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OFFICIAL BUSINESS
JAN 11 9 55 AM '90
Burr Ridge, IL 60521
AUG 4 1987

CUL DE SAC MAINTENANCE RESTRICTION
AND GRANT OF MAINTENANCE EASEMENT

Downers Grove National Bank as Trustee under Trust Agreements dated March 3, 1987 and known as Trust Nos. 87-37 and 87-140, as Owners of Lots 3, 4, 5, and 6 of Deerview Subdivision (hereinafter referred to as the "Owners") hereby declare a Cul De Sac Maintenance Restriction and Grant of Maintenance Easement for the Cul De Sac Island in the street named Deerview Court. For the purpose of maintaining the proper appearance of the Cul De Sac Island in Deerview Court for the benefit of the owners of Lots 3, 4, 5, and 6 of Deerview Subdivision and the general public, the following easements and restrictions are hereby declared to run with the land and be binding upon the owners of Lots 3, 4, 5, and 6 of Deerview Subdivision and its successors, heirs, executors, and assigns.

- 1) The Owners of Lots 3, 4, 5, and 6 of Deerview Subdivision, their successors and assigns shall maintain the proper appearance of the Cul De Sac Island in Deerview Court in such manner as to insure the reasonable appearance of the Cul De Sac Island in Deerview Court.
- 2) In the event the Owners of Lots 3, 4, 5, and 6 of Deerview Subdivision fail to properly maintain the reasonable appearance of the Cul De Sac Island, then the Village of Burr Ridge is hereby expressly granted the right, but not the duty, to: (a) perform the required maintenance work and to charge proportionately the homeowners for the cost thereof, including, but not limited to, payment of the Village of Burr Ridge's expenses and costs of investigation, settlement, litigation, and reasonable attorney's fees in enforcing its right under this paragraph; and (b) to assess the Owners of Lots 3, 4, 5, and 6 of Deerview Subdivision the costs provided for in subparagraph (a) above in the event the Owners of Lots 3, 4, 5, and 6 of Deerview Subdivision fail to pay within Sixty (60) days of billing by the Village of Burr Ridge. Upon the failure of the Owners of Lots 3, 4, 5, and 6 of Deerview Subdivision to pay any such amount due the Village of Burr Ridge shall constitute a lien against any lot owned by the delinquent Owners of Lots 3, 4, 5, and 6 of Deerview Subdivision, which lien shall not be released until the delinquency is satisfied.

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3) Failure of the Village of Burr Ridge to exercise or enforce its rights in any particular circumstance shall not be deemed a waiver of its rights. Notwithstanding any other provision of this Agreement, the rights granted to the Village of Burr Ridge under this Section shall not be modified in any manner without the written approval of the Village of Burr Ridge.

IN WITNESS WHEREOF, the said Downers Grove National Bank as Trustee under Trust Agreements dated March 3, 1987 and known as Trust Nos. 87-37 and 87-140, as Owners aforesaid, has caused its corporate seal to be affixed hereto and has caused its name to be signed to these presents by its Vice President and Trust Officer and attested by its Trust Secretary on the 7th day of AUGUST, 1989.

Downers Grove National Bank
as Trustee u/t/a dated 3/3/87
a/k/a Trust Nos. 87-37 & 87-140

John P. ...
VICE PRESIDENT AND TRUST OFFICER

ATTEST: *Denise ...*
TRUST SECRETARY

Subscribed and Sworn to
before me this 7th day
of AUGUST, 1989.

James G. ...
Notary Public

MY COMMISSION EXPIRES NOV 11 1991

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