

# UNOFFICIAL COPY

91662804

## AGREEMENT

THIS AGREEMENT made this 30<sup>th</sup> day of October, 1991, by and between AMERICAN NATIONAL BANK AND TRUST COMPANY OF CHICAGO, not personally, but solely as Trustee under Trust Agreement dated October 27, 1988, and known as Trust No. 106826-07 (herein called "Plaza at Buffalo Grove Owner"), and LASALLE NATIONAL BANK, not personally, but as Trustee under Trust Agreement dated October 14, 1988 and known as Trust No. 113819 (herein called "SW Center Owner").

RECORDING FEE \$29.00  
TRAN 7928 12/17/91 14:54:00  
\*6984 \*G \*-91-662804  
COOK COUNTY RECORDER

### RECITALS:

A. Plaza at Buffalo Grove Owner is the owner of the real estate described in Exhibit A (the "Plaza at Buffalo Grove"), and SW Center Owner is the owner of the property commonly known as Dundee Point located southwest and adjacent to the Plaza at Buffalo Grove and described in Exhibit B (the "Southwest Center"), which properties were originally planned and improved as integrated commercial shopping centers, with a bowling facility (the "Bowling Alley") on the Southwest Center, and with extensive cross easements.

B. The Southwest Center Owner desires to redevelop the Southwest Center by converting the Bowling Alley to retail space, adding additional retail areas, and providing additional automobile parking at the west parking line, among other things, all as more fully set forth in the site plan of Blumenthal and Associates, Ltd., dated October 23, 1989 and identified as Sheet A-1, Job No. 8958 (the "Site Plan"), a copy of which is attached hereto as Exhibit C, and as approved by the building and zoning authorities of the Village of Buffalo Grove, Illinois ("Buffalo Grove").

C. The easements on the Southwest Center serving the Plaza at Buffalo Grove, and the easements on the Plaza at Buffalo Grove serving the Southwest Center, are intended to survive the aforesaid redevelopment of the Southwest Center, subject to the modifications herein set forth.

D. Certain encroachments presently exist at the western border of the Plaza at Buffalo Grove and the eastern border of the Southwest Center, and variations have been established by practice from the original easement agreements for ingress and egress for the Southwest Center (at the easterly border of the Southwest Center) to and from the Plaza at Buffalo Grove, and the parties

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desire to establish the acceptability of such conditions, all as further provided herein.

NOW, THEREFORE, for and in consideration of the mutual obligations and undertakings of the parties hereunder, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, it is agreed that:

## 1. Relocation of Easement/Grant of Easement

The easement for ingress and egress by service and delivery vehicles to the Plaza at Buffalo Grove on the west boundary and part of the north boundary of the Southwest Center, as originally established by the instrument recorded with the Cook County Recorder as Document No. 22897586, is hereby relocated and re-established as follows:

(a) On or about the west boundary of the Southwest Center: Alternative driving lanes for ingress and egress shall be established within the west forty-four and one-half (44.5) feet of the Southwest Corner, at a location which is approved by Buffalo Grove and which will permit automobile parking along the entire west boundary of the Southwest Center (and limited access to the westerly adjacent property), substantially in accordance with the Site Plan.

(b) On the north boundary of the Southwest Center: Alternative driving lanes for ingress and egress shall be established at a location which is approved by Buffalo Grove, substantially in accordance with the Site Plan.

Southwest Center Owner shall, at its expense, cause the aforesaid relocated driving lanes to be paved and improved in accordance with the plans and specifications approved by Buffalo Grove. Neither the relocation nor Southwest Center Owner will limit or block access from Dundee Road for service and delivery trucks. After the location of the alternative driving lanes is established as aforesaid, it may not be relocated without the prior written consent of Plaza at Buffalo Grove Owner. Southwest Center Owner hereby grants an ingress and egress easement over the driving lanes for the benefit of the westerly adjacent property, including Plaza at Buffalo Grove Owner and its tenants and invitees in accordance with the prior easements and in satisfaction of the requirements imposed by the commitments made to Buffalo Grove.

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## 2. Consent to Encroachments

Plaza at Buffalo Grove Owner and the Southwest Center Owner hereby consent to the maintenance of the existing encroachments of the Southwest Center Owner structures onto the property of Plaza at Buffalo Grove Owner at the north end of the Kuppenheimer Store as shown on the survey and within the pedestrian easement described in Document No. 19407585, and any existing encroachments of the Plaza at Buffalo Grove Owner improvements onto the property of the Southwest Center Owner along the eastern border of the Southwest Center Owner's property (but not to material deviations thereof) (except as otherwise provided in this paragraph) for so long as each such existing structure shall remain in existence. In the event the existing structure is removed, materially altered or destroyed, Southwest Center Owner agrees that any new structures shall not encroach on to Plaza at Buffalo Grove.

## 3. Driveway Variation

Plaza at Buffalo Grove Owner hereby grants to Southwest Center Owner and its tenants, beneficiaries and their respective invitees the right to use the existing driveway and access path to the Plaza at Buffalo Grove and to Dundee Road, which is presently located on Plaza at Buffalo Grove substantially parallel to and near the east boundary of the Southwest Center, and the right to entry to and exit from the Southwest Center therefrom, in substitution for the maintenance of the thirty (30) foot driveway adjacent to the Southwest Center required by instrument filed with the Cook County Recorder as Document No. 19407585. Notwithstanding the foregoing, Plaza at Buffalo Grove Owner reserves unto itself the right, at its sole cost and expense, to relocate the driveway and access point to a point which is adjacent to the Southwest Center as required by Instrument No. 19407585, provided that (i) such relocation can be accomplished without materially altering access points, driveways and the number of parking spaces of Southwest Center as they now exist, (ii) Plaza at Buffalo Grove Owner obtains, at its sole cost and expense, all required governmental approvals and consents, and (iii) Plaza at Buffalo Grove Owner repairs all damage to Southwest Center caused by such relocation.

## 4. Bowling Alley

Reference in prior easement documents to the "bowling alley" are acknowledged to be descriptive of the building which was formerly occupied and used as the Bowling Alley, and the conversion of such building to the existing alternative uses does not affect or impair the easement benefits and burdens contained in such documents with respect to such building, except to the extent modified by this Agreement.

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## 5. No Dedication/No Claim To Change Boundary

Nothing herein nor in any other easement affecting either the Plaza at Buffalo Grove or the Southwest Center shall constitute a dedication or gift of any rights for the benefit of the general public or for any public purpose. Southwest Center Owner hereby forever waives any claim that it may have at law or equity to change any boundaries of its property arising as a result of the driveway variation which existed prior to the date hereof.

## 6. Recitals

The recitals to this Agreement are by this reference incorporated herein and made a part hereof, as fully as if the same were recited at length herein.

## 7. Binding Agreement

The rights and obligations of the parties hereto shall extend to and be binding upon the parties and their respective heirs, executors, administrators and assigns, and to the extent such rights constitute or modify any easement, they shall run with the land and be binding upon the owners of the affected properties and their respective successors in title.

## 8. Trustee Exculpation

Each trustee signatory hereto is authorized to append hereto and incorporate herein its customary exculpatory provisions.

IN WITNESS WHEREOF, the parties hereto have hereunto set their hands and seals, all as of the day and year first above written.

LASALLE NATIONAL BANK,  
as Trustee aforesaid

AMERICAN NATIONAL BANK AND,  
TRUST COMPANY OF CHICAGO, as  
Trustee aforesaid

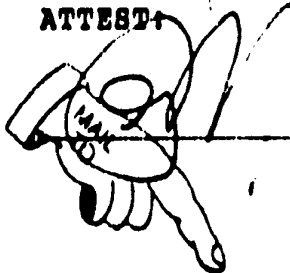
By: \_\_\_\_\_  
Its: \_\_\_\_\_

By:  \_\_\_\_\_  
Its: \_\_\_\_\_

ATTEST:

ATTEST:

\_\_\_\_\_



Gregory S. Kuspryck  
ASSISTANT SECRETARY

Arki (10/18/91) send to  
Laura Naiseln  
Winston + Strawn  
35 W. Wacker  
Chicago, IL  
60601

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## 6. Recitals

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## 7. Binding Agreement

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## 8. Trustee Exculpation

Each trustee signatory hereto is authorized to append hereto and incorporate herein its customary exculpatory provisions.

IN WITNESS WHEREOF, the parties hereto have hereunto set their hands and seals, all as of the day and year first above written.

LASALLE NATIONAL BANK,  
as Trustee aforesaid

and not personal

By: \_\_\_\_\_

Its: \_\_\_\_\_

ATTEST: \_\_\_\_\_

AMERICAN NATIONAL BANK AND,  
TRUST COMPANY OF CHICAGO, as  
Trustee aforesaid

By: \_\_\_\_\_

Its: \_\_\_\_\_

ATTEST: \_\_\_\_\_

10533000



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

FORM XX 0421

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## JOINDER

The undersigned, being the Mortgagee (Trustee) named in the Mortgage (Trust Deed) recorded with the Cook County Recorder as Document No. \_\_\_\_\_, which encumbers the Plaza at Buffalo Grove, hereby joins in the execution and delivery of this instrument for the purpose of subjecting the lien of the Mortgage (Trust Deed) to the terms and conditions hereto.

\_\_\_\_\_

By: \_\_\_\_\_

\_\_\_\_\_

ATTEST:

\_\_\_\_\_

Property of Cook County Clerk's Office

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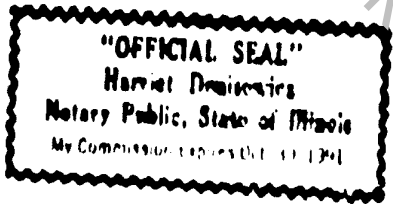
Property of Cook County Clerk's Office

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STATE OF ILLINOIS )  
                              ) SS.  
COUNTY OF C O O K )

I, \_\_\_\_\_, a Notary Public  
in and for said County, in the State aforesaid, DO HEREBY CERTIFY  
that \_\_\_\_\_, personally known to me to be a  
Sec. Vice President of LASALLE NATIONAL BANK, a national banking  
association, and \_\_\_\_\_, personally known to me to  
be a Asst Secretary of said association, and 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  
severally acknowledged that they signed and delivered the said  
instrument as Sec. Vice President and Asst Secretary of  
said association, and caused the seal of said association to be  
affixed thereto, pursuant to authority given by the Board of  
Directors of said association, as their free and voluntary act, and  
as the free and voluntary act and deed of said association, not  
personally, but as Trustee as aforesaid, for the uses and purposes  
therein set forth.

GIVEN under my hand and notarial seal this 20th day  
of October, 1996.



\_\_\_\_\_  
Notary Public

My Commission Expires: \_\_\_\_\_

105222

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STATE OF ILLINOIS )  
 ) SS.  
COUNTY OF C O O K )

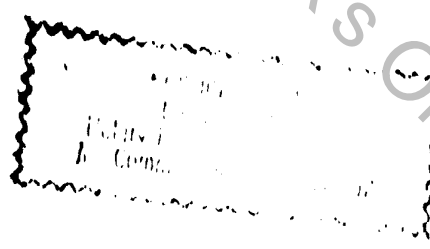
DEBRA L. WHITE

I, \_\_\_\_\_, a Notary Public in and for said County, in the State aforesaid, DO HEREBY CERTIFY that \_\_\_\_\_, personally known to me to be a President of **AMERICAN NATIONAL BANK AND TRUST COMPANY OF CHICAGO**, a national banking association, and \_\_\_\_\_, personally known to me to be a \_\_\_\_\_ Secretary of said association, and 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 severally acknowledged that they signed and delivered the said instrument as \_\_\_\_\_ President and \_\_\_\_\_ Secretary of said association, and caused the seal of said association to be affixed thereto, pursuant to authority given by the Board of Directors of said association, as their free and voluntary act, and as the free and voluntary act and deed of said association, not personally, but as Trustee as aforesaid, for the uses and purposes therein set forth.

GIVEN under my hand and notarial seal this NOV 15 1991 day of \_\_\_\_\_, 1991.

\_\_\_\_\_  
Notary Public

My Commission Expires: \_\_\_\_\_



10322110

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1 1 6 1 9

## JOINDER

The undersigned, being the Mortgage (Trustee) named in the Mortgage (Trust Deed) recorded with the Cook County Recorder as Document No. \_\_\_\_\_, which encumbers the Plaza at Buffalo Grove, hereby joins in the execution and delivery of this instrument for the purpose of subjecting the lien of the Mortgage (Trust Deed) to the terms and conditions hereto.

Amy G. Beck

BY: First National Bank, N.A.

ATTEST:

W. W. J.

Amy G. Beck  
Notary Public

Commercial Banking Office

10/18/91

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## LEGAL DESCRIPTION

### PARCEL 1:

THE EAST 700.00 FEET OF THE SOUTH 1000.00 FEET OF THE WEST 3/4 OF THE SOUTH WEST 1/4 OF SECTION 4, TOWNSHIP 42 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN (EXCEPT THEREFROM THE SOUTH 30.00 FEET THEREOF AND EXCEPT THE EAST 30.00 FEET THEREOF AND EXCEPT THAT PART DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTH WEST CORNER TO THE SOUTH 1000.00 FEET OF THE EAST 700.00 FEET TO THE WEST 3 QUARTERS OF THE SOUTH WEST 1/4 OF SECTION 4 AFORESAID; THENCE SOUTH ALONG THE WEST LINE OF SAID EAST 700.00 FEET FOR A DISTANCE OF 109.33 FEET; THENCE EAST AT RIGHT ANGLES THERETO 68.00 FEET TO A POINT IN THE WEST LINE OF THE EAST 634.00 FEET OF THE WEST 3 QUARTERS OF THE SOUTH WEST 1/4 OF SECTION 4 AFORESAID; THENCE SOUTH AT RIGHT ANGLES THERETO AND ALONG SAID WEST LINE 30.25 FEET TO A POINT IN A LINE 160.00 FEET SOUTH OF AND PARALLEL WITH THE NORTH LINE OF THE SOUTH 1000.00 FEET OF THE WEST THREE QUARTERS OF THE SOUTH WEST 1/4 OF SECTION 4 AFORESAID; THENCE EAST ALONG SAID PARALLEL LINE 384.00 FEET TO THE WEST LINE OF THE EAST 30.00 FEET OF THE WEST 3 QUARTERS OF THE SOUTH WEST 1/4 OF SECTION 4 AFORESAID; THENCE NORTH ALONG SAID WEST LINE 160.00 FEET TO A NORTH LINE OF THE SOUTH 1000.00 FEET AFORESAID; THENCE WEST ALONG SAID NORTH LINE 630.00 FEET TO THE POINT OF BEGINNING,

ALSO

EXCEPT THAT PART DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT IN THE WEST LINE OF SAID EAST 700.00 FEET OF THE SOUTH 1000.00 FEET OF THE WEST 3 QUARTERS OF THE SOUTH WEST 1/4 OF SECTION 4, 324.14 FEET NORTH (MEASURED ALONG THE SAID WEST LINE) OF THE SOUTH WEST CORNER THEREOF; THENCE EAST AT RIGHT ANGLES THERETO 280.99 FEET; THENCE SOUTH AT RIGHT ANGLES THERETO FOR A DISTANCE OF 12.00 FEET; THENCE EAST AT RIGHT ANGLES THERETO FOR A DISTANCE OF 419.00 FEET TO THE EAST LINE OF THE WEST 3 QUARTERS OF THE SOUTH WEST 1/4 OF SECTION 4 AFORESAID; THENCE SOUTH ALONG SAID EAST LINE FOR A DISTANCE OF 75.00 FEET; THENCE WEST AT RIGHT ANGLES THERETO FOR A DISTANCE OF 30.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE ALONG THE LAST DESCRIBED RIGHT ANGLES LINE 337.08 FEET; THENCE SOUTH AT RIGHT ANGLES THERETO FOR A DISTANCE OF 133.41 FEET TO THE NORTH LINE OF THE SOUTH 30.00 FEET OF THE SOUTH WEST 1/4 OF SECTION 4 AFORESAID; THENCE EAST ALONG SAID NORTH LINE 337.08 FEET MORE OR LESS, TO THE WEST LINE OF THE EAST 30.00 FEET OF THE WEST 3/4 OF THE SOUTH WEST 1/4 OF SECTION 4 AFORESAID; THENCE NORTH ALONG THE LAST DESCRIBED LINE 178.32 FEET MORE OR LESS TO THE POINT OF BEGINNING

ALSO

EXCEPT THAT PART DESCRIBED AS FOLLOWS:

Recorder's Office

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1000001

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COMMENCING AT THE NORTH WEST CORNER OF THE SOUTH 1000.00 FEET OF THE EAST 700.00 FEET OF THE WEST 3/4 OF THE SOUTH WEST 1/4 OF SECTION 4 AFORESAID; THENCE SOUTH ALONG THE WEST LINE OF THE SAID EAST 700.00 FEET FOR A DISTANCE OF 109.38 FEET TO THE POINT OF BEGINNING; THENCE EAST AT RIGHT ANGLES THERETO 66.00 FEET TO A POINT IN THE WEST LINE OF THE EAST 634.00 FEET OF THE WEST 3/4 OF THE SOUTH WEST 1/4 OF SECTION 4 AFORESAID; THENCE SOUTH AT RIGHT ANGLES THERETO AND ALONG SAID WEST LINE 267.00 FEET; THENCE WEST AT RIGHT ANGLES THERETO 64.00 FEET TO THE WEST LINE OF THE EAST 700.00 FEET OF THE WEST 3/4 OF THE SOUTH WEST 1/4 OF SECTION 4 AFORESAID; THENCE NORTH ALONG SAID WEST LINE 267.00 FEET TO THE POINT OF BEGINNING

ALSO

EXCEPTING THE NORTH 80.00 FEET OF THE SOUTH 530.00 FEET OF THE WEST 60.00 FEET OF THE EAST 700.00 FEET OF SAID WEST 3/4 OF THE SOUTH WEST 1/4 AND

ALSO

EXCEPTING THEREFROM THE WEST 50.00 FEET OF THE EAST 700.00 FEET OF THE NORTH 50.00 FEET OF THE SOUTH 450.00 FEET OF SAID WEST 3/4 OF THE SOUTH WEST 1/4

ALSO

EXCEPT THAT PART DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT IN THE WEST LINE OF SAID EAST 700.00 FEET OF THE SOUTH 1000.00 FEET OF THE WEST 3/4 OF THE SOUTH WEST 1/4 OF SECTION 4, 324.16 FEET NORTH, MEASURED ALONG SAID WEST LINE OF THE SOUTH WEST CORNER THEREOF; THENCE EAST AT RIGHT ANGLES THERETO 157.91 FEET; THENCE SOUTH AT RIGHT ANGLES THERETO 130.00 FEET; THENCE EAST AT RIGHT ANGLES THERETO 87.00 FEET; THENCE SOUTH AT RIGHT ANGLES THERETO 144.16 FEET; MORE OR LESS, TO THE NORTH LINE OF THE SOUTH 50.00 FEET OF THE SOUTH WEST 1/4 OF SECTION 4 AFORESAID; THENCE WEST ALONG SAID NORTH LINE 224.91 FEET, MORE OR LESS TO THE AFORESAID WEST LINE OF THE EAST 700.00 FEET OF THE SOUTH 1000.00 FEET OF THE WEST 3/4 OF THE SOUTH WEST 1/4 OF SECTION 4; THENCE NORTH ALONG SAID WEST LINE 274.16 FEET, MORE OR LESS TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS,

PARCEL 2:

THAT PART OF THE WEST 3/4 OF THE SOUTH WEST 1/4 OF SECTION 4, TOWNSHIP 42 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS:

EXHIBIT A

10000000

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BEGINNING AT THE NORTH WEST CORNER TO THE SOUTH 1000.00 FEET OF THE EAST 700.00 FEET OF THE WEST 3/4 PARTS OF THE SOUTH WEST QUARTER OF SECTION 4 AFORESAID; THENCE SOUTH ALONG THE WEST LINE OF SAID EAST 700.00 FEET FOR A DISTANCE OF 109.35 FEET; THENCE EAST AT RIGHT ANGLES THERETO 86.00 FEET TO A POINT IN THE WEST LINE OF THE EAST 634.00 FEET OF THE WEST 3/4 PARTS OF THE SOUTH WEST 1/4 OF SECTION 4, AFORESAID; THENCE SOUTH AT RIGHT ANGLES THERETO AND ALONG SAID WEST LINE 50.25 FEET TO A POINT IN A LINE 160.00 FEET SOUTH OF AND PARALLEL WITH THE NORTH LINE OF THE SOUTH 1000.00 FEET OF THE WEST 3/4 PARTS OF THE SOUTH WEST 1/4 OF SECTION 4 AFORESAID; THENCE EAST ALONG SAID PARALLEL LINE 584.00 FEET TO THE WEST LINE OF THE EAST 50.00 FEET OF THE WEST 3/4 PARTS OF THE SOUTH WEST 1/4 OF SECTION 4 AFORESAID; THENCE NORTH ALONG SAID WEST LINE 160.00 FEET TO THE NORTH LINE OF THE SOUTH 1000.00 FEET AFORESAID THENCE WEST ALONG SAID NORTH LINE 630.00 FEET TO THE POINT OF BEGINNING IN COOK COUNTY, ILLINOIS.

### PARCEL 3:

THAT PART OF THE EAST 700.00 FEET OF THE SOUTH 1000.00 FEET OF THE WEST 3/4 PARTS OF THE SOUTH WEST 1/4 OF SECTION 4, TOWNSHIP 42 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT IN THE WEST LINE OF SAID EAST 700.00 FEET OF THE SOUTH 1000.00 FEET OF THE WEST 3/4 PARTS OF THE SOUTH WEST 1/4 OF SECTION 4, 324.18 FEET NORTH (MEASURED ALONG SAID WEST LINE) OF THE SOUTH WEST CORNER THEREOF; THENCE EAST AT RIGHT ANGLES THERETO 280.99 FEET; THENCE SOUTH AT RIGHT ANGLES THERETO FOR A DISTANCE OF 12.00 FEET; THENCE EAST AT RIGHT ANGLES THERETO FOR A DISTANCE OF 619.00 FEET TO THE EAST LINE OF THE WEST 3/4 PARTS OF THE SOUTH WEST 1/4 OF SECTION 4 AFORESAID; THENCE SOUTH ALONG SAID EAST LINE FOR A DISTANCE OF 75.00 FEET; THENCE WEST AT RIGHT ANGLES THERETO FOR A DISTANCE OF 50.00 FEET TO THE POINT OF BEGINNING, THENCE CONTINUE ALONG THE LAST DESCRIBED RIGHT ANGLES LINE 337.08 FEET; THENCE SOUTH AT RIGHT ANGLES THERETO FOR A DISTANCE OF 183.41 FEET TO THE NORTH LINE OF THE SOUTH 50.00 FEET OF THE SOUTH WEST 1/4 OF SECTION 4 AFORESAID; THENCE EAST ALONG SAID NORTH LINE 149.00 FEET, TO THE WEST LINE OF THE EAST 238.08 FEET OF THE WEST 3/4 PARTS OF THE SOUTH WEST 1/4 OF SECTION 4 AFORESAID; THENCE NORTH ALONG SAID WEST LINE 133.00 FEET TO THE NORTH LINE OF THE SOUTH 205.00 FEET OF THE SOUTH WEST 1/4 OF SECTION 4 AFORESAID; THENCE EAST ALONG SAID NORTH LINE 138.08 FEET TO THE WEST LINE OF THE EAST 50.00 FEET OF THE WEST 3/4 OF THE SOUTH WEST 1/4 OF SECTION 4 AFORESAID; THENCE NORTH ALONG THE LAST DESCRIBED LINE 28.32 FEET, MORE OR LESS, TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS.

EXCEPT:

EXHIBIT A

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105751110

PROPERTY

Property of Cook County Clerk's Office

COMMENCING AT A POINT IN THE WEST LINE OF SAID EAST 700.00 FEET OF THE  
 SOUTH 1000.00 FEET OF THE WEST 3 QUARTERS OF THE SOUTH WEST 1/4 OF  
 SECTION 6, 324.16 FEET NORTH (MEASURED ALONG SAID WEST LINE) OF THE  
 SOUTH WEST CORNER THEREOF; THENCE EAST AT RIGHT ANGLES THERE TO 280.99  
 FEET; THENCE SOUTH AT RIGHT ANGLES THERE TO FOR A DISTANCE OF 12.00  
 FEET; THENCE EAST AT RIGHT ANGLES THERE TO FOR A DISTANCE OF 419.00 FEET  
 TO THE EAST LINE OF THE WEST 3 QUARTERS OF THE SOUTH WEST 1/4 OF  
 SECTION 7 AFORESAID; THENCE SOUTH ALONG SAID EAST LINE FOR A DISTANCE  
 OF 79 FEET; THENCE WEST AT RIGHT ANGLES THERE TO FOR A DISTANCE OF  
 207.08 FEET; THENCE SOUTH AT RIGHT ANGLES THERE TO FOR A DISTANCE OF  
 30.41 FEET TO A POINT IN THE NORTH LINE OF THE SOUTH 205.00 FEET OF THE  
 SOUTH WEST 1/4 OF SECTION 7 AFORESAID, SAID POINT BEING THE POINT OF  
 BEGINNING OF LAND HEREIN DESCRIBED; THENCE CONTAINING SOUTH 153.00 FEET  
 TO THE NORTH LINE OF THE SOUTH 50.00 FEET OF THE SOUTH WEST 1/4 OF  
 SECTION 7 AFORESAID; THENCE EAST ALONG SAID NORTH LINE 149.00 FEET NORTH  
 OR LESS TO THE WEST LINE OF THE EAST 238.08 FEET OF THE WEST 3 QUARTERS  
 OF THE SOUTH WEST 1/4 OF SECTION 7 AFORESAID, THENCE NORTH ALONG SAID  
 WEST LINE 153.00 FEET TO THE NORTH LINE OF THE SOUTH 205.00 FEET TO  
 SOUTH WEST 1/4 OF SECTION 7 AFORESAID; THENCE WEST ALONG SAID NORTH  
 LINE 149.00 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS.

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w:\docs\fred\sticker\agreement  
10/18/91

D. Certain encroachments presently exist at the western border of the Plaza at Buffalo Grove and the eastern border of the Southwest Center, and variations have been established by practice from the original easement agreements for ingress and egress for the Southwest Center (at the easterly border of the Southwest Center) to and from the Plaza at Buffalo Grove, and the parties

C. The easements on the Southwest Center serving the Plaza at Buffalo Grove, and the easements on the Plaza at Buffalo Grove serving the Southwest Center, are intended to survive the aforesaid redevelopment of the Southwest Center, subject to the modifications herein set forth.

B. The Southwest Center owner desires to redevelop the Southwest Center by converting the Howling Alley to retail space, adding additional retail areas, and providing additional automobile parking at the west parking line, among other things, all as more fully set forth in the site plan of Blumenthal and Associates, Ltd., dated October 23, 1989 and identified as Sheet A-1, Job No. 8958 (the "Site Plan"), a copy of which is attached hereto as Exhibit C, and as approved by the building and zoning authorities of the Village of Buffalo Grove, Illinois ("Buffalo Grove").

A. Plaza at Buffalo Grove owner is the owner of the real estate described in Exhibit A (the "Plaza at Buffalo Grove"), and SW Center owner is the owner of the property commonly known as Building Point located northwest and adjacent to the Plaza at Buffalo Grove and described in Exhibit B (the "Southwest Center"), which portions were originally planned and improved as integrated commercial shopping centers, with a bowling facility (the "Bowling Alley") on the Southwest Center, and with extensive cross easements.

RECITALS:

THIS AGREEMENT made this 30th day of \_\_\_\_\_ 1991, by and between AMERICAN NATIONAL BANK AND TRUST COMPANY OF CHICAGO, not personally, but solely as Trustee under Trust Agreement dated October 27, 1988, and known as Trust No. 106826-07 (herein called "Plaza at Buffalo Grove Owner"), and LABATLE NATIONAL BANK, not personally, but as Trustee under Trust Agreement dated October 14, 1988 and known as Trust No. 113819 (herein called "SW Center Owner").

AGREEMENT

91/10/30

10/18/91

*[Handwritten signature]*

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## EXHIBIT "B"

### PARCEL 1:

That part of the West 3/4 of the Southwest 1/4 of Section 4, Township 42 North, Range 11 East of the Third Principal Meridian described as follows:

Beginning at the point of intersection of the North line of the South 50 feet and the West line of the East 700 feet of the West 3/4 of the Southwest 1/4 of said Section 4; thence North along said West line or said East 700 feet, 144.16 feet; thence East at right angles 11.75 feet; thence North at right angles 130 feet; thence West at right angles 204.79 feet; thence South at right angles 275.20 feet, more or less, to said North line of the South 50 feet; thence East 193.04 feet to the point of beginning, in Cook County, Illinois.

### PARCEL 2:

That part of the West 3/4 of the Southwest 1/4 of Section 4, Township 42 North, Range 11 East of the Third Principal Meridian described as follows:

Beginning at the point of intersection of the North line of the South 50 feet and the West line of the East 700 feet of the West 3/4 of the Southwest 1/4 of Section 4, Township 42 North, Range 11 East of the Third Principal Meridian thence North along the West line of said East 700 feet, 144.16 feet; thence East at right angles 11.75 feet; thence North at right angles 130 feet; thence East at right angles 146.16 feet; thence South at right angles 130 feet; thence East at right angles 87 feet; thence South at right angles 144.16 feet more or less, to the North line of the South 50 feet aforesaid; thence West on said North line 244.91 feet to the point of beginning, all in Cook County, Illinois.

### PARCEL 3:

Perpetual easement for the benefit of Parcels 1 and 2 to reconstruct, replace, remove, repair, alter, inspect, maintain and operate the existing water main and storm sewer (and all facilities and equipment incidental thereto) together with the Right of Ingress and Egress over, upon, along and across the easement premises for the purpose of exercising said easement rights over the following described property as set forth in Grant of Easement dated November 4, 1974 and recorded November 4, 1974 as Document No. 22897588 made by Chicago Title and Trust Company, as Trustee under Trust Agreement dated December 15, 1960 and known as Trust No. 42809 to Chicago Title and Trust Company, as Trustee

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under Trust Agreement dated December 16, 1960 and known as Trust No. 42869 and Jones and Brown Company, Inc.

That part of the West 3/4 of the Southwest 1/4 of Section 4, Township 42 North, Range 11 East of the Third Principal Meridian, described as commencing at the intersection of the North line of the South 50.0 feet and the West line of the East 700.00 feet of said West 3/4 of the Southwest 1/4 and running thence North along said West line of the East 700.00 feet, 144.16 feet; thence East at right angles 11.75 feet; thence North at right angles 130.0 feet; thence East at right angles 27.11 feet to the point of beginning of the parcel of land being herein described; thence continuing East along the last described course extended 10.0 feet; thence North at right angles 40.0 feet; thence Northeasterly along a line forming an angle of 64 degrees, 33 minutes, 2 seconds to the right of the last described course extended 32.14 feet; thence Northwesterly at right angles 10.0 feet; thence Southwesterly at right angles 38.46 feet; thence South along a line forming an angle of 64 degrees, 33 minutes, 2 seconds to the left of the last described course extended 46.32 feet to the point of beginning, in Cook County, Illinois.

Easement for pedestrian ingress and egress over the South 20 feet of the North 130 feet of the following two parcels taken as a single tract of land:

That part of the West three-quarters (3/4) of the Southwest one-quarter (1/4) of Section 4, Township 42 North, Range 11, East of the Third Principal Meridian, described as follows: Commencing at the point of intersection of the North line of the South 50 feet and the West line of the East 700 feet of the West three-quarters (3/4) of the Southwest one-quarter (1/4) of said Section 4; thence North along said West line of said East 700 feet, 144.16 feet; thence East at right angles 11.75 feet; thence North at right angles 130 feet; thence East at right angles, 146.16 feet to the place of beginning of this description; thence South at right angles 130 feet; thence East at right angles 87 feet; thence North at right angles 130 feet; thence West at right angles 87 feet; to the place of beginning, in Cook County, Illinois.

and also the following described real estate, to wit:

That part of the West three-quarters (3/4) of the Southwest one-quarter (1/4) of Section 4, Township 42 North, Range 11, East of the Third Principal Meridian, described as follows: Commencing at the point of intersection of the North line of the South 50 feet and the West line of the East 700 feet of the West three-quarters (3/4) of the Southwest one-quarter (1/4) aforesaid; thence North along said West line of said East 700 feet; 274.16 feet; thence East at right angles 244.91 feet; thence South at right angles 2.46 feet to the place of beginning of this description; thence

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continuing South on the last described line extended, 270.33 feet more or less, to the North line of the South 50 feet aforesaid; thence East on said North line of the South 50 feet, 30.09 feet; thence North on a line parallel with said West line of the East 700 feet, 270.16 feet; thence West 30.09 feet to the place of beginning, in Cook County, Illinois.

P.I.N. No. 03-04-300-004  
03-04-301-008

Address: 100 West Dundee Road  
Buffalo Grove, Illinois 60118

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10/27/10

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