

BOX 343

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ORIGINAL FILE NUMBER

AGREEMENT AND DECLARATION OF EASEMENT

THIS AGREEMENT AND DECLARATION OF EASEMENT (the "Declaration") is made as of June 21st, 1993 by and among the Lot One Owners, the Lot Two Owners, the Lot Three Owners and the Lot Four Owners (all as defined below).

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RECITALS

A. The "Lot One Owners" are the owners of "Lot One," as described on Exhibit A hereto.

B. The "Lot Two Owners" are the owners of "Lot Two," as described on Exhibit B hereto. Lot Two lies northeast of Lot One.

C. The "Lot Three Owners" are the owners of "Lot Three," as described on Exhibit C hereto. Lot Three lies northeast of Lot Two.

D. The "Lot Four Owners" are the owners of "Lot Four," as described on Exhibit D hereto. Lot Four lies northeast of Lot Three.

E. Lot One contains a strip of land approximately ten feet in width (as well as a wider triangular parcel of land at the northeastern end of such strip) (collectively, the "Lot One Strip"), which (i) lies northwest of and is adjacent to Lots Two, Three and Four and (ii) at its northeastern end, is adjacent to a certain parcel of land fronting on Lake Michigan which is owned in common by, among others, the Lot One Owners, the Lot Two Owners, the Lot Three Owners and Lot Four Owners (the "Common Area").

F. The Lot One Owner has installed a path as shown on the survey attached as Exhibit E hereto approximately three feet in width through the ravine on the Lot One Strip and Lots Two, Three and Four (the "Path") for purposes of providing a pedestrian access to the beach portion of the Common Area. While it was the intention of the Lot One Owner to install a path on the Lot One Strip, a determination was made that for ease of access to the Common Area and to best preserve the physical integrity of the ravine through which the Path traverses, that the Path should be located at various points on Lot Two, Lot Three and Lot Four near the northwest line of such lots. Each of the Owners of Lot One, Lot Two, Lot Three and Lot Four agree that, to the extent that the Path crosses their respective Lots, to grant an easement for the benefit of the other Lot Owners for pedestrian ingress and egress on the Path to the Common Area.

NOW, THEREFORE, in consideration of the above Recitals and other good and valuable consideration, the receipt and

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sufficiency of which are hereby acknowledged, IT IS DECLARED AS FOLLOWS:

1. The Lot One Owners, for themselves, their heirs, executors, administrators, successors and assigns, do hereby grant, sell and convey unto the Lot Two Owners, the Lot Three Owners and the Lot Four Owners, their heirs, executors, administrators, successors and assigns, as an easement appurtenant to Lot Two, Lot Three and Lot Four, a non-exclusive, perpetual easement for pedestrian ingress and egress over the Path to the extent that the Path crosses the Lot One Strip.

2. The Lot Two Owners for themselves, their heirs, executors, administrators, successors and assigns, do hereby grant, sell and convey unto the Lot One Owners, their heirs, executors, administrators, successors and assigns, as an easement appurtenant, a non-exclusive, perpetual easement for pedestrian ingress and egress over the Path to the extent that the Path crosses Lot Two.

3. The Lot Three Owners for themselves, their heirs, executors, administrators, successors and assigns, do hereby grant, sell and convey unto the Lot One Owners and the Lot Two Owners, their heirs, executors, administrators, successors and assigns, as an easement appurtenant, a non-exclusive, perpetual easement for pedestrian ingress and egress over the Path to the extent that the Path crosses Lot Three.

4. The Lot Four Owners for themselves, their heirs, executors, administrators, successors and assigns, do hereby grant, sell and convey unto the Lot One Owners, the Lot Two Owners and the Lot Three Owners, their heirs, executors, administrators, successors and assigns, as an easement appurtenant, a non-exclusive, perpetual easement for pedestrian ingress and egress over the Path to the extent that the Path crosses Lot Four.

5. It is hereby further agreed that the covenants contained in this Declaration shall be and the same are hereby declared to be covenants running with the land. The easements granted by this Declaration shall not diminish any Lot Owner's use and enjoyment of each of their respective Lots beyond the pedestrian access to the beach portion of the Common area granted hereby.

6. This declaration may be executed in several counterparts, each of which shall be deemed an original, but all of which together shall constitute a single instrument.

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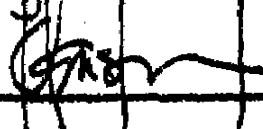
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IN WITNESS WHEREOF, the Lot One Owners, the Lot Two Owners, the Lot Three Owners and the Lot Four Owners have executed this Declaration as of this 27th day of June, 1993.

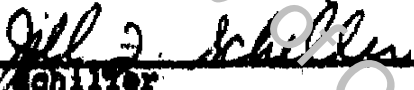
LOT ONE OWNERS



Donna Konstant


LOT TWO OWNERS

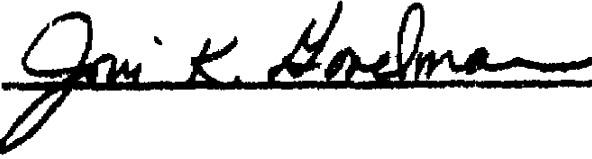


Eric M. Schiller



Jill D. Schiller


LOT THREE OWNERS





LOT FOUR OWNERS





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STATE OF ILLINOIS)
) SS.
COUNTY OF COOK)

I, Laurie Bouchez, a Notary Public in and for said County, in the State aforesaid, DO HEREBY CERTIFY that Eric M. Schiller, personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that he/she signed and delivered the said instrument as his/her own free and voluntary act, for the uses and purposes therein set for.

GIVEN under my hand and notarial seal, this 24th day of July, 1993.



Laurie Bouchez
Notary Public

STATE OF ILLINOIS)
) SS.
COUNTY OF COOK)

I, Laurie Bouchez, a Notary Public in and for said County, in the State aforesaid, DO HEREBY CERTIFY that Jill Schiller, personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that he/she signed and delivered the said instrument as his/her own free and voluntary act, for the uses and purposes therein set for.

GIVEN under my hand and notarial seal, this 24th day of June, 1993.



Laurie Bouchez
Notary Public

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STATE OF ILLINOIS

SS.

COUNTY OF COOK

I, Laurie Bouchez, a Notary Public in and for said County, in the State aforesaid, DO HEREBY CERTIFY that Deanna FOX, personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that he/she signed and delivered the said instrument as his/her own free and voluntary act, for the uses and purposes therein set for.

GIVEN under my hand and notarial seal, this 24TH day of JULY, 1993.



Laurie Bouchez
Notary Public

STATE OF ILLINOIS

SS.

COUNTY OF COOK

I, Laurie Bouchez, a Notary Public in and for said County, in the State aforesaid, DO HEREBY CERTIFY that Shalei P FOX, personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that he/she signed and delivered the said instrument as his/her own free and voluntary act, for the uses and purposes therein set for.

GIVEN under my hand and notarial seal, this 24TH day of JUNE, 1993.



Laurie Bouchez
Notary Public

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STATE OF ILLINOIS)
) SS.
COUNTY OF COOK)

I, Laurie Boucher, a Notary Public in and for said County, in the State aforesaid, DO HEREBY CERTIFY that Mark Goodman, personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that he/she signed and delivered the said instrument as his/her own free and voluntary act, for the uses and purposes therein set for.

GIVEN under my hand and notarial seal, this 24TH day of June, 1993.



Laurie Boucher
Notary Public

STATE OF ILLINOIS)
) SS.
COUNTY OF COOK)

I, Laurie Boucher, a Notary Public in and for said County, in the State aforesaid, DO HEREBY CERTIFY that Jon R Goodman, personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that he/she signed and delivered the said instrument as his/her own free and voluntary act, for the uses and purposes therein set for.

GIVEN under my hand and notarial seal, this 24TH day of June, 1993.



Laurie Boucher
Notary Public

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EXHIBIT C

LEGAL DESCRIPTION OF LOT THREE

Lot 3 of consolidation of Lots 1, 2, 3, 4 and 5 in Rockgate Colony being a resubdivision of Lot 2 in Stern's Subdivision of Lot "B" in the subdivision of Lots 1, 2, 3 and 4 and the South 24.70 feet of Lot 7 and part of Lots 5 and 6, all in Owner's Subdivision of part of Section 6, Township 42 North, Range 13, East of the Third Principal Meridian and the North 24.70 feet of the East 320.25 feet of the Southwest Quarter of said Section 6, aforesaid, (except that part of Lot 3, described as follows: Beginning at a point in the Southwesterly line of Lot 3 aforesaid 54.0 feet South 68° 37' 40" East of the Westerly terminus thereof; thence North 68° 37' 40" West 54.0 feet to the Southwest Corner of Lot 3 aforesaid; thence North 11° 20' 17" East along the West line of Lot 3 aforesaid 40.0 feet; thence South 60° 50' 46" East 49.0 feet; thence South 00° 30' 17" West 35.03 feet to the point of beginning)

ALSO

That part of Lot 2, described as follows: Beginning at a point in the Northeasterly line of Lot 2 aforesaid, 95.57 feet Northwesterly of the Easterly terminus thereof; thence South 68° 37' 40" East 34.30 feet to an angle point therein; thence South 30° 57' 42" East 8.10 feet to another angle point therein; thence North 59° 02' 18" East 6.25 feet to another angle point therein; thence South 68° 37' 40" East 51.04 feet to the East terminus of the Northeasterly line of Lot 2 aforesaid; thence Southerly along an arc of a circle convex Easterly and having a radius of 15.0 feet for a distance of 18.59 feet to a point of tangency in the Southeasterly line of Lot 2 aforesaid; thence South 31° 09' 07" West along said southeasterly line 20.0 feet; thence North 49° 05' 00" West 105.83 feet to the point of beginning; of the consolidation of Lots 1, 2, 3, 4 and 5 in Rockgate Colony, being a resubdivision of Lot 2 in Stern's Subdivision of Lot "B" in the subdivision of Lots 1, 2, 3 and 4 and the South 24.70 feet of Lot 7 and part of Lots 5 and 6, all in Owner's Subdivision of part of Section 6, Township 42 North, Range 13, East of the Third Principal Meridian and the North 24.70 feet of the East 320.25 feet of the Southwest Quarter of said Section 6, aforesaid, in the Village of Glencoe, Cook County, Illinois.

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EXHIBIT D

LEGAL DESCRIPTIONS OF LOT 1

Lot 4 of consolidation of Lots 1, 2, 3, 4 and 5 in Rockgate Colony being a resubdivision of Lot 2 in Stern's Subdivision of Lot "B" in the subdivision of Lots 1, 2, 3 and 4 and the South 24.70 feet of Lot 7 and part of Lots 5 and 6, all in Owner's Subdivision of part of Section 6, Township 42 North, Range 13, East of the Third Principal Meridian and the North 24.70 feet of the East 320.25 feet of the Southwest Quarter of said Section 6, aforesaid, in the Village of Glencoe, Cook County, Illinois.

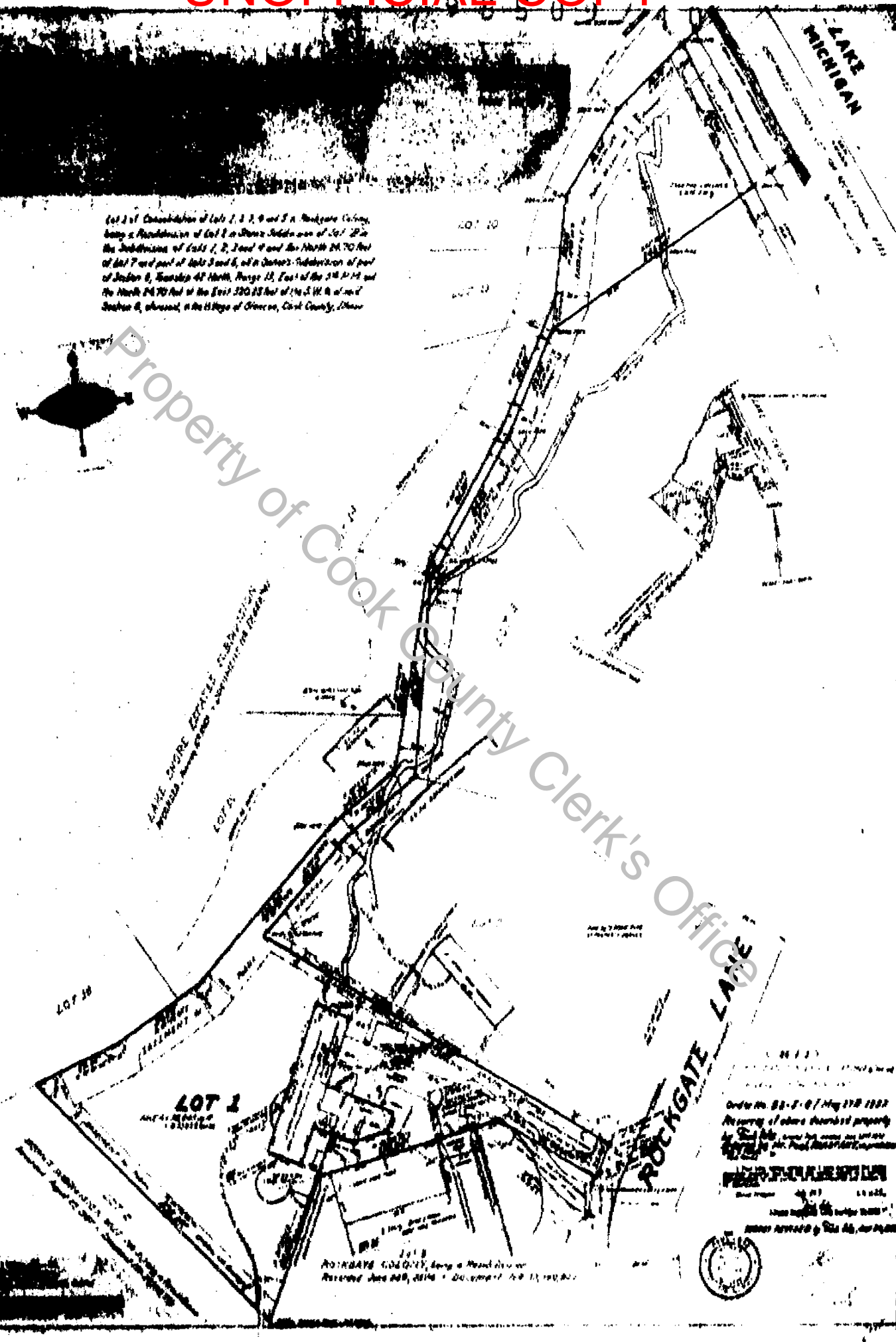
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Lot 1 of Consolidation of Lots 1, 2, 3, 4 and 5 of Rockgate Colony, being a Reconsolidation of Lot 1 in Block Addition of Lot 1 in the Subdivision of Lots 1, 2, 3 and 4 and the North 24.70 feet of Lot 7 and part of Lots 3 and 6, all in Carter's Subdivision of part of Section 8, Township 42 North, Range 13, East of the 1st 21st and the North 24.70 feet of the East 330.25 feet of the S. W. 1/4 of said Section 8, situated in the Village of Skokie, Cook County, Illinois



Order No. 23-3-67 May 17th 1922
 Recovery of other than real property
 by *Paul M. ...*
 against *Mr. Paul M. ...*
PAUL M. ...
 Plaintiff
 vs
PAUL M. ...
 Defendant



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