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DECLARATION OF RESTRICTIONS

1. WHEREAS, the title to the real estate parcel, consisting of the territory hereinafter described (hereinafter referred to as "Parcel"), is vested in the GERTRUDE B. NIELSEN CHILD CARE AND LEARNING CENTER, a not-for-profit Illinois corporation, located at Nielsen Plaza, Northbrook, Cook County, Illinois 60062 (hereinafter referred to as "Owner"); and

2. WHEREAS, Parcel has been commercially developed with a child care facility by Owner; and

3. WHEREAS, said Parcel is within the territorial boundaries of the NORTHFIELD WOODS SANITARY DISTRICT, a municipal corporation organized and existing under the laws of the State of Illinois, (hereinafter referred to as "District"); and the Owner, (hereinafter referred to as Declarant) of said Parcel, hereinafter described as follows:

PARCEL

That part of Lots 1 and 4 in the Assessor's Division of the northeast 1/4 of Section 19, Township 42 North, Range 12 East of the Third Principal Meridian which lies Southerly of the Southerly line of Willow Road as dedicated by Document No. 11248487 and Easterly of the Easterly line of Sanders Road as widened by Document No. 20688894 and also lying North and West of the following described line: Beginning at a point on the Easterly line of said widened Sanders

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PIN 04-19-201-021
04-19-201-011
04-19-201-025

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Miller, Forest et al
800 Waukegan Rd
Glenview, IL 60025

Road, 336.48 feet Southerly of the angle point on said Easterly line; thence Southeasterly forming an angle of 106 degrees 48 minutes 18 seconds to the right of said Easterly line a distance of 505.43 feet to a point on a line drawn radial to said Southerly line of Willow Road and passing through a point on said Southerly line which is 646.48 feet East of the point of intersection of said Southerly line with the diagonal Easterly line of said widened Sanders Road; thence Northeasterly along said radial line, 335.00 feet to the Southerly line of Willow Road aforesaid, except that part thereof lying North and West of the following described line: Beginning at a point on the Easterly line of said widened Sanders Road, 196.48 feet Southerly of the angle point on said Easterly line; thence Easterly, parallel with the North line of said Northeast 1/4, a distance of 184.30 feet, more or less, to a point on a line drawn perpendicular to said North line and passing through a point on said Southerly line which is 196.48 feet East of the point of intersection of said Southerly line with the diagonal Easterly line of said widened Sanders Road; thence North, along said perpendicular line, 193.75 feet, more or less, to the Southerly line of Willow Road aforesaid, in Cook County, Illinois.

is desirous of utilizing the sanitary sewerage system and facilities of the

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District in accordance with the rules, regulations, and ordinances of the District; and

4. WHEREAS, it is in the public interest, and necessary for the proper operation of the sewer system of the District, that discharges into the District's sanitary sewer mains be limited as determined by and in the sole discretion of the Board of Trustees of the District taking into consideration the recommendations and advice of the District's Engineer; and

5. WHEREAS, Declarant has submitted to the District plans for development of said Parcel consisting of a child care facility, as set forth in plans and specifications dated March 10, 1988, and as amended May 29, 1988, copies of which are attached hereto and made an integral part hereof; and, the Declarant herein represents to the District that the only discharges that will be made into the system of the District from the Parcel will be those from the development as set forth in the aforementioned plans and will be strictly limited to a total average flow rate not to exceed 3,100 gallons per 3.7839 acres per day and a total peak flow rate not to exceed 7,750.00 gallons per 3.7839 acres per day. The maximum count of fixtures for the entire project shall be as follows:

Fixture Description	Quantity
Lavatory Sinks	34
Water Closets (Flush Valve)	22
Activity Sink	17
Drinking Fountains	4
Mop Basin	1
Laundry Tray	1
Clothes Washers	1
Dishwasher	2

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Floor Drains	16
Water Softener	1
Total	99

and that all such discharge shall be in accord with all applicable laws and regulations of all governmental bodies and agencies; and

6. WHEREAS, predicated upon such representations, the District, concurrently with the execution and delivery of this Declaration, and in complete reliance thereon, has authorized Declarant to connect to the sanitary sewerage system of the District.

NOW, THEREFORE, in consideration of the foregoing, Declarant hereby covenants and warrants as follows:

A. For the term of twenty-five (25) years, commencing August 15, 1988, and expiring August 14, 2013, all restrictions recited herein shall be in full force and effect; it being understood that all right and permission to utilize the sewage disposal system of the District is predicated upon the outflow from the Declarant's development, fixtures and drains as hereinbefore recited, and that continuation of such right and permission of use is conditioned upon the maintenance and use of said property in conformance with the limitations and representations set forth in all recitals contained herein. All restrictions and conditions of use set forth in this Declaration may only be modified by the District or its successors, Owner having been given proper notice and an opportunity to be heard regarding any such proposed modifications; and

B. This Declaration shall inure to the benefit of the District and be binding upon the respective successors, assigns and lessees of the property owners; and

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C. All costs of installation, operation, maintenance and full compliance with the laws, ordinances and regulations of the District, including all recitations herein set forth, and which costs shall include, but not be limited to, expenses for engineering, inspection, maintenance and attorney's fees, shall be borne by, and be the sole responsibility of, the Declarant and any successors in title thereto; and

D. This document shall be recorded with the Cook County Recorder of Deeds or The Registrar of Torrens Titles, as the case may be, and the restrictions and recitals herein contained shall constitute covenants running with the land during the term of this agreement.

E. That if any section, paragraph, sentence or clause of this Agreement is, regardless of cause, held invalid or to be unconstitutional, the remaining sections, paragraphs, sentences and clauses shall all continue in force and effect and shall be construed thereafter as being the entire provisions of this Agreement.

IN WITNESS WHEREOF, the undersigned parties have executed this DECLARATION of RESTRICTIONS on the date below set forth.

GERTRUDE B. NIELSEN CHILD CARE AND LEARNING CENTER, a not-for-profit Illinois Corporation

By: Arthur C. Nielsen, Jr.

Attest: [illegible]

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#24104

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

I, the undersigned, a Notary Public in and for said County and State aforesaid, do hereby certify that Arthur C. Nielsen, Jr. and Thomas E. Swaney personally known me to be the same persons whose names are subscribed to the foregoing instrument, as President, and Secretary, respectively, of the GERTRUDE B. NIELSEN CHILD CARE AND LEARNING CENTER, a not-for-profit Illinois corporation, appeared before me this day in person and severally acknowledge that they, being thereunto duly authorized, signed, sealed with the corporate seal, and delivered the said instrument as the free and voluntary act of said corporation and as their own free and voluntary act, for the uses and purposes therein set forth.

Given under my hand and official seal this 14th day of October, 1988.

Carole J. Butler
Notary Public

My commission expires:

"OFFICIAL SEAL"
CAROLE J. BUTLER
Notary Public, State of Illinois
My Commission Expires Oct. 6, 1992

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