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RESTRICTIVE COVENANT

THIS GRANT OF RESTRICTIVE COVENANT is made as of this 12th day of August, 1988 by LASALLE NATIONAL BANK, not personally but as Trustee under the provisions of a Trust Agreement dated December 18, 1986 and known as Trust No. 111868, and its sole beneficiary J.O.F. ASSOCIATES, an Illinois joint venture (hereinafter collectively referred to as "Grantor") pursuant to a contract dated December 15, 1987 with MCDONALD'S CORPORATION ("Grantee") for the purchase of a parcel of real estate described in Exhibit "A" attached.

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WITNESSETH

WHEREAS, Grantor is the owner and beneficial owner of certain real estate in the County of Cook, State of Illinois, which real estate is legally described in Exhibit "B" attached hereto and by this reference made a part hereof (the "Property"); and

WHEREAS, Grantor wishes to declare and record this Restrictive Covenant to restrict the use of the Property for a period of twenty (20) years from the date hereof.

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This document prepared by
~~and after reading return to:~~
 Amy M. Blumenthal
 Gould & Ratner
 222 North LaSalle Street
 Suite 800
 Chicago, Illinois 60601

DEPT-01 \$18.00
 T43333 TRAN 1723 08/15/88 15:38:00
 \$4985 + C *-88-369429
 88369429 COUNTY RECORDER

18
 or
 P/S

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03/03/2016

03/03/2016

Property of Cook County Clerk's Office

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NOW, THEREFORE, in consideration of Ten Dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Grantor hereby declares as follows:

1. The aforesaid recitals are incorporated in this Restrictive Covenant as though fully restated herein.

2. For a period twenty (20) years from the date hereof, the Property shall be transferred, held, and conveyed subject to the following restriction: the Property shall be restricted from use for "Restaurant" purposes as hereinafter defined, after which time the restriction declared hereunder shall terminate. For purposes of this Declaration, the term "Restaurant" shall mean a food service establishment of any type deriving twenty-five per cent (25%) or more of its gross annual sales from the sale of hamburgers, ground beef products and french fries, including but not limited to restaurants operated under any of the following names: "Wendy's", "Burger King", "White Castle", "Hardies", "Portillo's", "Schoop's", "Dairy Queen" and "Taco Bell". For purposes of this Declaration, the term "Restaurant" shall not mean sit down, family style, waitress served restaurants.

3. For said twenty-year period, the Restrictive Covenant shall run with the land and shall inure to the benefit of and be binding upon the Grantor and Grantee, their grantees, successors and assigns.

4. This Restrictive Covenant shall terminate twenty (20) years from the date hereof and thereafter shall be of no further force and effect.

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This instrument is executed by LaSalle 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 LaSalle National Bank are undertaken by it solely as Trustee, as aforesaid, and not individually, and all statements herein made by Trustee are made on information and belief and are to be construed accordingly, and no personal liability shall be asserted or be enforceable against LaSalle National Bank by reason of any of the terms, provisions, stipulations, covenants and/or statements contained in this instrument.

IN WITNESS WHEREOF, LaSalle National Bank, as Trustee as aforesaid and not individually, and J.O.F. Associates have executed this Declaration of Restrictive Covenant this 11th day of August, 1988.

LASALLE NATIONAL BANK, as
Trustee as aforesaid and not
individually

By: [Signature]
Its: ASSISTANT VICE PRESIDENT

ATTEST:

By: [Signature]
Its: ASSISTANT SECRETARY

J.O.F. ASSOCIATES, an Illinois
joint venture

By: [Signature]
William D. Hoag

By: [Signature]
Albert H. Scherb, Jr.

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STATE OF ILLINOIS)
COUNTY OF COOK)

I, the undersigned, a notary Public in and for said County, in the State aforesaid, DO HEREBY CERTIFY that Marinna Bek, personally known to me to be the Assistant Vice President of LASALLE NATIONAL BANK, a national banking association, and Rosemary Tallon, personally known to me to be the ASSISTANT SECRETARY of said Bank, and personally known to me to be the same persons whose names are subscribed to this instrument, appeared before me this day in person and severally acknowledged that as such Assistant Vice President and ASSISTANT SECRETARY they signed and delivered the said instrument as Assistant Vice President and ASSISTANT SECRETARY of said Bank, and caused the seal of said Bank to be affixed hereto, pursuant to authority given by the Board of Directors of said Bank, as their free and voluntary act, and as the free and voluntary act and deed of said Bank, for the uses and purposes herein set forth.

GIVEN under my hand and notary seal this 12th day of August, 1988.

Jewel St. Moore
Notary Public
My Commission Expires August 9, 1989

STATE OF ILLINOIS)
COUNTY OF COOK)

I, Kathleen Finnegan, a Notary Public in and for said County, in the State aforesaid, do hereby certify that William D. Hoag and Albert H. Scherb, Jr., general partners of J.O.F. Associates, an Illinois joint venture, 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 acknowledged that they signed, sealed and delivered the said instrument as their free and voluntary act, and as the free and voluntary act of said joint venture for the uses and purposes therein set forth.

GIVEN under my hand and notarial seal this 14th day of August, 1988.

Kathleen Finnegan
Notary Public

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CONSENT

The undersigned Lomas Mortgage USA, Inc. (formerly known as The Lomas & Nettleton Company), as mortgagee, does hereby consent to the foregoing Declaration of Restrictive Covenant.

Dated this 10th day of August, 1988.

LOMAS MORTGAGE USA, INC.

By: _____

Its: _____

STATE OF TEXAS)

COUNTY OF DALLAS)

I HEREBY CERTIFY that, before me, an officer duly authorized in the State and County aforesaid to take acknowledgments, personally appeared TIMOTHY C. KAY as Authorized Officer of LOMAS MORTGAGE USA, INC. (formerly known as The Lomas & Nettleton Company) who executed the foregoing instrument and they acknowledged that he executed same on behalf of such corporation.

WITNESS my hand in the county and state aforesaid this 10th day of August, 1988.

Dorothy Baker
Notary Public
State of Texas

My Commission Expires:

2/28/90

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EXHIBIT "A"

PARCEL 1:

Lots 28 to 37, both inclusive, (excepting therefrom that part taken by the Department of Transportation of the State of Illinois by Case #4251166) and the vacated alley lying South of and adjoining said Lots 28 to 37, both inclusive, all in Olympia Highlands Unit Number 2, a Subdivision of that part of the East Half of Section 24, Township 35 North, Range 13 East of the Third Principal Meridian, lying North of the North right-of-way line of the Public Service Company of Northern Illinois, formerly the right-of-way of the Joliet and Eastern Traction Company as now located through said East Half of the Southeast Quarter of said Section 24, all in Cook County, Illinois.

PARCEL 2:

That part of Lots 64 and 65, both inclusive, lying South of and adjoining the South line of the vacated alley (which alley lies South of and adjoining Lots 28 to 37 described in Parcel 1) and lying North of the South line of the following described parcel:

A parcel of land in the East Half of the Southeast Quarter of Section 24, Township 35 North, Range 13 East of the Third Principal Meridian, described as follows:

Beginning at the intersection of the North line of vacated Washington Drive and the East line of existing Washington Drive in Olympia Highlands Unit No. 2 as recorded November 29, 1926 as Document No. 9479375, thence North $0^{\circ}11'20''$ East 124.98 feet along last said East line to a point of curvature; thence Northeasterly on a curve convex to the Northwest having a radius of 25 feet, an arc distance of 18.72 feet and a chord bearing of North $21^{\circ}38'27''$ East to the South right-of-way line of Lincoln Highway as taken; thence South $89^{\circ}45'04''$ East 245.82 feet along last said South right-of-way line; thence South $44^{\circ}45'04''$ East 17.30 feet to a point on curve, also being the West right-of-way line of Rieger Street; thence Southerly on a curve convex to the East having a radius of 25 feet, an arc distance of 4.73 feet and a chord bearing of South $5^{\circ}19'56''$ East to a point of tangent; thence South $0^{\circ}05'10''$ West 134.48 feet along last said West line; thence South $43^{\circ}45'57''$ West 6.92 feet; thence South $89^{\circ}50'04''$ West 246.00 feet; thence North $41^{\circ}55'08''$ West 21.86 feet to the place of beginning, all in Cook County, Illinois.

In Olympia Highlands Unit Number 2, a Subdivision of that part of the East Half of Section 24, Township 35 North, Range 13 East of the Third Principal Meridian, lying North of the north right-of-way of the Public Service Company of Northern Illinois, formerly the right-of-way of the Joliet and Eastern Traction Company as now located through said East Half of the Southeast Quarter of said Section 24, all in Cook County, Illinois.

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EXHIBIT "B" 8 3 6 9 4 2 9

PARCEL 1:

Lots 1 to 10, both inclusive, and the East 1/2 of the vacated alley lying West of and adjoining said Lots 1 to 10, both inclusive, and Lots 28 to 37, both inclusive, (excepting therefrom that part taken by the Department of Transportation of the State of Illinois by Case 84L51166) and the North 1/2 of the vacated alley lying South of and adjoining said Lots 28 to 37, both inclusive, and Lots 48 to 63, both inclusive, and Lots 64 and 65 and the South 1/2 of the vacated alley lying North of and adjoining said Lots 64 and 65, and Lots 66 to 71, both inclusive, and Lots 76 and 77 and the West 1/2 of the vacated alley lying East of and adjoining said Lots 76 and 77, and Lots 78 to 111, both inclusive, all in Olympia Highlands Unit Number 2, a Subdivision of that part of the East 1/2 of Section 24, Township 35 North, Range 13 East of the Third Principal Meridian, lying North of the North right of way line of the Public Service Company of Northern Illinois, formerly the right of way of the Joliet and Eastern Traction Company as now located through said East 1/2 of the South East 1/4 of said Section 24, all in Cook County, Illinois.

PARCEL 2:

Vacated public streets in Olympia Highlands Unit No. 2, in part of the Southeast Quarter of Section 24, Township 35 North, Range 13 East of the Third Principal Meridian, as recorded November 29, 1926 as Document No. 9479375 in Cook County, Illinois, described as the following streets: Michelson Drive from the East line of Rockwell Street to the West line of Leland Avenue, Michelson Drive from the East Line of Washington Drive to the West line of Western Avenue, (except the North 1/2 of vacated Michelson Drive East of the East line of Rieger Street and West of the West line of Western Avenue), Harding Street from the North line of Lot 48 extended East to the Northerly line of Michelson Drive, Leland Avenue from a line 8 Feet North of and parallel to the South line of said Olympia Highlands Unit No. 2 to the Southwesterly line of Washington Drive, Washington Drive from the North line of Lot 63 extended East to a line 8 Feet North of and Parallel to the South line of said Olympia Highlands Unit No. 2, Rieger Street from the Northerly line of Michelson Drive to a line 14.14 Feet South of and Parallel to the North line of Lot 65 extended East, all in Cook County, Illinois.

But excluding therefrom the following:

PARCEL 1:

Lots 28 to 37, both inclusive, (excepting therefrom that part taken by the Department of Transportation of the State of Illinois by Case 84L51166) and the vacated alley lying South of and adjoining said Lots 28 to 37, both inclusive, all in Olympia Highlands Unit Number 2, a Subdivision of that part of the East Half of Section 24, Township 35 North, Range 13 East of the Third Principal Meridian, lying North of the North right-of-way line of the Public Service Company of Northern Illinois, formerly the right-of-way of the Joliet and Eastern Traction Company as now located through said East Half of the Southeast Quarter of said Section 24, all in Cook County, Illinois.

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PARCEL 21

That part of Lots 64 and 65, both inclusive, lying South of and adjoining the South line of the vacated alley (which alley lies South of and adjoining Lots 28 to 37 described in Parcel 1) and lying North of the South Line of the following described parcel:

A parcel of land in the East Half of the Southeast Quarter of Section 24, Township 35 North, Range 13 East of the Third Principal Meridian, described as follows:

Beginning at the intersection of the North line of vacated Washington Drive and the East line of existing Washington Drive in Olympia Highlands Unit No. 2 as recorded November 29, 1926 as Document No. 9479375; thence North $0^{\circ}11'20''$ East 124.98 feet along last said East line to a point of curvature; thence Northeasterly on a curve convex to the Northwest having a radius of 25 feet, an arc distance of 18.72 feet and a chord bearing of North $21^{\circ}38'27''$ East to the South right-of-way line of Lincoln Highway as taken; thence South $89^{\circ}45'04''$ East 245.82 feet along last said South right-of-way line; thence South $44^{\circ}45'04''$ East 17.30 feet to a point on curve, also being the West right-of-way line of Rieger Street; thence Southerly on a curve convex to the East having a radius of 25 feet, an arc distance of 4.73 feet and a chord bearing of South $5^{\circ}19'56''$ East to a point of tangent; Thence South $0^{\circ}05'10''$ West 134.48 feet along last said West line; thence South $43^{\circ}45'57''$ West 6.92 feet; thence South $89^{\circ}50'04''$ West 246.00 feet; thence North $41^{\circ}55'08''$ West 21.86 feet to the place of beginning, all in Cook County, Illinois.

in Olympia Highlands Unit Number 2, a subdivision of that part of the East Half of Section 24, Township 35 North, Range 13 East of the Third Principal Meridian, lying North of the north right-of-way of the Public Service Company of Northern Illinois, formerly the right-of-way of the Joliet and Eastern Traction Company, is now located through said East Half of the Southeast Quarter of said Section 24, all in Cook County, Illinois.

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