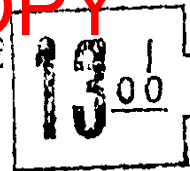


UNOFFICIAL COPY

Page 1.

88229211



DECLARATION OF AGREEMENT

Whereas, ROBERT ALLEN ZIMMERS, is the owner of Parcel A (known as 1962 N. Lincoln in Chicago) and legally known as:

Lot 3 in Pumpelly's resubdivision of Lots 2 to 5 in Armstrong's subdivision of the North 3 acres of block 39 in Canal Trustees' Subdivision of the North $\frac{1}{2}$ of the North $\frac{1}{2}$ of the Southeast $\frac{1}{4}$ and the East $\frac{1}{2}$ of the Southwest $\frac{1}{4}$ of Section 33, Township 40 North, Range 14 East of the Third Principal Meridian, (Except that part of said Lot 3 lying westerly of a line 51 feet east of and parallel with the westerly line of Lots 1 and 2 in Pumpelly's resubdivision aforesaid) in Cook County, Illinois.

Whereas, PATRICK L. ^{DAILEY} ~~DAILEY~~, is the owner of Parcel B (known as 1964 N. Lincoln in Chicago) and legally described as:

Lot 2 in Pumpelly's resubdivision of Lots 2 to 5 in Armstrong's subdivision of the North 3 acres of block 39 in Canal Trustees' Subdivision of the North $\frac{1}{2}$ of the North $\frac{1}{2}$ of the Southeast $\frac{1}{4}$ and the East $\frac{1}{2}$ of the Southwest $\frac{1}{4}$ of Section 33, Township 40 North, Range 14 East of the Third Principal Meridian, (Except that part of said Lot 2 lying westerly of a line 51 feet east of and parallel with the westerly line of Lots 1 and 2 in Pumpelly's resubdivision aforesaid) in Cook County, Illinois.

Whereas, it is the wish of the owner of Parcel A to access the third and second floor apartments of his property by utilizing the existing stair and porch system erected upon Parcel B; and

Whereas, it is the wish of the owner of Parcel B to utilize the common water service and hot water equipment contained in the basement of the building upon Parcel A,

Now therefore, it is hereby mutually agreed that the above parties in consideration of the promise, so stated by owner of Parcel A to provide water service and hot water equipment for the building upon Parcel B and by owner of Parcel B to provide access to the existing stair and porch system allowing access to the second and third floor apartments in the building upon Parcel A.

88229211

71-63-305
D-3

UNOFFICIAL COPY

COOK COUNTY CLERK'S
OFFICE

88229211

1988 MAY 27 PH 3:20

88229211

Page 2.

It is further agreed that the parties shall have the obligation to maintain such improvements in a safe and workman-like manner and the cost of such maintenance shall be shared equally. If either party fails to so maintain repair or pay any appropriate licenses, fees, or taxes the other party may enter upon the premises; take such steps as may reasonably be necessary and be reimbursed on a pro rate basis.

The parties further mutually agree that this agreement shall run with the land and shall expire and terminate on 1 June 2018; or earlier upon the occurrence of one of the following:

- a. The release of the mortgages by First Federal Savings and Loan Association of Rockford, dated 26 May 1988 on Parcels A and B; or
- b. Agreement by both parties based upon the elimination of the dependence upon such promises.

In writing thereof, the said parties herewith have executed this agreement this 26 day of May 1988.

Patrick L. Dailey
 Patrick L. Dailey

Robert A. Simmons
 Robert A. Simmons

Permanent Tax I.D. Numbers:

Parcel A	14-33-401-036
Parcel B	14-33-401-035

88229211

This instrument was prepared by Robert L. Friedlander, 419 W. Webster, Chicago, Ill. 60614

Box 333

333

cc

UNOFFICIAL COPY

8 8 2 2 9 2 1 1

Page 3.

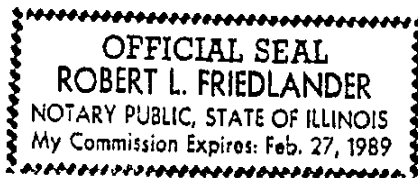
STATE OF ILLINOIS

COUNTY OF COOK

I, the undersigned, a Notary Public in and for said County and State, do hereby certify that

Robert Zimmers and Patrick Daley
are personally known to me to be the same persons whose names are subscribed to the foregoing instrument, appeared before me this day in person and acknowledge that they signed, sealed and delivered the said instrument as their free and voluntary act, for the uses and purposes therein set forth.

Given under my hand and notarial seal this 26
day of May 1988.



Robert L. Friedlander
Notary Public

Mail To:

88229211