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PLAT

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## DECLARATION OF EASEMENT, COVENANTS AND RESTRICTIONS.

Lawyers Title Insurance Corporation

44-05508

This Declaration of Easement, Covenants and Restrictions is hereby made by EXECUTIVE RELOCATION CORP., a Michigan corporation (herein ERC), for the use and benefit of succeeding owners of two separate and adjoining tracts of real estate, legally described on Schedule A attached hereto and made a part hereof, and herein referred to as Parcel Two and Parcel Three.

. DEPT-01 RECORDING 437.50  
. 740011 TRAN 5592 02/06/95 12:09:00  
. 47570 + RV \*-95-087672  
. COOK COUNTY RECORDER

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### RECITALS

A. ERC is the legal titleholder to a certain tract of real estate legally described in attached Schedule A and herein referred to as Parcel Two.

B. ERC is the legal titleholder to a certain tract of real estate adjoining said Parcel Two on its southern boundary, legally described in attached Schedule A and herein referred to as Parcel three.

C. ERC is presently engaged in selling each of said tracts to bona fide purchasers and is desirous of reserving and establishing a perpetual easement for ingress and egress over and upon Parcel Two for the use and benefit of the owners/titleholders of Parcel Three; said easement to be located along the easterly thirty feet of Parcel Two, as legally described in attached Schedule A, and hereinafter referred to as the Easement Premises.

D. ERC is also desirous of establishing certain covenants and restrictions relating the the use of said Easement Premises and setting forth the rights and obligations between the owners/ titleholders of each of said parcels incident thereto.

E. Parcel Two is presently improved with a single family residence and Parcel Three is presently unimproved but is intended to be improved with a single family residence at a future time.

NOW THEREFORE, in consideration of the foregoing, and as an inducement to bona fide purchasers to purchase and take title to the tracts of real estae known as Parcel Two and Parcel Three, ERC hereby declares and makes the following grants, covenants and restrictions:

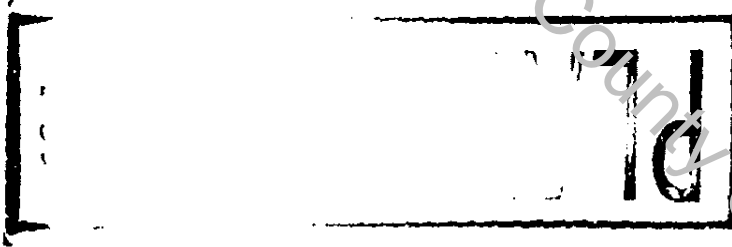
1. ERC hereby reserves for and grants to the succeeding owners/ titleholders of Parcel Three, their heirs, successors and assigns, as an easement appurtenant, a perpetual easement for ingress and egress over and across that certain part of Parcel Two herein referred to as the Easement Premises, as legally described in attached Schedule A, with Plat of the Easement attached.

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2. ERC hereby declares that the following covenants and restrictions, including benefits and burdens, run with the land and are binding upon and inure subsequent owners/titleholders of said Parcel Two and Parcel Three, their heirs, successors, assigns, tenants and personal representatives:

- A. The owners/titleholders of Parcel Three may make full use of the existing driveway located within the Easement Premises without any obligation to repair or maintain same or to provide for snow removal therefrom until such time as the construction of a residence is undertaken on Parcel Three. When said construction is begun the owners/titleholders of Parcel Three will equally share above expenses with owners/titleholders of Parcel Two, except that damage to the existing driveway which is the result of construction vehicles entering upon or leaving Parcel Three shall be immediately repaired by the owners/titleholders of Parcel Three at their expense.
- B. The owners/titleholders of either Parcel Two or Parcel Three may at their own expense improve, remake, upgrade, or replace the driveway located within the Easement Premises. Such work may include curbing, regrading, introducing aggregate materials and asphalt topping. Notice of the proposed work together with a drawing, a list of specifications, expected cost, time period from commencement to completion and the selected contractors and materialmen shall be provided to the owners/titleholders of the other parcel no less than 45 days from the date of commencement. In the event that an owner/titleholder has any reasonable objection(s) to the proposed work, he shall provide written notice of such reasonable objection(s) to the other owner/titleholder within a reasonable period of time after receipt of such notice but not later than 25 days prior to the proposed commencement date of work. The work shall not be commenced until agreement has been reached by the owners/titleholders. In the event that an agreement can not be reached by the owners/titleholders of Parcel Two and Parcel Three, such dispute shall be settled by arbitration in the city of Chicago, Illinois upon application or submission by either party to the American Arbitration Association ("Association") for binding arbitration under the Association's rules. Upon completion of said work the owners/titleholders of the uninvolved parcel shall be provided with evidence of paid receipts for the work within 30 days, together with appropriate waivers of lien from all contractors, subcontractors and materialmen.

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- C. Work performed within the Easement Premises shall be undertaken and carried out with the least inconvenience to the uninvolved parties and with the least practicable removal or damage to existing trees and shrubs. It is provided however, that a number of trees and shrubs will be removed or damaged to complete, improve, remake, upgrade or replace said driveway to and upon Parcel Three. Care shall be exercised to allow for the installation of public utilities and cable tv or other communication signals and equipment and to see the said elements are not damaged as a result of any work performed under authority given under this instrument.
- D. The owners/titleholders of both Parcel Two and Parcel Three shall not interfere with or obstruct access to and the use of any driveway located within the Easement Premises, nor shall they encourage or allow for the parking of any vehicles belonging to them or their invitees, except temporarily for purposes of loading or unloading.
- E. In no event shall the Easement Premises be utilized for ingress and egress by persons and/or motor vehicles except for the benefit of Parcel Two and Parcel Three.



LAWYERS TITLE INSURANCE CORPORATION  
10 SOUTH DEARBORN, SUITE 3250  
CHICAGO, ILLINOIS 60603-2093

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## SCHEDULE A

### PARCEL TWO:

THAT PART OF THE SOUTHEAST 1/4 (EXCEPT THE EAST 28 ACRES AND EXCEPT THE NORTH 110 FEET THEREOF) OF THE NORTHWEST 1/4 OF SECTION 5, TOWNSHIP 42 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SAID EAST 28 ACRES AND RUNNING THENCE NORTH ALONG THE WEST LINE OF SAID EAST 28 ACRES 862.68 FEET TO THE PLACE OF BEGINNING; THENCE CONTINUING NORTH ALONG THE LAST DESCRIBED COURSE, 142.40 FEET; THENCE ON A 71 DEGREES 32 MINUTES 39 SECONDS ANGLE TO THE LEFT OF THE LAST DESCRIBED COURSE, 299.67 FEET; THENCE ON A 120 DEGREES 11 MINUTES 04 SECONDS ANGLE TO THE LEFT OF THE LAST DESCRIBED COURSE, 240.00 FEET; THENCE EAST 235.91 FEET TO THE PLACE OF BEGINNING IN COOK COUNTY, ILLINOIS;

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SCHEDULE 7

## PARCEL THREE:

THAT PART OF THE SOUTHEAST 1/4 (EXCEPT THE EAST 28 ACRES AND EXCEPT THE NORTH 110 FEET THEREOF) OF THE NORTHWEST 1/4 OF SECTION 5, TOWNSHIP 42 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SAID EAST 28 ACRES AND RUNNING THENCE NORTH ALONG THE WEST LINE OF SAID EAST 28 ACRES, 1005.08 FEET TO THE PLACE OF BEGINNING; THENCE ON A 71 DEGREES 32 MINUTES 39 SECONDS ANGLE TO THE LEFT OF THE LAST DESCRIBED COURSE, 299.67 FEET; THENCE NORTH AND PARALLEL WITH THE WEST LINE OF SAID EAST 28 ACRES, 109.06 FEET TO THE SOUTH LINE OF THE NORTH 110.00 FEET OF SAID SOUTHEAST 1/4; THENCE EAST ALONG THE AFORESAID SOUTH LINE, 284.25 FEET TO THE WEST LINE OF THE EAST 28 ACRES; THENCE SOUTH ALONG THE WEST LINE OF THE EAST 28 ACRES TO THE PLACE OF BEGINNING, IN COOK COUNTY, ILLINOIS

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## SCHEDULE A

### EASEMENT PREMISES:

#### Segment Three

A 30 foot ingress and egress easement running north-south along the east 30 feet of the parcel of land described as follows:

That part of the Southeast 1/4 (except the East 28 acres and except the North 110 feet thereof) of the Northwest 1/4 of section 5, Township 42 North, Range 19, East of the Third Principal Meridian, described as follows: Commencing at the Southwest corner of said East 28 acres and running thence North along the West line of said East 28 acres 262.68 feet to the place of beginning; thence continuing North along the last described course, 142.40 feet; thence on a 71 degree 32 minutes 19 seconds angle to the left of the last described course, 299.67 feet; thence on a 120 degrees 11 minutes 04 seconds angle to the left of the last described course, 260.00 feet; thence East 235.91 feet to the place of beginning, in Cook County, Illinois.

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