

# UNOFFICIAL COPY

## COVENANT

Known by men by these presents that the undersigned, First Bank and Trust Company of Illinois, not individually, but as Trustee under the provisions of a Trust Agreement, dated July 27, 1994, and known as Trust No. 10-1848, holder as Trustee as aforesaid of the title to the

property legally described on Exhibit A attached hereto, and commonly known as 3940 North Janssen, Chicago, Illinois, does hereby covenant and agree for itself, its successors and assigns, that the maintenance and repair of the common sewer lines located anywhere on the property from the point of connection to the sewer main in the public street shall be the responsibility of the owner so the seven (7) single family condominium townhomes to be constructed as approved by the City of Chicago, as amended from time to time, and shall not be the responsibility of the City of Chicago. The undersigned further states that this covenant shall run with the land and shall be binding upon and inure to all subsequent grantees. This covenant is made to induce the City of Chicago to furnish sewer and water service to the above described premises.

This instrument is executed by First Bank and Trust Company of Illinois, 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 First Bank and Trust Company of Illinois 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 First Bank and Trust Company of Illinois by reason of any of the terms, provisions, stipulations, covenants and/or statements contained in this instrument.

Dated this 27TH day of MAY, 1995.

First Bank and Trust Company of Illinois, not individually, but as Trustee under Trust Agreement, dated July 27, 1994, and known as Trust No. 10-1848

SEE RIDER CONTAINING TRUSTEE'S EXCULPATORY CLAUSE WHICH IS MADE A PART HEREOF.

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

Title: \_\_\_\_\_

This document prepared by and return to:

Bradley D. Kaplan  
Masuda, Funai, ~~Barrett~~ & Mitchell Ltd.  
One East Wacker, Suite 3200, MA  
Chicago, Illinois 60601-2002

Dubin & Associates  
1372 W. Huron  
Chicago, Illinois 60606  
Allen M. Lenzini

2550  
2500

95372299

95372299

10-1848-1000 \$25.50  
10-1848-1001 \$25.50  
10-1848-1002 \$25.50  
10-1848-1003 \$25.50

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This COVENANT DATED MAY 23, 1995 REGARDING PROPERTY LOCATED AT 3940 NORTH  
JANSSEN, CHICAGO, ILLINOIS 60613

is executed by First Bank and Trust Company of Illinois (formerly known as First Bank and Trust Co., Palatine, Illinois), not personally, but solely as Trustee under and pursuant to that certain Trust Agreement hereinafter described and the Trustee does not obligate itself hereunder, anything herein contained to the contrary notwithstanding, to the performance of any of the terms, conditions and representations made and contained in the within instrument, it being specifically understood by any and all parties dealing with this instrument that said Trustee has affixed its signature hereto as such Trustee by direction in behalf of the beneficiary or beneficiaries under the said Trust without any intention of binding the said Trustee in its individual capacity. The Trustee has no knowledge of the factual matters herein contained and all agreements, conditions and representations are made solely upon the direction in behalf of the beneficiary or beneficiaries as aforesaid, and no personal liability shall be asserted to be enforceable against said Bank by reason hereof or thereof, all such personal liability, if any, being expressly waived and released.

IN WITNESS WHEREOF, First Bank and Trust Company of Illinois (formerly known as First Bank and Trust Co., Palatine, Illinois) not personally, but as Trustee under the provisions of a Trust Agreement dated JULY 27, 1994 and known as Trust Number 10-1848, has caused these present to be signed by its Assistant Trust Officer and Assistant Trust Officer, and its corporate seal to be hereunto affixed and attested by its Assistant Trust Officer this 23RD day of MAY, 1995.

FIRST BANK AND TRUST COMPANY OF ILLINOIS  
(formerly known as First Bank and Trust Company,  
Palatine, Illinois), as Trustee under Trust Number  
10-1848 and not individually.

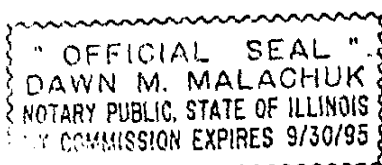
BY: [Signature]  
Assistant Trust Officer

ATTEST: [Signature]  
Assistant Trust Officer

STATE OF ILLINOIS )  
                          ) SS  
COUNTY OF COOK    )

I DAWN M. MALACHUK, a Notary Public in and for said County in the State aforesaid, DO HEREBY CERTIFY THAT MICHAEL J. KALITOWSKI, Assistant Trust Officer and BENJAMIN D. DOBREI, Assistant Trust Officer, of First Bank and Trust Company of Illinois (formerly known as First Bank and Trust Co., Palatine, Illinois), who are personally known to me to be the same persons whose names are subscribed to the foregoing instrument as such Assistant Trust Officer and Assistant Trust Officer, respectively, appeared before me this day in person and acknowledge that they signed and delivered the said instrument as their own free and voluntary act and as the free and voluntary act of said Company, as Trustee as aforesaid, for the uses and purposes then set forth; and the said Assistant Trust Officer, then and there acknowledge that he, as custodian of the corporate seal of said Company, did affix the corporate seal of said Company to said instrument as his own free and voluntary act as the free and voluntary act of said Company, as Trustee as aforesaid, for the uses and purposes therein set forth.

GIVEN under my hand and notarial seal, this 23RD day of MAY, 1995.



[Signature]  
NOTARY PUBLIC DAWN M. MALACHUK

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## EXHIBIT A

LOT 9 IN BLOCK 2 IN LAKEVIEW HIGH SCHOOL SUBDIVISION OF THE  
NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 20, TOWNSHIP 40  
NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK  
COUNTY, ILLINOIS

Permanent Index Number: 14-20-101-021-0000

Common Address: 3940 North Janssen  
Chicago, Illinois 60613

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01/2/2011

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