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Official Business

88007496 0 0 0 7 4 VILLAGE OF NORTHBROOK

[Handwritten Signature]

FIRST AMENDMENT TO RESTRICTIVE COVENANT

This First Amendment to Restrictive Covenant, dated this 1 day of DECEMBER, 1987, is declared by LASALLE NATIONAL BANK (the "Trustee"), not personally, but solely as Trustee under Trust No. 110740, dated January 9, 1986 (the "Trust") and by DUNDEE-LANDWEHR II PARTNERSHIP, an Illinois Limited Partnership, and DUNDEE-LANDWEHR PARTNERSHIP, an Illinois Limited Partnership (collectively the "Partnerships").

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W I T N E S S E T H

WHEREAS, the Trust is the title holder of the property commonly known as 3230 Dundee Road, Northbrook, Illinois and legally described in Exhibit A attached hereto and, by this reference, incorporated herein (the "Property"); and

WHEREAS, the Partnerships are the sole beneficiaries of the Trust; and

WHEREAS, a certain restrictive covenant, a copy of which is attached as Exhibit B and by this reference made a part of this document (the "Covenant") was recorded against the Property in the office of the Cook County Recorder of Deeds on July 22, 1968, as Document No. 20558009; and

WHEREAS, the Trustee and the Partnerships have petitioned the Village of Northbrook (the "Village") for a special use to develop a business and professional office complex on the Property ("the Special Use"); and

WHEREAS, on July 28, 1987, the Village duly enacted and approved Ordinance No. 87-39, entitled "An Ordinance Granting A

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Special Use to the Property at 3210 Dundee Road", ("the Ordinance"); and

WHEREAS, one of the conditions stated in the Ordinance is that an amendment to the Covenant be recorded against the Property in the office the Cook County Recorder of Deeds providing that the Property shall be used exclusively for certain business and professional offices;

NOW, THEREFORE, in consideration of the foregoing recitals and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Trustee covenants as follows:

1. The foregoing recitals are incorporated herein as if fully set forth.

2. Paragraph 2 of the Covenant is hereby deleted in its entirety and shall be of no further force or effect. In its place, the following new Paragraph 2 is substituted:

2. For so long as the Special Use granted by the Ordinance is in existence and full force and effect, the Property shall be used solely and exclusively for business and professional offices including commercial leasing offices. Notwithstanding the existence of the Special Use, retail establishments of any kind and offices of licensed health practitioners, psychologists, social workers and similar health service related professions shall at no time be permitted on the Property.

3. Paragraph 3 of the Covenant is hereby deleted in its entirety and shall be of no further force or effect.

4. The first sentence of paragraph 4 of the Covenant is hereby deleted in its entirety and of no further force or effect.

5. The Covenant, as amended by this document, and this First Amendment to Restrictive Covenant shall run with the

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Property of Coolidge

RIDER ATTACHED TO AND MADE A PART OF DOCUMENT
DATED DEC 1, 1987 UNDER TRUST NO. 110740

This instrument is executed by LA SALLE NATIONAL BANK, not personally but solely as Trustee, as aforesaid, in the exercise of the power and authority conferred upon and vested in it as such Trustee. All the terms, provisions, stipulations, covenants and conditions to be performed by LA SALLE NATIONAL BANK are undertaken by it solely as Trustee, as aforesaid, and not individually and all statements herein made are made on information and belief and are to be construed accordingly, and no personal liability shall be asserted or be enforceable against LA SALLE NATIONAL BANK by reason of any of the terms, provisions, stipulations, covenants and/or statements contained in this instrument.

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Property and be binding on the Trustee, the Partnerships, and their respective successors, assigns and transferees.

6. No amendment or modification of this Covenant shall be permitted or effective without the prior approval of the same by the Village as evidenced by a duly adopted resolution of the Village Board of Trustees. Such approval shall be in the sole and absolute discretion of the Village.

7. Except as expressly amended herein, all other terms, provisions, paragraphs and sentences of the Covenant are hereby restated and shall remain in full force and effect.

LASALLE NATIONAL BANK,
not personally, but solely as
Trustee under Trust Agreement
No 110740 dated January 9, 1986.

By: 
Its ASSISTANT SECRETARY

DUNDEE-LANDWEHR II PARTNERSHIP,
an Illinois Limited Partnership

By: 
General Partner

DUNDEE-LANDWEHR PARTNERSHIP,
an Illinois Limited Partnership

By: 
General Partner

MAIL TO:

This document prepared by:
STEVEN M. ELROD
55 WEST MONROE ST.
SUITE 800
CHICAGO, IL 60603

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EXHIBIT "A"

20 558 009

The west 65 feet of the east 360.65 feet and the west 65 feet of the east 295.65 feet of the south half of the southeast quarter of the southwest quarter of Section 5, Township 42 North, Range 12, East of the Third Principal Meridian in Cook County, Illinois.

Commonly known as: 3230 Dundee Road, Northbrook, Illinois.

04-05-304-008 #4

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Box 615

EXHIBIT "B"

20 558 009

RESPECTIVE COVENANT

JAMES P. McMANUS, JR. and MARIE P. McMANUS, the undersigned, hereby certify that they are the owners of the following described property:

The west 65 feet of the east 361.65 feet and the west 165 feet of the east 220.60 feet of the south half of the southeast quarter of the southwest quarter of Section 9, Township 42 North, Range 12, East of the Tenth Principal Meridian in Cook County, Illinois.

commonly known as 3230 Dundee Road, Northbrook, Illinois.

NOW, THEREFORE, JAMES P. McMANUS, JR. and MARIE P. McMANUS their successors and assigns do hereby covenant with the Village of Northbrook, Cook County, Illinois, a municipal corporation, as follows:

1. In or on that part of the above described premises lying 50 feet north of the center line of Dundee Road, no structure will be erected.
2. The above described premises shall not be used for any purpose other than the following:

Real estate offices
 Undertaking establishments and funeral parlors
 Art galleries, but not including auction rooms
 Business machine sales and service

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Frozen food stores including freezer rental
in conjunction therewith
Offices, business and professional
Photography studios, including the developing
of the film and pictures when conducted as
part of the retail business on the premises

Animal hospitals and kennels
Preserving and photographing establishments
Catering establishments
Contractors', architect's, and engineers'
offices, shops, and yards such as building,
cement, electrical, heating, ventilating
and air conditioning, painting, plumbing,
refrigeration and roofing
Dry-cleaning establishments with no limitation
on the number of employees
Externmenting shops
Feed and seed stores
Garden supply and seed stores
Greenhouses, wholesale and nurseries
Laundries with no limitation on the number of
employees
Lodges and offices of labor organizations
Mail order house
Medical and dental clinics
Monument sales
Motor vehicle sales (in enclosed buildings)
Physical culture and health services
Printing and publishing
Radio and television station stations, and
towers for transmitting and receiving
Schools of business, commerce or trade
Temporary buildings for construction purposes
for a period not to exceed the duration of
such construction
Accessory uses incidental to and on the same
lot as the principal use.

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Any commercial use not listed above would
require a special use petition approved pur-
suant to the terms of the Northbrook Zoning
Code now in effect.

3. Prior to the use of the above described property

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96 5 20 1968

for any of the uses set out in paragraph 2 above, or on July 1, 1966, or upon the sale or conveyance of the above described property whichever event occurs latest, a service drive 20 feet in width shall be constructed to Village of Northbrook, the south end line of which shall be 35 feet north of the center line of Dundee Road. A five-foot parking shall adjoin said 20-foot service drive to the south.

- 4. Ingress and egress for the subject property shall be via the service drive connections with Dundee Road subject to construction of the service drive in accordance with the plan, dated October 1, 1966, attached hereto.

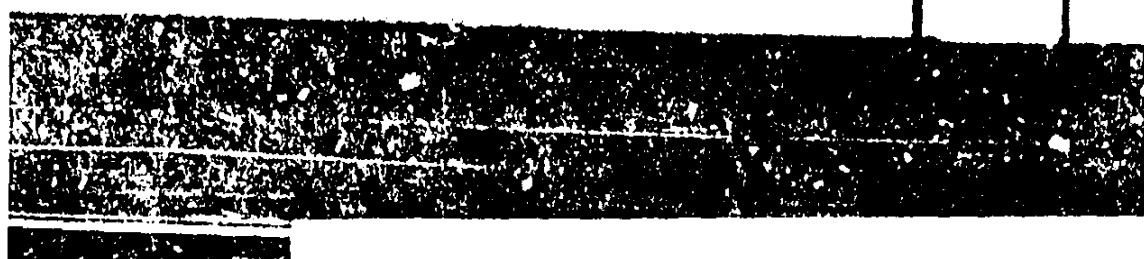
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This covenant shall run with the land and be binding upon all persons claiming thereunder.

- 5. This covenant shall run to the benefit of the Village of Northbrook, Illinois, which may enforce its terms by an appropriate form of action in law or equity in any court of competent jurisdiction.
- 6. Owners may from time to time grant easements for possible utilities under the above described property and may convey the above described

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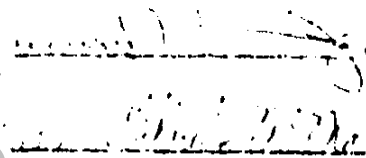
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property in whole or in part, by sale, gift, dedication or otherwise.

7 All easements herein described shall at all times be binding on the undersigned and shall inure to the benefit of each and every property, including the property of the undersigned, lying within the property described in Section 2 Ordinance No. 38-26 of the Village of Northbrook, Illinois which description is as follows:

Beginning at the centerline intersection of Landwehr and Danlee Roads, thence west along the center line of Danlee Road a distance of 1,339 feet, more or less; thence north a distance of 665 feet, more or less; thence east on a line parallel to the centerline of Danlee Road a distance of 1,339 feet, more or less; thence south along the centerline of Landwehr Road (extended) to the point of beginning.



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STATE OF ILLINOIS)
COUNTY OF COOK) SS.

Richard W. Carlson, a Notary

Public, do hereby certify that *James J. [unclear] & [unclear]*
personally appeared to me to be the said persons whose names are
set forth in the foregoing instrument, appeared before me
this day in person and acknowledged that they signed, sealed
and executed the said instrument as their free and voluntary
act, for the uses and purposes therein set forth.

GIVEN under my hand and official seal this *22nd*

day of *January*, 1968, A. D. *1968*

Richard W. Carlson
NOTARY PUBLIC

20 556 CC9

My Commission Expires:

Nov 24 1971

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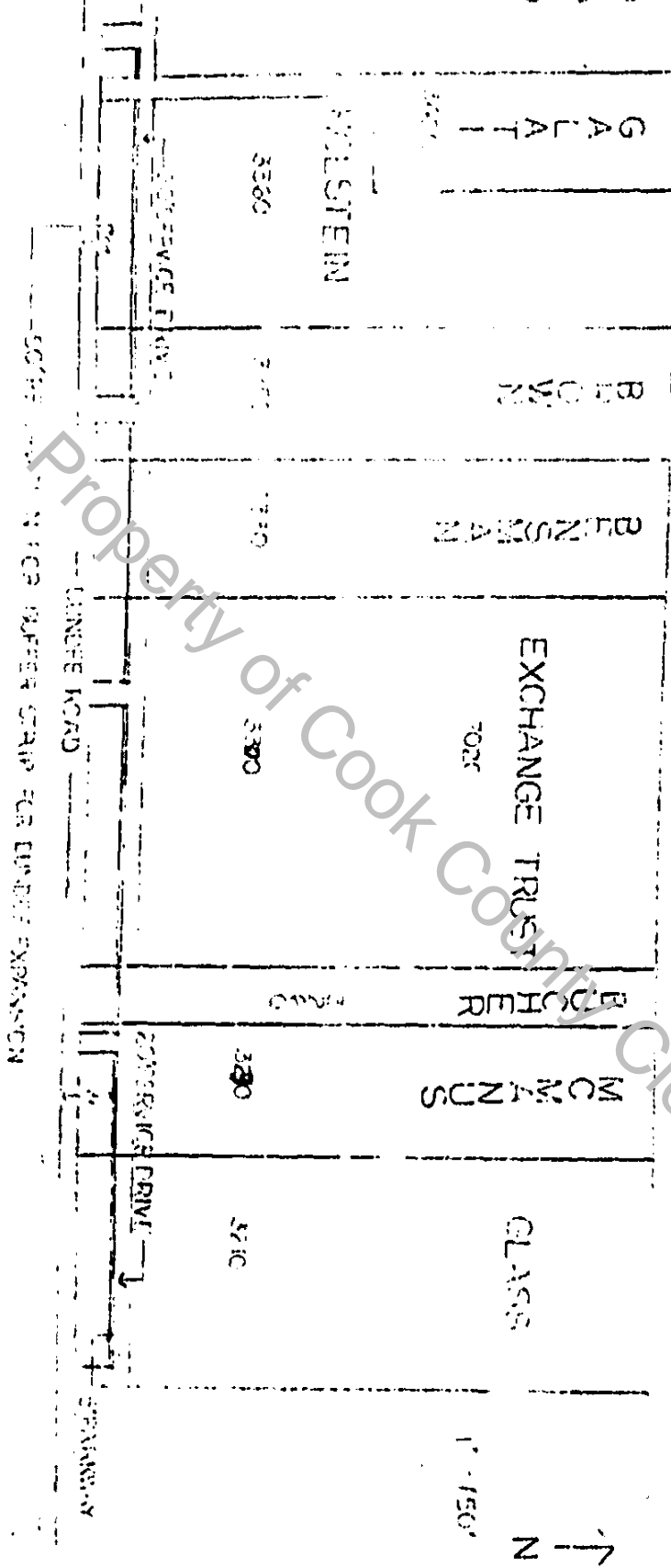
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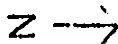


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SERVICE DRIVE PLAN
DATED 07/16/66

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1" = 150'



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ORDINANCE NO. 68-26

0 3 0 0 7 4 9

BE IT ORDAINED by the President and Board of Trustees of the Village of Northbrook, County of Cook and State of Illinois THAT:

An Ordinance amending the District Zoning Map of the Village of Northbrook

be and is hereby adopted as follows:

Section 1. AMENDMENT. The District Zoning Map of the Village of Northbrook, dated January 1, 1965, included in the Northbrook Zoning Ordinance (Ordinance No. 64-36) adopted on December 19, 1964, is hereby amended by reclassification of the following described property from R-3 Single Family Residence District to B-3 Commercial District:

The South 665 feet of the East half of the South-west quarter of Section 5, Township 42 North, Range 12, East of the Third Principal Meridian, all in Cook County, Illinois.

Section 2. NEW BOUNDARY. The amendment effected by Section 1 above shall be reflected upon the Zoning District Map of the Village of Northbrook in accordance with the following boundary lines:

beginning at the centerline intersection of Landwehr and Dundee Roads, thence west along the centerline of Dundee Road a distance of 1,339 feet, more or less; thence north a distance of 665 feet, more or less; thence east on a line parallel to the centerline of Dundee Road a distance of 1,339 feet, more or less; thence south along the centerline of Landwehr Road (extended) to the point of beginning.

The land within the above-described boundary shall hereafter be classified as B-3 Commercial District.

Section 3. PUBLIC HEARING. The District Zoning Map amendment provided by this Ordinance was duly advertised and publicly heard on August 2, 1966 with a favorable recommendation approved by the Northbrook Plan Commission in its regular meeting of April 4, 1967.

Section 4. EFFECTIVE DATE. This Ordinance shall not be in full force and effect until a land covenant specifying certain land uses to be permitted and obligating a mutual service drive has been executed and recorded for each property involved and the Ordinance is thereafter published as required by State Statute.

PASSED: This 12th day of March, 1968.

VOTING AYE: 4 VOTING NAY: 0

Hoglund
Williams
Slattery
Kasperson

/s/ B. L. Pollak
Village President

ATTEST:

I hereby certify this to be a true and exact copy of the original.

/s/ E. J. Wessling
Village Clerk

Date 2-14-68
E. J. Wessling
Village Clerk

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Clerk's Office