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This document prepared by
and after recording return to:

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DEPT-01 RECORDING \$37.50
T#7777 TRAN 1227 10/18/96 11:15:00
#1211 RH *-96-795815
COOK COUNTY RECORDER



(SPACE ABOVE LINE RESERVED FOR RECORDER'S USE)

DECLARATION OF EASEMENTS

THIS DECLARATION OF EASEMENTS ("Declaration") is made as of this 7th day of October, 1996, by William Lake Services, Inc., an Illinois corporation ("Declarant").

RECITALS:

A. Declarant owns certain real property commonly known as 7411 Lake Street, River Forest, Illinois, legally described on Exhibit A attached hereto and made a part hereof, and shown on Exhibit C attached hereto and made a part hereof (the "Original Property").

B. Declarant has purchased with the intent to develop certain real property commonly known as 7420 Central Avenue, River Forest, Illinois, legally described on Exhibit B attached hereto and made a part hereof, and shown on Exhibit C (together with the improvements located thereon, the "New Property"). The New Property is located directly adjacent to the Original Property. The current owner of the New Property, together with its successors, assigns and subsequent owners of the New Property, shall be referred to herein as the "New Property Owner".

C. Declarant has submitted a proposed development plan of the New Property as set forth in Declarant's Application for Planned Development ("PUD Application") submitted to the Village of River Forest in compliance with The River Forest Zoning Ordinance (Ord. 2640, 5-23-95) (as amended, the "Zoning Ordinance") under the Planned Development provisions of the Zoning Ordinance.

D. The Zoning Ordinance requires a total of 79 parking spaces on the New Property if it is built in accordance with the PUD Application. The PUD Application only provides for 56 parking spaces to be built on the New Property, but recognizes that there are at least 23 extra

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spaces on the Original Property which could be used to satisfy the requirements of the Zoning Ordinance.

E. The Village of River Forest has passed Ordinance No. 2678 granting a planned development permit to Declarant ("PUD Ordinance"), which has been recorded with the Cook County Recorder of Deeds as Document Number 96558567. As a condition to the passing of the PUD Ordinance and to the continued validity of the planned development permit and the PUD Ordinance, the Village of River Forest has required the Declarant to place a covenant running with the land allowing the New Property Owner, no matter who it may be, and its tenants, invitees, licensees and other visitors to the New Property to use 23 parking spaces located on the Original Property so that the New Property will comply with the parking requirements of the Zoning Ordinance.

AGREEMENTS:

NOW THEREFORE, in consideration of the foregoing recitals, which are hereby incorporated herein by this reference, and for other good and valuable consideration, the sufficiency of which is hereby acknowledged, the Original Property is hereby subjected to the provisions of this Declaration; the Original Property and the New Property shall each be owned, transferred, held, sold, conveyed and accepted subject to this Declaration, all the provisions of which shall be deemed to be covenants running with the land and which shall be binding upon and inure to the benefit of the owners, mortgagees and any other persons, having or acquiring any right, title or interest in the Original Property, the New Property or any portion of either property.

1. Easements. The New Property Owner, together with its invitees, lessees, licensees, employees, agents and other visitors to the New Property (the foregoing parties shall be referred to herein as the "Beneficiaries"), shall have a perpetual non-exclusive easement to use the 23 parking spaces shown on Exhibit C ("Easement Spaces") located on the Original Property for purposes of parking their automobiles or other motor vehicles. Beneficiaries shall also have an easement for pedestrian and vehicular access, ingress and egress to and from the Original Property and the Easement Spaces in order to be able to park in the Easement Spaces.

2. Unavailability of Easement Spaces. The Original Property Owner shall endeavor to keep the Easement Spaces and access thereto available for use by the Beneficiaries. However, if the Easement Spaces, or any of them, should be unavailable to Beneficiaries for use as parking spaces for any reason, Beneficiaries shall have a temporary easement, which shall expire when such unavailable Easement Spaces become available again, for pedestrian and vehicular access, ingress and egress to and from those parking spaces located on the Original Property which are closest to the Easement Spaces and the New Property so that Beneficiaries may use an equal number of parking spaces to the number of Easements Spaces temporarily unavailable. If Beneficiaries' access easement to the Easement Spaces is unavailable for any reason, Beneficiaries shall have a temporary easement over the Original Property for access, ingress and egress to and from the Easement Spaces which shall expire when access is restored.

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3. **Maintenance.** The owner of the Original Property (together with its successors, assigns and subsequent owners of the Original Property, the "Original Property Owner", and collectively with the New Property Owner referred to herein as the "Owners" or individually as an "Owner") shall be solely responsible for the cost of maintaining the Easement Spaces and the means of ingress and egress thereto located on the Original Property. If the Original Property Owner fails to perform said maintenance and if said failure adversely affects the Easement Spaces, then the New Property Owner may (but shall not be required to) (i) if no emergency exists, perform the same after giving thirty (30) days prior written notice to the Original Property Owner or (ii) in an emergency situation, perform the same without notice or delay, in which case written or telephonic notice shall be given to the Original Property Owner. The Original Property Owner shall, on demand, reimburse the New Property Owner for the reasonable costs thereof.

4. **Indemnity.** Each Owner shall indemnify, defend and hold harmless the other Owner and its employees, agents and contractors, from and against the liability, cost and expenses, including reasonable attorneys' fees and costs (including reasonable fees of in-house and/or staff counsel), arising from bodily injury to third parties and/or damage to the property of third parties that are occasioned in whole or in part by any act or omission of such Owner, its employees, agents, contractors, tenants, subtenants, concessionaires or licensees.

5. **Binding on the Land.** The easements and rights-of-way herein granted and the benefits and burdens created hereby are perpetual and are appurtenant to and run with the title to the Original Property and the New Property. In the event that the New Property or the Original Property or a portion either property is sold, the grantee of such sold land shall become responsible for the obligations hereunder with regard to its land, including, without limitation, the indemnification and maintenance obligations hereunder.

6. **Enforcement.** Enforcement of the easements, covenants and restrictions contained in this Declaration by the Declarant, the New Property Owner or the Original Property Owner shall be by any proceeding at law or in equity against any person or persons violating or attempting to violate any such easement right, either to restrain violation or to recover damages. The Village of River Forest shall have the right, but not the obligation, to enforce the terms and provisions hereof in accordance with this section. Failure by the Village of River Forest, Declarant or any New Property Owner to enforce any easement right shall in no event be deemed a waiver of the right to do so at a later time.

7. **Severability.** Invalidation of all or any portion of any of the covenants, conditions and restrictions imposed by this Declaration, by legislation, judgment or court order shall in no way affect any other provisions of this Declaration, all of which shall remain effective.

8. **Notices.** All notices and demands required or permitted under this Declaration shall be in writing and hand delivered to the property manager of the Owner located on the property.

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9. Modification or Amendment. The provisions of this Declaration may be abrogated, modified, rescinded or amended in whole or in part (i) only if after such change, this Declaration complies with the requirements of the PUD Ordinance and (ii) only with the consent of the New Property Owner, the Original Property Owner and the Village of River Forest by written instrument executed and acknowledged by the Owners, and duly recorded in the public real property records of the county in which the property is situated.

IN WITNESS WHEREOF, the Declarant has caused this Declaration to be executed as of the date first above written.

DECLARANT:

WILLIAM-LAKE SERVICES, INC., an Illinois corporation

By: David M. Celero

Name: DAVID M. CELERO

Its: Assistant Secretary/Treasurer

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Acknowledgement

STATE OF ILLINOIS)
) SS.
 COUNTY OF COOK)

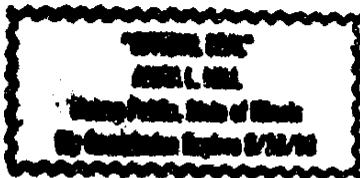
I, the undersigned, a Notary Public, in and for the County and State aforesaid, DO HEREBY CERTIFY, that David M. Cecero, personally known to me to be the Asst. Secretary/Treasurer of WILLIAM-LAKE SERVICES, INC., an Illinois corporation and the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that he signed and delivered the said instrument as his free and voluntary act and as the free and voluntary act of said corporation for the uses and purposes therein set forth.

Subscribed and sworn to before me this 7th day of October, 1996.

Lueta L. Lipp

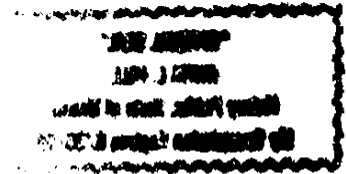
 Notary Public
 Commission Expires 8/30/98

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EXHIBIT A

Legal Description of Original Property

PARCEL 1:

THAT PART OF THE NORTHEAST 1/4 OF SECTION 12, TOWNSHIP 39 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF THE WEST 1/2 OF THE NORTHEAST 1/4 OF SAID SECTION 12, THENCE NORTH ALONG THE EAST LINE OF SAID WEST 1/2 OF THE NORTHEAST 1/4, 336 1/2 FEET TO A POINT WHICH IS 247 1/2 FEET SOUTH OF THE CENTER LINE OF LAKE STREET AS A PLACE OF BEGINNING, THENCE NORTH ALONG SAID EAST LINE 247 1/2 FEET TO THE CENTER LINE OF LAKE STREET, THENCE WEST ALONG THE CENTER LINE OF LAKE STREET 296 FEET; THENCE SOUTH PARALLEL WITH THE SAID EAST LINE 247 1/2 FEET; THENCE EAST 296 FEET TO THE PLACE OF BEGINNING (EXCEPTING FROM SAID TRACT THOSE PORTIONS THEREOF FALLING IN STREETS AND HIGHWAYS), IN COOK COUNTY, ILLINOIS.

PARCEL 2:

THAT PART OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 12, TOWNSHIP 39 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, BOUNDED AND DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE EAST LINE OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION, 63.88 FEET NORTH OF THE SOUTH LINE OF SAID NORTHEAST 1/4, SAID POINT BEING AT THE INTERSECTION OF THE NORTH LINE OF THE RIGHT OF WAY OF THE CHICAGO AND NORTHWESTERN RAILROAD COMPANY WITH THE EAST LINE OF SAID SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION; THENCE NORTH ALONG THE EAST LINE OF SAID SOUTHWEST 1/4 OF SAID NORTHEAST 1/4 OF SAID SECTION, 50 FEET AND THENCE CONTINUING NORTH ALONG THE EAST LINE OF SAID SOUTHWEST 1/4 OF SAID NORTHEAST 1/4 OF SAID SECTION, 221.40 FEET TO A POINT 271.40 FEET NORTH OF SAID POINT OF BEGINNING, SAID POINT BEING AT A POINT 247.5 FEET SOUTH OF THE CENTER LINE OF LAKE STREET; THENCE WEST ON A LINE 247.5 FEET SOUTH OF AND PARALLEL TO THE CENTER LINE OF LAKE STREET, FOR A DISTANCE OF 246.52 FEET AND THENCE SOUTH 217.71 FEET TO THE NORTH LINE OF CENTRAL AVENUE AT A POINT 248.67 FEET WEST OF THE EAST LINE OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 12; THENCE CONTINUING SOUTH ON A PROLONGATION OF THE LAST DESCRIBED LINE TO THE SAID NORTH LINE OF THE RIGHT OF WAY OF SAID CHICAGO AND NORTHWESTERN RAILROAD COMPANY; THENCE EAST ALONG THE NORTH LINE OF SAID RIGHT OF WAY TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS.

Commonly known as 7411 Lake Street, River Forest, Illinois.

Pin. Nos: 15-12-220-010
15-12-220-029

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EXHIBIT B

Legal Description of New Property

THAT PART FOR THE FOLLOWING DESCRIBED TRACT OF LAND LYING EAST OF A LINE DRAWN PERPENDICULAR TO THE NORTH LINE OF THE SOUTH 50.00 FEET OF SAID TRACT (BEING THE NORTH LINE OF CENTRAL AVENUE) AND THROUGH A POINT ON SAID NORTH LINE THAT IS 225.25 FEET WEST, (AS MEASURED ALONG SAID NORTH LINE), OF THE EAST LINE OF SAID TRACT AND LYING NORTH OF AND ADJOINING THE NORTH LINE OF SAID SOUTH 50.00 FEET THEREOF, SAID TRACT OF LAND BEING DESCRIBED AS:

THAT PART OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 12, TOWNSHIP 39 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, BOUNDED AND DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE EAST LINE OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION, 63.88 FEET NORTH OF THE SOUTH LINE OF SAID NORTHEAST 1/4 SAID POINT BEING AT THE INTERSECTION OF THE NORTH LINE OF THE RIGHT OF WAY OF THE CHICAGO AND NORTHWESTERN RAILWAY COMPANY WITH THE EAST LINE OF THE SAID SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION; THENCE NORTH ALONG THE EAST LINE OF SAID SOUTHWEST 1/4 OF SAID NORTHEAST 1/4 OF SAID SECTION 271.4 FEET; THENCE WEST AND PARALLEL WITH THE SOUTH LINE OF SAID SOUTHWEST 1/4 OF SAID NORTHEAST 1/4 OF SAID SECTION TO A POINT 575 1/2 FEET EAST OF THE WEST LINE OF SAID NORTHEAST 1/4 OF SAID SECTION; THENCE SOUTH PARALLEL WITH THE WEST LINE OF SAID NORTHEAST 1/4 OF SAID SECTION TO SAID NORTH LINE OF THE RIGHT OF WAY OF SAID CHICAGO AND NORTHWESTERN RAILWAY COMPANY; THENCE EAST ALONG THE NORTH LINE OF SAID RIGHT OF WAY TO THE PLACE OF BEGINNING (EXCEPTING THEREFROM ANY PORTION OF SAID PREMISES LYING NORTH OF A LINE 15 RODS SOUTH OF AND PARALLEL TO THE CENTER LINE OF LAKE STREET), AND EXCEPT THAT PART DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE EAST LINE OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION, 63.88 FEET NORTH OF THE SOUTH LINE OF SAID NORTHEAST 1/4, SAID POINT BEGINNING AT THE INTERSECTION OF THE NORTH LINE OF THE RIGHT OF WAY OF THE CHICAGO AND NORTHWESTERN RAILROAD COMPANY WITH THE EAST LINE OF SAID SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION; THENCE NORTH ALONG THE EAST LINE OF SAID SOUTHWEST 1/4 OF SAID NORTHEAST 1/4 OF SAID SECTION, 50 FEET AND THENCE CONTINUING NORTH ALONG THE EAST LINE OF SAID SOUTHWEST 1/4 OF SAID NORTHEAST 1/4 OF SAID SECTION, 221.40 FEET TO A POINT 271.40 FEET NORTH OF SAID POINT OF BEGINNING, SAID POINT BEING A POINT 247.5 FEET SOUTH OF THE CENTER LINE OF LAKE STREET; THENCE WEST ON A LINE 247.5 FEET SOUTH OF AND PARALLEL TO THE CENTER LINE OF LAKE STREET, FOR A DISTANCE OF 246.52 FEET AND THENCE SOUTH 217.71 FEET TO THE NORTH LINE OF CENTRAL AVENUE AT A POINT 248.67 FEET WEST OF THE EAST LINE OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 12; THENCE CONTINUING SOUTH ON A PROLONGATION OF THE LAST DESCRIBED LINE TO THE SAID NORTH LINE OF THE RIGHT OF WAY OF SAID CHICAGO AND NORTHWESTERN RAILROAD COMPANY; THENCE EAST ALONG THE NORTH LINE OF SAID RIGHT OF WAY TO THE POINT OF BEGINNING), ALSO (EXCEPT THE SOUTH 50 FEET, USED FOR CENTRAL AVENUE) IN COOK COUNTY, ILLINOIS.

Commonly known as 7420 Central Avenue, River Forest, Illinois.

PIN NO: 15-12-220-028

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EXHIBIT C

Easement Spaces

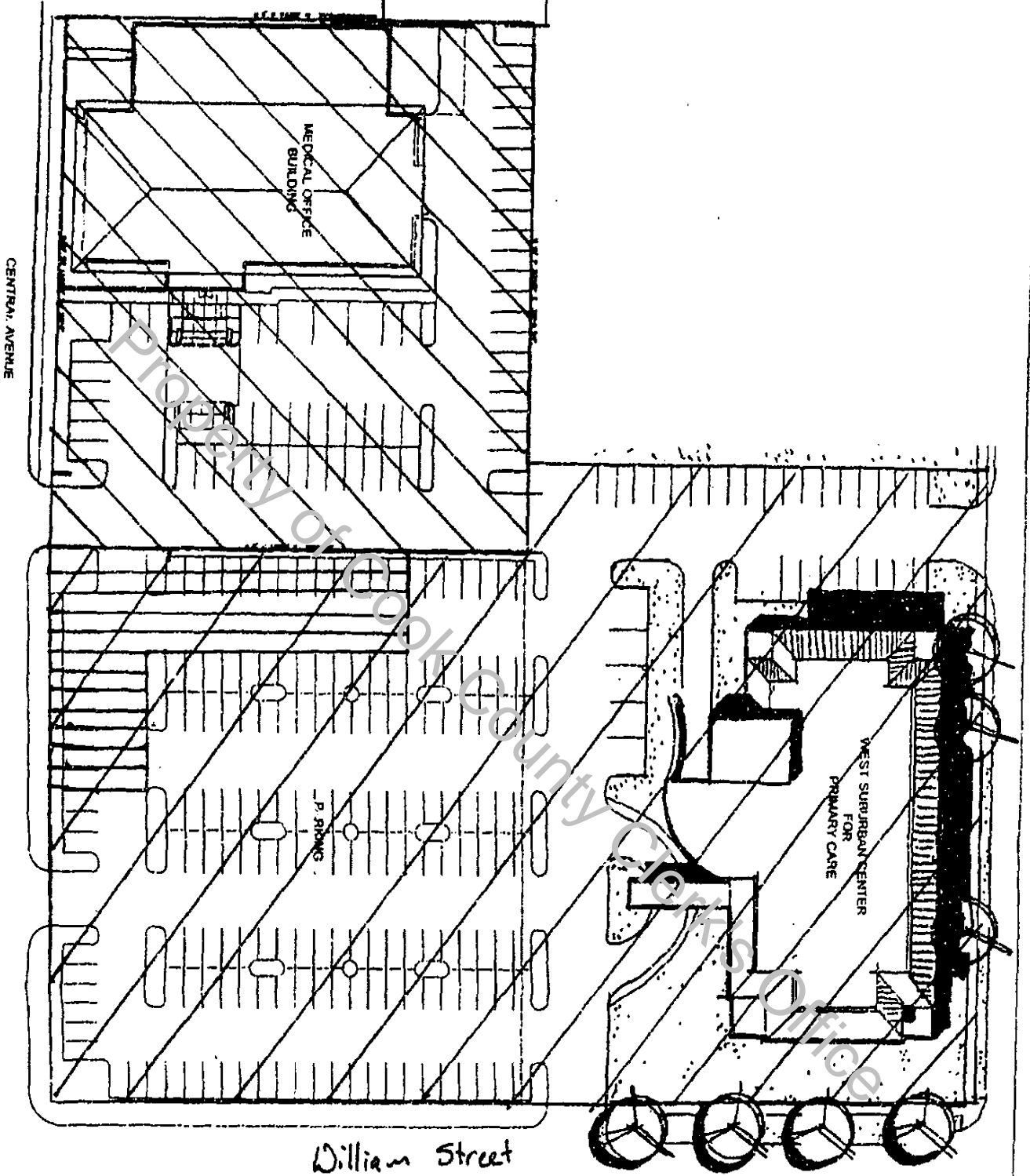
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UNOFFICIAL EXHIBIT C

Easement Spaces



Key/Legend:
[Diagonal hatched box] = New Property
[Solid box] = Original Property
[Cross-hatched box] = Easement Spaces and area thereof

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