

UNOFFICIAL COPY

90332688

XL-504977-C8

DECLARATION EXCEPTION AGREEMENT

This Agreement is entered into this ^{27th} day of June, 1990 by and between COLE TAYLOR BANK AS TRUSTEE UNDER TRUST NO. 4599 DATED JULY 28, 1986 (hereinafter referred to as "COLE") and THOMAS W. REDIEHS (hereinafter referred to as "DEVELOPER").

DEPT-01 RECORDING

\$13.25

T#2222 TRAN 1598 07/11/90 12:30:00

RECITALS

#7939 * B * -90-332688

COOK COUNTY RECORDER

WHEREAS, COLE is owner of property described as follows:

The South 1.00 acre of the following described tract of land: That part of the Southwest 1/4 of the Southeast 1/4 of Section 31, Township 38 North, Range 12 East of the Third Principal Meridian bounded and described as follows: Commencing at the Southwest corner of said Southeast 1/4; thence South 89 degrees 33 minutes 17 seconds East, along the South line of said Southeast 1/4, a distance of 1086.39 feet, for a point of beginning; thence continuing South 89 degrees 33 minutes 17 seconds East, along the South line of said Southeast 1/4, 241.67 feet to the Southeast corner of the Southwest 1/4 of said Southeast 1/4; thence North 0 degrees 12 minutes 05 seconds East, along the East line of the Southwest 1/4 of said Southeast 1/4, 986.24 feet to a point which is 353.00 feet South, as measured along said East line, of the Northeast corner of the Southwest 1/4 of the Southeast 1/4; thence North 89 degrees 46 minutes 23 seconds West, along a line parallel with the North line of the Southwest 1/4 of said Southeast 1/4, 50.00 feet; thence South 0 degrees 12 minutes 05 seconds West, parallel with the East line of the Southwest 1/4 of said Southeast 1/4, 325.63 feet; thence North 89 degrees 33 minutes 17 seconds West, parallel with the South line of said Southeast 1/4, 188.86 feet; thence South 0 degrees 26 minutes 43 seconds West 660.41 feet to point of beginning, all in Cook County, Illinois.

Permanent Tax Index Number 18-31-402-005 (Affects this and other property)

WHEREAS, improvements upon said property are subject to a Declaration dated March 25, 1987 and recorded March 27, 1987 as Document 87162361; and

WHEREAS, Developer is named in that Declaration as Developer with rights pursuant to Article IV, Section 19 to grant a deviation from all or part of the provisions thereof; and

LAND TITLE CO.

90332688

BY Hand

UNOFFICIAL COPY

Property of Cook County Clerk's Office

UNOFFICIAL COPY

WHEREAS, the land hereinabove described has dimensions of approximately 24.58' x 240.00' and is a part of a subdivision known as Indian Creek.

AGREEMENT

For and in consideration of the provisions of aforesaid Declaration, the above recitals and the covenants and conditions set forth hereinafter, the parties agree as follows:

1. Declarant finds that there are practical difficulties and particular hardships in connection with the property owned by COLE and that waiving the provisions of Article IV of the aforesaid Declaration will abate those difficulties and hardships.

2. Declarant hereby waives in their entirety the provisions of Article IV of the Declaration recorded as Document 87162361 as they relate to and govern the property owned by COLE and described above.

3. This waiver is binding upon and inures to the benefit of the parties hereto, their successors and assigns and shall constitute a permanent waiver thereof.

4. COLE, its successors and assigns agree to comply with the provisions of the Declaration of Indian Creek Subdivision and, in particular, to the Architectural control provisions thereof.


THOMAS W. REDIERS

COLE TAYLOR AS TRUSTEE UNDER TRUST

4599 DATED JULY 28, 1986

BY: _____, Trust Officer

This document is executed by the Cole Taylor Bank, not personally but as Trustee as aforesaid, in the exercise of the power and authority conferred upon the vested in it as such Trustee, and it is expressly understood and agreed by the grantee herein and by every person now or hereafter claiming any right hereunder that nothing contained herein shall be construed as creating any liability on the Cole Taylor Bank.

Mailed to: Kenneth Abraham
1121 75th Street
Baltimore, MD 21289

90333688

UNOFFICIAL COPY

90332688

Property of Cook County Clerk's Office

11/1/08