

DECLARATION

Know all men by these present that the undersigned, LakeShore-Chatham L.L.C. not individually but as Manager of The Heritage Place L.L.C., holder of the title to the property legally described on **Exhibit A** attached hereto does hereby covenant and agree for itself, its successors and assigns:

(a) 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 owners of the twenty four existing townhomes and (72) single family homes 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 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 LakeShore-Chatham L.L.C., as Manager of The Heritage Place L.L.C., in the exercise of power and authority conferred upon and vested in it as such manager. All the terms and provisions, stipulations, covenants and conditions to be performed by LakeShore-Chatham L.L.C., are undertaken by it solely as Manager of The Heritage Place L.L.C., 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 LakeShore-Chatham L.L.C. by reason of any of the terms, provisions, stipulations, covenants and/or statements contained in this instrument.

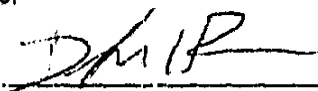
The Heritage Place L.L.C.

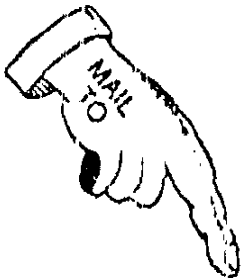
By: LakeShore-Chatham, L.L.C.

Its: Manager

By: LakeShore Development &
Construction Company

Its: Manager

By: 
Its: President



This document prepared by and returned to: D. Lyneir Richardson, LakeShore-Chatham L.L.C.,
555 W. Jackson, Suite 250, Chicago, IL 60661

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TRI-SURVEY, INC.

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CONSTRUCTION & LAND SURVEYORS

3028 CENTRAL ROAD

GLENVIEW, IL 60025

FENCE IS
& 1.10'S

PHONE NO.S: 847/486-1353

847/486-1354

CENTER LINE OF BRICK POST

FAX: 847/486-1148

FENCE IS 5.48'S & 0.50' W

ALTA / ACSM LAND TITLE SURVEY

THE FOLLOWING ARE PARCELS OF LAND TAKEN AS A SINGLE TRACT OF LAND:

PARCEL 1:

20-35-321-013-0000

THE NORTH 664.68 FEET OF THAT PART LYING EAST OF THE 100 FOOT RIGHT OF WAY OF THE NEW YORK, CHICAGO, AND ST. LOUIS RAILROAD COMPANY OF THE SOUTHWEST 1/4 OF SECTION 35, TOWNSHIP 38 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

LSO

PARCEL 2:

TRIANGULAR PIECE OF LAND AT THE SOUTHWEST CORNER THEREOF DESCRIBED AS FOLLOWS: BEGINNING AT THE POINT OF INTERSECTION OF THE EAST LINE OF THE 100 FOOT RIGHT OF WAY OF SAID RAILROAD WITH THE SOUTH LINE OF THE NORTH 664.68 FEET OF THE SOUTHWEST 1/4 OF SAID SECTION 35, THENCE SOUTHERLY ALONG SAID RIGHT OF WAY 100 FEET, THENCE NORTHEASTERLY IN A STRAIGHT LINE 167.5 FEET TO A POINT IN THE SOUTHWEST CORNER OF THE NORTH 664.68 FEET OF SAID SOUTHWEST 1/4 OF SAID SECTION 35, THENCE EASTERLY ALONG SAID LINE 75 FEET TO POINT OF BEGINNING IN SECTION 35, TOWNSHIP 38 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

(EXCEPTING FROM THE AFORESAID TRACT OF LAND THOSE PARTS THEREOF FALLING WITHIN THE FOLLOWING:

LOTS 1 AND THE WEST 38.96 FEET OF LOT 2, LOTS 4, 5, 7 AND ALL OF LOT 8, LOT 9 EXCEPT THE NORTH 38.96 FEET), LOT 18 (EXCEPT THE NORTH 77.92 FEET AND THE SOUTHWEST 38.96 FEET) AND ALL OF LOT 20 IN WASHINGTON TERRACE TOWNHOMES, BEING A SUBDIVISION IN THE SOUTHEAST 1/4 OF SECTION 35, TOWNSHIP 38 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED OCTOBER 1, 1990 AS DOCUMENT 904823691 IN COOK COUNTY, ILLINOIS.

KNOWN AS: 1133 EAST 83RD STREET, CHICAGO, ILLINOIS

AREA = 349,218 SQUARE FEET OR 8.0169 AC

CHICAGO TITLE INSURANCE COMPANY

COMMITMENT NO.: 1401 007447750

EFFECTIVE DATE: AUGUST 13, 1996

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