1987. Declaration as of this <u>lst</u> day of <u>October</u> 300 CC

SKILD MANUFACTURING COMPANY, INC.

President

CHICAGO TITLE AND TRUST COMPANY, as Trustee under Trust No. 63352

ASST, VICA PRESIDENT Its:

It is expressly undrested and agreed by and between the parties haveld, anything herein to the control rum thater ding. each and all of the marrandes, indemnities, copresentations, correcants, undertakings and agreements hereit is use on the part he Sewine while in form purporting to the warranties, indemnities, representations, covenants, undertakings and agree limits sold fruites are nevertheless each and every one of them, made and intended not as personal executives, inocomments, elicitions, covernants, undertakings and agreements by the frustry or for the purpose or with the inflution of pursing soil stern personally but are made and intended for the purpose of feeding only that port in of the best exceptly speedically described burgin, and that unstitution of the east to the described and testing the described in the unstitution and the contract of the contr the powers conferred upon it at such frustee, and that no purs and habitly or personal responsibility in assumed by non-about at ne by asserted or enforceable against the Chicago little and fruit to making on security that antisyonal or on recount et any marranty, indemnity, expresentation, commant undertaking or agreement of the said leaster in this instrument contained, either expressed or implied, all such personal liability, if any, being expressly waived and released.

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By: Thence & Colle	, I
Its: Executive Vice-President	
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By: Andew Hoobyn Its: Continental Illinois National	
CONTINENTAL ILLINOIS NATIONAL AND TRUST COMPANY OF CHICAGO	BANK
JOHN H. BEIRISE SENIOR VICE PRESIDENT	د موسود به این
NORTHWEST NATIONAL BANK OF CHICAGO. as Trustee under Trust No. 10-183120-5and ver	personally
By: Andrew & Dobyn	

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AMERICAN NATIONAL BANK AND TRUST COMPANY, as Trustee under Trust No. 66513

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STATE OF ILLINOIS)

COUNTY OF C 0 0 K)

I, the undereigned , a notary public in and	
for said County, in the State aforesaid, DO HEREBY CERTIFY	
that Heinz Breit , personally known to me to	
he the Dreeddont Of SKILD MANUFACTURING	
COMPANY, INC., a corporation, and 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 as such officer	
he did sign and deliver the said instrument,	
pursuant to the authority given by the Board of Directors of	
said corporation, as his/her free and voluntary act and as the	
free and voluntary act and deed of said corporation, for the	
uses and purposes therein set forth.	
GIVEN under my hand and official seal this <u>lst</u> day	
of <u>October</u> , 1987.	
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Sharen pomilialin securi	
Notary Public	
My commission expires:	
March 14, 1991 OFFICIAL SEAL	
Karen Sonnicksen Sellers	
Notary Public, State of Illinois M. Commission Expires Mar. 14, 1991	
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-	"OFFICIAL SEAL" Lynda S. Barrie Notary Public, State of Illinois My Commission Expires 4/2/90			Public Control	

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"OFFICIAL SEAL"
Lynda S. Barrie
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My Commussion Expires 4/2/98 TS OFFICE

STATE OF ILLINOIS)
COUNTY OF C 0 0 K)

I, Elicabeth M. Booth, a notary public in and
for said County, in the State aforesaid, DO HEREBY CERTIFY
for said County, in the State aforesaid, DO HEREBY CERTIFY that Henry L. Collins , personally known to me to be
the Executive Vice resident of THE EDLONG CORPORATION, a corporation, and personally known to me to be the same person
whose names is subscribed to the foregoing instrument, appeared
before me this day in person and acknowledged that as
such
sign and deliver the said instrument, pursuant to the authority given by the Board of Directors of said corporation, as his/her
free and voluntary act and as the free and voluntary act and
deed of said corporation, for the uses and purposes therein set
forth.
GIVEN under my hand and official seal this 744 day
of <u>Ottoor</u> , 1987.
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My commission expires:
Qpyil 27, 1990

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STATE OF ILLINOIS)

COUNTY OF C 0 0 K)

I, Me undersighted, a notary public in and for said County, in the State aforesaid, DO HEREBY CERTIFY that A. Dobzyn, personally known to me to be the LAND TRUST OFFICER of NORTHWEST NATIONAL BANK OF CHICAGO, as Trustee under Trust No. 3844, and 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 as such LAND TRUST OFFICER did sign and deliver the said instrument, pursuant to the authority given by the Board of Directors of said corporation, as his/her free and voluntary act and as the free and voluntary act and deed of said corporation, for the uses and purposes therein set forth.
GIVEN under my hand and official seal this 9th day of October 1987.
My Commission expires: My Commission Existing Mar 15, 1989
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STATE OF ILLINOIS)

COUNTY OF C 0 0 K)

Ι,	D. L. PETERSEN	, a notary	public in and
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me to be the	SENIOR VICE PRESIDENT	of CONTI	NENTAL ILLINOIS
NATIONAL BANK	AND TRUST COMPANY OF CH	IICAGO, a co	
	vn to me to be the same		
subscribed to t	the foregoing instrumen	it, appeared	before me this
day in person a	and acknowledged that a	is such	and doliver the
said instrument	, pursuant to the auth	olu sign a Soritu aiven	nu delivel the hv the Board of
	aid corporation, as his		
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for the uses ar	nd purposes therein set	forth.	
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STATE OF ILLINOIS)
COUNTY OF C 0 0 K)

I, the undersigned, a notary public in and
for said County, in the State aforesaid, DO HEREBY CERTIFY
that A Dobzyn , personally known to me to be the LAND TRUST OFFICER OF NORTHWEST NATIONAL
BANK OF CHICAGO, as Trustee under Trust No. 10-083120-5, and 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 as such LAND TRUST OFFICER
did sign and deliver the said
instrument pursuant to the authority given by the Board of
Directors of said corporation, as his/her free and voluntary act
and as the cree and voluntary act and deed of said corporation; for the uses and purposes therein set forth.
GIVEN under my hand and official seal this 9th day of October 1987.
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Notary Public
Notary Public
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STATE OF ILLINOIS)

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I, Ann Jo Voca , a notary public in and for said County, in the State aforesaid, DO HEREBY CERTIFY that ROGER A. UMBACH, 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 he signed and delivered the said instrument as his free and voluntary act, for the uses and purposes therein set forth.

GIVEN under my hand and official seal this 8th day of October , 1987.

My commission expires

Dec. 2, 1990

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STATE OF ILLINOIS)

COUNTY OF C 0 0 K)

KAREN E. BURNS I, , a notary public in and for said County, in the State aforesaid, DO HEREBY CERTIFY that, personally known to me to be the of AMERICAN NATIONAL BANK AND TRUST COMPANY, as Trustee under Trust No. 66513, and 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 as such	
"OFFICIAL SEAL" Karen E, Burns Notary Public, State of Illinois My Commission Expires 8/27/90 Notary Public	<i>^</i>
My commission expires:	

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STATE OF ILLINOIS)
) SS.
COUNTY OF C 0 0 K)

I, <u>Karen Pruban</u>	, a notary public in and
for said County, in the State afo	resaid, DO HEREBY CERTIFY
that Patrick F. Stallone	, personally known to
me to be the Senior Vice President	of GOLF MILL STATE BANK, a
corporation, and personally known	
whose name is subscribed to the f	oregoing instrument, appeared
before me this day in person and	acknowledged that as
such Senior Vice President	did
sign and deliver the said instrum	ent, pursuant to the authority
given by the Board of Directors o	f said corporation, as his/her
free and voluntary act and as the	free and voluntary act and
deed of said corporation, for the	
forth.	
GIVEN under my hand and offic	ial seal this <u>10th</u> day of
December 1987.	
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STATE OF ILLINOIS)) SS. COUNTY OF C 0 0 K)

Karen L. Alcopiu ___ , a notary public in and for said County, in the State aforesaid, DO HEREBY CERTIFY that JAMES P. GRUSECKI, 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 he signed and delivered the said instrument as his free and voluntary act, for the uses and purposes therein set forth.

GIVEN under my hand and official seal this 13/4 day , 198**7.** οf June

My commission expires.

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STATE OF ILLINOIS)

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COUNTY OF C 0 0 K)

M. SOVIENSKI a notary public in and
for said County, in the State aforesaid, DO HEREBY CERTIFY
that Peter H. Johanson , personally known to
me to be the good Vice Procident of AMERICAN NATIONAL BANK
AND TRUST COMPANY, as Trustee under Trust No. 23038, and
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 as such Second Vice Procident did
sign and deliver the said instrument, pursuant to the authority
given by the Board of Directors of said corporation, as his/her
free and valuntary act and as the free and voluntary act and
deed of said corporation, for the uses and purposes therein set
forth.
GIVEN under my hand and official seal this day of
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Notary Public
Modaly Laboration
My commission expires:
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"Office
Notary Publis Sext
Notary Public, State of Illinois My Commission Expires 6/22/02
My Commission Expires 6/27/92
U.S.
My commission expires: "OFFICIAL SEAL" L. M. Sovienski My Commission Expires 6/27/92

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STATE OF ILLINOIS)
COUNTY OF C 0 0 K)

I, JAME PROBLEMENTER , a notary public in and
for said County, in the State aforesaid, DO HEREBY CERTIFY
that C. SOF HOMPEGE, personally known to me to be the OME PRESIDENT NORTHWEST NATIONAL BANK OF
me to be the VICE PRESIDENT NORTHWEST NATIONAL BANK OF
CHICAGO 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 as such (308
HUCIOFFE did sign and deliver the
said instrument, pursuant to the authority given by the board or
Directors of said corporation, as his/her free and voluntary act
and as the free and voluntary act and deed of said corporation,
for the uses and purposes therein set forth.
GIVEN under my hand and official seal this 262 day of
<u>506.</u> , 1987.
Ox
P. L. L.
Alakanie Public
Notary Public
My commission expires:
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Notar, Public, State of Illinuis
My Commission Expires 5.2.91
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COOK COUNTY RECORDER

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EXHIBIT A

LOT 16 (EXCEPT THE SOUTH 60 FEET THEREOF) AND THE SOUTH 57 FEET OF LOT 17, IN HIGGINS ROAD COMMERCIAL SUBDIVISION, UNIT NO. 1, BEING A SUBDIVISION OF THE WEST HALF OF SECTION 22, TOWNSHIP 41 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO PLAT RECORDED IN THE OFFICE OF REGISTRAR OF TITLES AS DOCUMENT LAND REGISTER 1795729 AND RECORDED IN THE RECORDER'S OFFICE AS DOCUMENT 17204943, IN COOK COUNTY, ILLINOIS.

Common address: 160 Bond Street, Elk Grove Village, Illinois

Cook County Clark's Office 09-22-102-029-0000 PIN:

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MARK MER SOFT CONSERVE INC.

EXHIBIT B

PARCEL A: THAT PART OF LOT 7 IN HIGGINS ROAD COMMERCIAL SUBDIVISION UNIT NO. 1 HEREINAFTER DESCRIBED, FALLING WITHIN ORIGINAL LOT 5 IN ARTHUR B. SCHARRINGHAUSEN'S RESUBDIVISION OF PARTS OF SECTION 21 AND SECTION 22, TOWNSHIP 41 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, AND THE NORTH 61.25 FEET OF THAT PART OF LOT 8 IN HIGGINS ROAD COMMERCIAL SUBDIVISION UNIT NO. 1, HEREINAFTER DESCRIBED, FALLING WITHIN ORIGINAL LOT 5 IN ARTHUR B. SCHARRINGHAUSEN'S RESUBDIVISION OF PARTS OF SECTION 21 AND 22, TOWNSHIP 41 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, SAID HIGGINS ROAD COMMERCIAL SUBDIVISION UNIT NO A BEING A SUBDIVISION IN THE WEST HALF OF SECTION 22, TOWNSHIP 41 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT REGISTERED IN THE OFFICE OF THE REGISTRAR OF TITLES OF COOK COUNTY, ILLINOIS, ON MAY 14, 1958 AS DOCUMENT NO. 1795729, AND ALSO:

PARCEL B: LOT 7 IN HIGGINS ROAD SUBDIVISION UNIT 1, BEING A SUBDIVISION IN THE WEST HALF OF SECTION 22, TOWNSHIP 41 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN (EXCEPTING FROM SAID LOT 7 THAT PART FALLING IN ORIGINAL LOT 5 IN ARTHUR B. SCHARRINGHAUSEN'S RESUBDIVISION OF PARTS OF SECTION 21 AND 22, TOWNSHIP 41 NORTH, RANGE IT EAST OF THE THIRD PRINCIPAL MERIDIAN), AND THE NORTH 61.75 FEET OF LOT 8 IN SAID HIGGINS ROAD COMMERCIAL SUBDIVISION UNIT 1 (EXCEPTING THEREFROM SAID NORTH 61,25 FEET OF LOT 8 THAT FART FALLING IN ORIGINAL LOT 5 IN SAID ARTHUR B. SCHARRINGHAUSEN'S RESUBDIVISION) IN COOK COUNTY, ILLINOIS.

C/OPTS OFFICE Common address: 225 Scott Street, Elk Grove Village, Illinois

PIN: 08-22-102-024-0000

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EXHIBIT C

LOT 36 AND THE SOUTH 5.42 FEET OF LOT 37 IN HIGGINS ROAD COMMERCIAL SUBDIVISION UNIT NO. 2, A SUBDIVISION IN SECTION 22, TOWNSHIP 41 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

Common address: 265 Scott Street, Elk Grove Village, Illinois 08-22-102-068-0000

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EXHIBIT D

PARCEL 1: THE SOUTH 46.62 FEET OF LOT 40 AND ALL OF LOT 41 IN HIGGINS ROAD COMMERCIAL SUBDIVISION UNIT NUMBER 2, BEING A SUBDIVISION IN THE WEST 1/2 OF SECTION 22, TOWNSHIP 41 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS,

PARCEL 2: LOT 18 (EXCEPT THE SOUTH 52 FEET THEREOF) IN THE HIGGINS ROAD COMMERCIAL SUBDIVISION UNIT NO. 1 BEING A SUBDIVISION IN THE WEST ONE-HALF OF SECTION 22, TOWNSHIP 41 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

STOPPOR COOK COUNTY CLERK'S OFFICE Common address: 300 Bond Street, Elk Grove Village, Illinois.

08-22-192-071-0000 PIN:

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EXHIBIT E

LOT 17 (EXCEPT THE SOUTH 57 FEET THEREOF) AND THE SOUTH 52 FEET OF LOT 18 IN HIGGINS ROAD COMMERCIAL SUBDIVISION UNIT NO. 1, BEING A SUBDIVISION IN THE WEST HALF OF SECTION 22, TOWNSHIP 41 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

Common address: 220 Bond Street, Elk Grove Village, Illinois

PIN: 08-22-102-233-0000

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