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VILLAGE OF
ORLAND PARK
STATE OF ILLINOIS,
COUNTY OF COOK

Official Business Of The
Village Of Orland Park
~~Janet Patsche~~ Attorney
14700 Ravinia Ave.
Orland Park, IL 60462

95270933

CERTIFICATION

This document is being recorded
on behalf of James V. Dodge, Jr.,
Village Clerk of the Village of
Orland Park, 14700 Ravinia Ave.
Orland Park, Illinois 60462

DEPT-01 RECORDING \$41.00
T6666 TRAN 1536 04/25/95 09:56:00
\$1859 + LC *--95-270933
COOK COUNTY RECORDER

I, James V. Dodge, Jr., DO HEREBY CERTIFY that I am the duly elected and qualified Village Clerk of the Village of Orland Park, Illinois, and as such Village Clerk I am the keeper of the minutes and records of the proceedings of the Board of Trustees of said Village and have in my custody the ordinances and books of the records of said Village.

I DO FURTHER CERTIFY that the attached and foregoing is a true and correct copy of

Ordinance No: 2725

I DO FURTHER CERTIFY that the original Ordinance of which the foregoing is a true copy is entrusted to my care for safekeeping and that I am the lawful keeper of the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the Village Of Orland Park aforesaid, at the said Village, in the County and State aforesaid, this 17th day of April, 1995.

Address: 17900 S. 108th Ave., Orland Park, IL 60462
P.I.N.: 27-32-400-024
27-32-301-008
27-32-301-009



James V. Dodge, Jr.
James V. Dodge, Jr., Village Clerk

95270933

Handwritten initials: H/CC

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LEWIS & CLARK

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VILLAGE OF
ORLAND PARK
STATE OF ILLINOIS, COUNTY OF COOK

Ordinance No: 2725

File No: 950176

ORDINANCE AUTHORIZING THIRD AMENDMENT TO ANNEXATION
AGREEMENT (CLEARVIEW SOUTH/EAGLE RIDGE)

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VILLAGE OF ORLAND PARK
COOK COUNTY, ILLINOIS

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Published in pamphlet form this April 18, 1995, by authority of the President and Board of Trustees of the Village of Orland Park, Cook County, Illinois.

17900 SOUTH 108TH AVENUE

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VILLAGE OF
ORLAND PARK
STATE OF ILLINOIS, COUNTY OF COOK

ORDINANCE NO: 2725

ORDINANCE AUTHORIZING THIRD AMENDMENT TO ANNEXATION AGREEMENT (CLEARVIEW SOUTH/EAGLE RIDGE)

WHEREAS, the Corporate Authorities of the Village of Orland Park, Cook County, Illinois, did hold a public hearing on April 17, 1995, to consider a proposed amendment to the Annexation Agreement dated April 18, 1988, entitled "THIRD AMENDMENT TO ANNEXATION AGREEMENT (CLEARVIEW SOUTH/EAGLE RIDGE)," a true and correct copy of which is attached hereto and made a part hereof as EXHIBIT 1; and

WHEREAS, public notice in the form, manner and time required by law was given of said public hearing by publication not more than 30 days nor less than 15 days prior to said hearing in The Orland Park Star and The Daily Southtown, newspapers of general circulation in this Village; and

WHEREAS, all persons desiring an opportunity to be heard were given such opportunity at said public hearing; and

WHEREAS, the Corporate Authorities of the Village of Orland Park, Cook County, Illinois, have determined that it is in the best interests of said Village of Orland Park that said Agreement be entered into by the Village of Orland Park;

NOW, THEREFORE, Be It Ordained by the President and Board of Trustees of the Village of Orland Park, Cook County, Illinois, as follows:

SECTION 1

This President and Board of Trustees of the Village of Orland Park hereby find that it is in the best interests of the Village of Orland Park and its residents that the aforesaid "THIRD AMENDMENT TO ANNEXATION AGREEMENT (CLEARVIEW SOUTH/EAGLE RIDGE)," be entered into and executed by said Village of Orland Park with said Agreement to be substantially in the form attached hereto and made a part hereof as EXHIBIT 1.

SECTION 2

The President and Clerk of the Village of Orland Park, Cook County, Illinois, are hereby authorized to execute for and on behalf of said Village of Orland Park the

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STATE OF ILLINOIS, COUNTY OF COOK

aforesaid Agreement; provided, however, that all of the other parties to said Agreement have properly signed and executed the same.

SECTION 3

This Ordinance shall take effect from and after its passage and approval in the manner provided by law.

PASSED this April 17, 1995.

/s/ James V. Dodge, Jr.
VILLAGE CLERK

VOTING AYE: 5 - Trustee O'Halloran, Dubelbeis, Della Croce, Murphy, Fenton

VOTING NAY: 0

ABSENT: 2 - Trustee Vogel and President McLaughlin

ABSTAINED: NONE

DEPOSITED in my office this April 17, 1995.

/s/ James V. Dodge, Jr.
VILLAGE CLERK

APPROVED this April 17, 1995.

/s/ Daniel J. McLaughlin
VILLAGE PRESIDENT

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VILLAGE OF
ORLAND PARK
STATE OF ILLINOIS, COUNTY OF COOK

PUBLISHED this April 18, 1995.

/s/ James V. Dodge, Jr.

VILLAGE CLERK

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AGREEMENT: **UNOFFICIAL COPY**

THIS AGREEMENT, made and entered into this 17th day of April, 1995, by and between the VILLAGE OF ORLAND PARK, an Illinois Municipal Corporation, hereinafter called "VILLAGE" and BREMEN BANK AND TRUST (NOW KNOWN AS HERITAGE TRUST COMPANY), AS TRUSTEE UNDER TRUST AGREEMENT DATED APRIL 3, 1979, AND KNOWN AS TRUST NUMBER 79-1432, hereinafter called "OWNER OF RECORD."

WITNESSETH:

WHEREAS, on April 18, 1988, a certain Annexation Agreement between the VILLAGE OF ORLAND PARK and the title holders of record preceding in time the OWNER OF RECORD was executed; and

WHEREAS, said Annexation Agreement related to the following described real estate:

PARCEL 1:

THE EAST ONE-HALF OF THE SOUTHWEST QUARTER OF SECTION 32, TOWNSHIP 36 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

PARCEL 2:

THE SOUTHEAST QUARTER OF SECTION 32, TOWNSHIP 36 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS (EXCEPT THE NORTH 200 FEET OF THE WEST 230 FEET THEREOF).

PARCEL 3:

THE NORTH 200 FEET OF THE WEST 230 FEET OF THE SOUTHEAST 1/4 OF SECTION 32, TOWNSHIP 36 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

Address: 17900 S. 108th Avenue, Orland Park, Illinois



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P.I.N.: 27-32-00-024
27-32-301-008
27-32-301-009

WHEREAS, said Annexation Agreement was first amended by agreement of the parties in August of 1989, and was again amended by agreement of the parties in January of 1990; and

WHEREAS, pursuant to the terms of said Annexation Agreement and the 1989 amendment, the real estate therein described was annexed to the Village of Orland Park, Illinois; and

WHEREAS, OWNER OF RECORD desires that the original term of the Annexation Agreement be extended for a period of one (1) year from April 18, 1995, to April 18, 1996; and

WHEREAS, the VILLAGE is agreeable to the extension of the effective term of said Annexation Agreement, as amended; and

WHEREAS, pursuant to the provisions of the Statutes of the State of Illinois, the corporate authorities of the VILLAGE have duly fixed a time for and held a public hearing upon this Third Amendment to Annexation Agreement and have given notice of said public hearing; and

WHEREAS, the public hearing was held on April 17, 1995, as required by law; and

WHEREAS, the corporate authorities of the VILLAGE have considered this Third Amendment to Annexation Agreement and have determined that the best interests of the VILLAGE will be served by this Third Amendment to Annexation Agreement.

NOW, THEREFORE, for and in consideration of the foregoing and for other good and valuable considerations, the receipt whereof is hereby acknowledged, it is agreed by and between the parties hereto as follows:

SECTION 1

This Third Amendment and the provisions herein shall be applicable to and relate to the property legally described above.

SECTION 2

Unless otherwise notified in writing, all notices, requests and demands shall be in writing and shall be personally delivered to or mailed by United States certified mail, postage prepaid and return receipt requested, as follows:

For the VILLAGE:

1. Daniel J. McLaughlin
Village President
14700 South Ravinia Avenue
Orland Park, Illinois 60462
2. James V. Dodge, Jr.
Village Clerk
14700 South Ravinia Avenue

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Orland Park, Illinois 60462

3. E. Kenneth Friker
Village Attorney
Klein, Thorpe and Jenkins, Ltd.
9533 W. 143rd Street
Orland Park, Illinois 60462

For the Owner:

1. Heritage Trust Company as Trustee
under Trust No. 79-1432
17500 S. Oak Park Avenue
Tinley Park, Illinois 60477
2. Clearview Construction Company
c/o Harry L. DeBruyn
DeBruyn, Taylor and DeBruyn, Ltd.
15252 S. Harlem Avenue
Orland Park, Illinois 60462

or such other addresses that any party hereto may designate in writing to the other parties pursuant to the provisions of this Section.

SECTION 3

That notwithstanding any dates or periods of time set forth in said Amended Annexation Agreement of April 18, 1988, or as thereafter amended to the contrary, the remaining provisions of said Amended Annexation Agreement will not be changed without the consent of the parties hereto, or their successors, prior to April 18, 1996.

IN WITNESS WHEREOF, the parties hereto, pursuant to the authority in each vested according to law and pursuant to duly enacted ordinances and resolutions of the corporate authorities or Board of Directors, respectively, have hereunto caused this document to be signed by its duly authorized officers and the corporate seals to be properly affixed hereto.

VILLAGE OF ORLAND PARK, an Illinois Municipal Corporation

By: Bernard Murphy
~~Village President~~ Mayor Pro Tem

ATTEST:

Jan V. Dwyer
Village Clerk

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BREMEN BANK AND TRUST (NOW KNOWN AS
HERITAGE TRUST COMPANY), NOT PERSONALLY
BUT AS TRUSTEE UNDER TRUST AGREEMENT DATED
APRIL 3, 1979, AND KNOWN AS TRUST
NUMBER 79-1432

By: [Signature]
Trustee

ATTEST:
[Signature]
Secretary

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It is expressly understood and agreed, and between the parties hereto, anything herein to the contrary notwithstanding, that each and all of the warranties, indemnities, representations, covenants, undertakings and agreements herein made on the part of the Trustee while in force, purporting to be the warranties, indemnities, representations, covenants, undertakings and agreements of said Trustee, shall nevertheless, with all the force and effect intended not as personal warranties, indemnities, representations, covenants, undertakings and agreements of said Trustee for the purpose of binding said Trustee, but as warranties and indemnities for the account of only that person or persons or entity or entities specifically described herein, and the instrument is hereby disavowed by said Trustee not in its own right but solely in the name of said person or persons or entity or entities, and that no personal liability shall be incurred by the Trustee at any time by execution or collection against Heritage Trust Company, under said Trust Agreement on account of this instrument or on account of any warranty, indemnity, representation, covenant, undertaking or agreement of the said Trustee in this instrument contained, either expressed or implied, all such personal liability, if any, being expressly waived and released.

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BREMEN BANK AND TRUST (NOW KNOWN AS
HERITAGE TRUST COMPANY), NOT PERSONALLY
BUT AS TRUSTEE UNDER TRUST AGREEMENT DATED
APRIL 3, 1979, AND KNOWN AS TRUST
NUMBER 79-1432

By: [Signature]
The Trustee

ATTEST:
[Signature]
Secretary

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It is expressly understood and agreed by and between the parties hereto, anything herein to the contrary notwithstanding, that each and all of the warranties, inclusions, representations, covenants, undertakings and agreements herein made on the part of the Trustee while in form purporting to be the warranties, inclusions, representations, covenants, undertakings and agreements of said Trustee, are hereby acknowledged as, in every one of them, made and intended not as warranties, inclusions, representations, covenants, undertakings and agreements of said Trustee, but as the purchase and intended for the purchase of only that portion of the Trustee's property as herein described herein, and the instrument is hereby acknowledged by said Trustee not in its own right, but in the capacity of Trustee of the real estate as such Trustee, and that no personal liability shall be incurred by said Trustee at any time as incurred or enforceable against Heritage Trust Company, under said Trust Agreement or account of this instrument or on account of any warranty, inclusion, representation, covenant, undertaking or agreement of the said Trustee in this instrument contained, either expressed or implied, on such personal liability, if any, being expressly waived and released.

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ACKNOWLEDGEMENTS

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STATE OF ILLINOIS)
) SS
 COUNTY OF COOK)

I, the undersigned, a Notary Public, in and for the County and State aforesaid, DO HEREBY CERTIFY that BERNARD MURPHY, personally known to me to be the President Pro-tem of the Village of Orland Park, and JAMES V. DODGE, JR., personally known to me to be the Village Clerk of said municipal corporation, 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 as such President and Village Clerk, they signed and delivered the said instrument and caused the corporate seal of said municipal corporation to be affixed thereto, pursuant to authority given by the Board of Trustees of said municipal corporation, as their free and voluntary act and as the free and voluntary act and deed of said municipal corporation, for the uses and purposes therein set forth.

GIVEN under my hand and official seal, this 18th day of April, 1995.

Dorothy Fiene
 NOTARY PUBLIC

Commission expires _____, 199__.

OFFICIAL SEAL
 DOROTHY FIENE
 Notary Public, State of Illinois
 My Commission Expires 11-06-96

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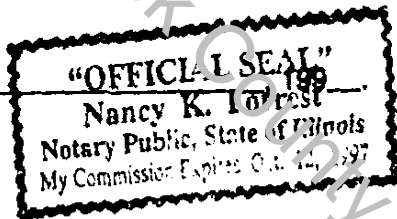
STATE OF ILLINOIS)
) SS
COUNTY OF COOK)

I, the undersigned, a Notary Public in and for the County and State aforesaid, DO HEREBY CERTIFY that the above-named Cynthia T. Siken and Lynda A. Hunt of the BREMEN BANK AND TRUST (NOW KNOWN AS HERITAGE TRUST COMPANY) NOT PERSONALLY BUT AS TRUSTEE UNDER TRUST AGREEMENT DATED APRIL 3, 1979, AND KNOWN AS TRUST NUMBER 79-1432, personally known to me to be the same persons whose names are subscribed to the foregoing instrument as such Vice President and Asst. Secretary respectively, appeared before me this day in person and acknowledged that they signed and delivered the said instrument as their own free and voluntary act and as the free and voluntary act of said Bank for the uses and purposes therein set forth; and the said Vice President then and there acknowledged that said Asst. Secretary, as custodian of the corporate seal of said Bank caused the corporate seal of said Bank to be affixed to said instrument as said Asst. Secretary's own free and voluntary act and as the free and voluntary act of said Bank for the uses and purposes therein set forth.

GIVEN under my hand and Notary Seal this 13th day of April, 1995.

Nancy K. Forrest
NOTARY PUBLIC

Commission expires _____



Clerk's Office
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