

COOK COUNTY, ILLINOIS
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89185241

PARTY WALL AGREEMENT

This Party Wall Agreement is made this ^{20th} day of April, 1989 by and between **CAPITOL BANK AND TRUST**, as Trustee under Trust Agreement dated August 12, 1985 and known as Trust No. 906 (hereinafter "Trust 906") and **CAPITOL BANK AND TRUST**, as Trustee under Trust Agreement dated April 5, 1989 and known as Trust No. 1752 (hereinafter "Trust 1752").

WHEREAS, Trust 906 is the owner of the following property:

SEE LEGAL DESCRIPTION ATTACHED HERETO AS EXHIBIT "A".

which is commonly known as 827 North Lessing Street, Chicago, Illinois (hereinafter referred to as "Lot 13"); and

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WHEREAS, Trust 1752 is or will be the owner of the following property:

Lot 6 in Block 11 in Wright's Addition to Chicago of the South East 1/4 of Section 5, Township 39 North, Range 14 East of the Third Principal Meridian, in Cook County, Illinois,

which is commonly known as 821-823 North Lessing Street, Chicago, Illinois (hereinafter referred to as "Lot 6"); and

WHEREAS, Lot 6 and Lot 13 adjoin each other as to the North Line of Lot 6 and the South Line of Lot 13; and

WHEREAS, there is constructed on the Lot Line between Lot 6 and Lot 13 a common wall between the two building which are situated on Lot 6 and Lot 13 respectively.

NOW, THEREFORE, in consideration of the sum of Ten Dollars

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(\$10.00) and other valuable consideration, and the mutual promises herein made the receipt and sufficiency of which are hereby acknowledged, Trust 906 does for itself, its successors, grantees, or assigns, covenant, grant, promise and agree that Trust 1752, its successors, grantees, or assigns, shall or may make use of such wall which lies on the property line of the adjoining buildings on Lot 6 and Lot 13, or so much thereof as Capitol, its heirs and assigns may desire, as a party wall, to be used as such forever.

Trust 906 and Trust 1752 do hereby mutually agree for themselves, their successors, grantees, and assigns, that if the party wall encroaches on either Lot 6 or Lot 13, an easement is granted to the extent of any such encroachment, and further, if it shall hereafter become necessary or desirable to repair or rebuild the whole or any portion of said party wall, the expense of such repairing or rebuilding shall be borne equally by the parties hereto, their successors, grantees or assigns, and that whenever said party wall or such portion thereof shall be rebuilt, it shall be erected on the same spot and on the same line, and be of the same size, and the same or similar material, and of like quality with the present wall.

IT IS FURTHER UNDERSTOOD AND AGREED that in case of damage or destruction of said wall, including the foundation, either party, their successors, grantees or assigns, shall have the right to repair or rebuild the said wall and shall have the right to demand and receive the payment of one-half (1/2) of the expense of such repairing or rebuilding from the other.

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IT IS FURTHER UNDERSTOOD AND AGREED between the aforesaid parties that this Agreement shall be perpetual, and at all times be construed as a covenant running with the land, for so long as either of the present buildings exist, and that no part of the fee of the soil upon which the party wall above described stands shall pass or be vested in either party in any other manner than this Agreement provides.

IT IS FURTHER AGREED that Trust 906 or its beneficiaries, heirs or assigns, shall brick up and fill in the wall where any windows or doorways are presently located, and will finish the wall, in a good, workmanlike manner without expense to Trust 1752 or its beneficiaries.

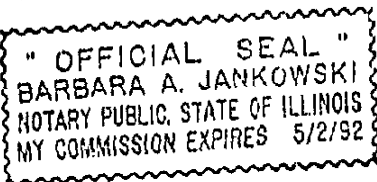
IN WITNESS WHEREOF, the aforesaid parties have hereunto set their hands and seal this 20th day of April, 1989.

CAPITOL BANK AND TRUST COMPANY
as Trustee under Trust No. 906

BY: John E. Houlihan
ITS: JOHN E. HOULIHAN
SR. VICE PRESIDENT & TRUST OFFICER

SUBSCRIBED and SWORN to before me this 20th day of April, 1989.

Barbara A. Jankowski
NOTARY PUBLIC

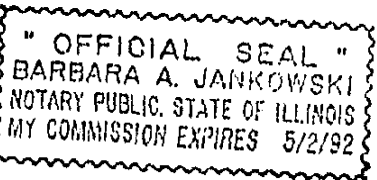


CAPITOL BANK AND TRUST COMPANY, as Trustee
under Trust No. 1752

BY: John E. Houlihan
ITS: JOHN E. HOULIHAN
SR. VICE PRESIDENT & TRUST OFFICER

SUBSCRIBED and SWORN to before me this 20th day of April, 1989.

Barbara A. Jankowski
NOTARY PUBLIC



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IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the County of Cook, Illinois, this 1st day of January, 1998.

CLERK OF COOK COUNTY

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LEGAL DESCRIPTION

Lot 13 in Block 11 in J.A. YALE'S RESUBDIVISION of lots 8, 9, & 12 in Block 8, lots 1 to 12, inclusive, and the North 10 feet of lots 13 & 14 in Block 9, lots 2, 3, 6 & 7, 10, 11, 12 and the North 10 feet of lots 13 & 14 of Block 10, lots 3, 4, 5, 7, 8, 10, 11 and the North 10 feet of lot 14 in Block 11, lots 10 to 12 and the North 10 feet of lots 13 & 14 in Block 12, all in Wight's Addition to Chicago of the South East 1/4 of Section 5, Township 39 North, Range 14 East of the Third Principal Meridian, in Cook County, IL

Exhibit A

BOX 333 - TH

MA. 2002 Prepared by

Wolin & Rosen Ltd

Suite 1776

2 North LaSalle St

Chgo IL 60602

Attn: Mark Ellis Burt.

INDEX #'S 17-05-424-003-0000 - 821-823 No. LEASING ST, Chgo IL
17-05-424-002-0000 - 827 No LEASING ST Chgo IL.

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THE STATE OF ILLINOIS, COUNTY OF COOK, ss. I, Clerk of said County, do hereby certify that the within and foregoing is a true and correct copy of the original as the same appears on the records of said County.

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11-10-2011

11-10-2011