

# UNOFFICIAL COPY

99606488

5876/0224 67 001 Page 1 of 11  
1999-06-23 15:06:22  
Cook County Recorder 41.00



787442 03MCR

1 of 8

## FOR RECORDER'S USE

### DECLARATION OF RESTRICTIONS

11/13

This Declaration of Restrictions is made and entered into as of the 24 day of June 1999, by Republic Bank of Chicago, not personally, but as trustee under a Trust Agreement dated July 24, 1997, and known as Trust No. 1391 a/an Illinois land trust, hereafter referred to as Declarant or Trustee.

**WHEREAS**, Declarant is the owner of that property more particularly described in Exhibit "A" attached hereto and incorporated by reference herein, which property is located in the City of Rolling Meadows, Cook County, Illinois, such described property being hereafter referred to as the Shopping Center Property;

**WHEREAS**, Declarant is also the owner of that property more particularly described in Exhibit "B", attached hereto and incorporated by reference herein, which property is hereafter referred to as the Outparcel(s); and

**WHEREAS**, Declarant desires to establish certain restrictions upon the Outparcel(s) for the benefit of the Shopping Center Property;

**NOW, THEREFORE**, Declarant for itself, its successors and assigns does hereby agree that the Outparcel(s) shall be subject to and shall be used in conformance with the following covenants and agreements:

1. No building or structure shall be constructed or maintained on the Outparcel(s) unless such building or structure shall conform to the following covenants and requirements:

- (1) Any such building shall not exceed twenty-four (24) feet in height, excluding, however, HVAC screening and parapets;
- (2) Each building constructed and maintained on the Outparcel(s) shall not exceed the building size of 8,000 square feet; provided, however, if the Outparcels shall be combined to form one building lot, then any building constructed or maintained on such combined lot (a) shall not exceed the building size of 15,200 square feet and (b) shall not be located within the area of such combined building lot that is marked on Exhibit "D" hereto as the "No Build Area"; further, with respect to the Shopping Center Property Parcels designated on Exhibit "D" hereto as "Retail 1", "Retail 2", "Retail 3", and which are legally described on Exhibit "C" hereto, each building constructed and maintained on such respective parcels shall not exceed the building sizes of, respectively, 12,150 square feet, 12,150 square feet and 10,150 square feet;
- (3) Any rooftop equipment located on the top of any building shall be screened in a manner satisfactory to Declarant;
- (4) No rooftop sign shall be erected or maintained with respect to any such building;
- (5) No freestanding identification sign (which shall not include menu boards or reader boards) may be erected on the Outparcel(s) without approval of the Declarant, and in

BOX 333-CT1

# UNOFFICIAL COPY

99606488

no event shall such freestanding identification sign exceed the height of the building on the Outparcel(s) or block the visibility of the Wal-Mart Store; provided, however, erection of freestanding identification signs in the location designated for such signs on Exhibit "D" hereto are acceptable and shall be deemed not to block the visibility of the Wal-Mart Store. Notwithstanding the foregoing, there may be erected entrance-exit signs to facilitate the free flow of traffic, which entrance-exit signs shall be of a monument type, not to exceed 3' 3" in height, the type and location of such signs to be approved by Declarant.

(6) No improvements shall be constructed, erected, expanded or altered on the Outparcel(s) until the plans for the same (including site layout, exterior appearance and parking) have been approved in writing by Declarant.

(7) In developing and using the Outparcels, the owner of the Outparcels shall continuously provide and maintain for such Outparcels in the aggregate, and not necessarily for each Outparcel independently, a parking ratio equal to one of the following: (i) ten (10) spaces for every one thousand (1,000) square feet of building space for any restaurant or entertainment use; or (ii) five (5.0) spaces per one thousand (1,000) square feet of building space for any other use. In addition, the owner shall cause landscaping areas to be added and maintained in conjunction with any building or other improvement constructed on the Outparcel(s).

(8) The Outparcel(s) shall be kept neat, orderly, planted in grass and trimmed until improved and constructed.

(9) Any building, structure or improvement on the Outparcel(s) shall be used for retail purposes only, which shall include, without limitation, restaurants, service establishments, medical and dental offices/clinics, financial institutions, retail stores selling retail merchandise normally carried in other shopping centers, and amusement or entertainment centers; however, no building, structure or improvement on the Outparcel(s) may be used as a theatre, night club, bowling alley, or billiard parlor (except as incidental to a restaurant).

(10) The owner(s) of the Outparcel(s) or Declarant shall maintain comprehensive public liability insurance, property damage and all-risk hazard insurance on the Outparcel(s) their buildings, appurtenances and other improvement located thereon. Such insurance shall (i) be carried with reputable companies licensed to do business in the state in which the Outparcel(s) are located; (ii) have liability limits of at least \$ 5,000,000.00 for each occurrence, bodily injury and property damage combined; (iii) provide for full replacement value for the buildings and improvements covered thereunder and (iv) not be subject to change, cancellation or termination without at least thirty (30) days prior written notice to Declarant.

2. Any of the foregoing restrictions may be waived, amended, modified, released or terminated at any time and from time to time by Declarant; provided, that Declarant shall not waive, amend, modify, release or terminate this Agreement without the prior written consent of Wal-Mart Stores, Inc. during such time that such entity or an affiliate thereof occupies and conducts business in the Shopping Center Property.

3. The foregoing restrictions and agreements are imposed on the Outparcel(s) for the benefit of the Shopping Center Property. Accordingly, all references herein to "Declarant" shall mean the Declarant herein and any successor in title who may become the owner of the Shopping Center Property. In the event that another entity shall become the owner of the Shopping Center Property, then such entity shall be considered the Declarant for all purposes of this Declaration.

# UNOFFICIAL COPY

99606488

4. The agreements, restrictions and covenants herein made shall be deemed restrictive covenants running with the land and shall be binding upon the Outparcel(s) and any person who may from time to time own, lease or otherwise have an interest in the Outparcel(s).

5. This Declaration is made in and shall be construed pursuant to the laws of the state in which the Shopping Center Property is located.

6. Notwithstanding anything in this Declaration to the contrary, each and all of the warranties, indemnities, representations, covenants, undertakings and agreements herein made on the part of the Trustee hereunder, while in form purporting to be the warranties, indemnities, representations, covenants, undertakings and agreements of said Trustee are nevertheless each and every one of them, made and intended not as personal warranties, indemnities, representations, covenants, undertakings and agreements by said Trustee or for the purpose or with the intention of binding said Trustee personally, and this Declaration is executed by said Trustee not in its own right, but solely in the exercise of the powers conferred upon it as a trustee; and that no personal liabilities or personal responsibility is assumed by nor shall at any time be asserted or enforceable against Trustee or the corporation or entity that is acting as Trustee on account of this Declaration or on account of any warranty, indemnity, representation, covenant, undertaking or agreement of Trustee in this Declaration contained, either expressed or implied, all such personal liability, if any, being expressly waived and released. Nothing contained in this Section shall relieve Trustee from any liability or obligation to the extent of Trustee's trust assets.

IN WITNESS WHEREOF, the undersigned has executed this Declaration as of the day and year above set forth.

Attest or Witness:

DECLARANT:

REPUBLIC BANK OF CHICAGO, not personally, but as trustee under Trust Agreement dated July 24, 1997 and known as Trust No. 1391

By: Thomas J. Pacochi

Name: THOMAS J. PACOCHI

Title: ELP & T.O.

This instrument is executed by Republic Bank of Chicago, not personally or individually, but solely as trustee as aforesaid in the exercise of the power and authority conferred upon and vested in it as such trustee. All of the statements, warranties and representations set forth herein are made solely on information and belief without any independent inquiry or investigation by Republic Bank of Chicago and should be construed accordingly. Notwithstanding any provision to the contrary set forth in this instrument, any recourse against Republic Bank of Chicago shall be limited to the assets comprising the trust estate and no personal liability shall be asserted or be enforceable against Republic Bank of Chicago by reason of the terms, promises, agreements, covenants, warranties, representations, indemnifications, or other matters herein set forth, all such personal liability of Republic Bank of Chicago being expressly waived.

This Instrument was prepared by and after recording please return to:  
Frederick M. Kaplan, Esq.  
Seyfarth, Shaw, Fairweather & Geraldson  
55 East Monroe Street  
Suite 4200  
Chicago, Illinois 60603

# UNOFFICIAL COPY

99606488

## EXHIBIT A

### LEGAL DESCRIPTION OF SHOPPING CENTER PROPERTY

Lots 1, 2, 4 & 5 in JCP Meadows P.U.D., being a resubdivision of Lot 1 in JCP Meadows Subdivision, in the South West quarter (1/4) of Section 9 and the South East quarter (1/4) of Section 8 both in Township 41 North, Range 11, East of the Third Principal Meridian, in Cook County, Illinois, according to that plat thereof recorded in the Cook County Recorder's Office on December 18, 1985 as Document Number 85329240 and corrected by Certificate of Correction recorded in the Cook County Recorder's Office on August 11, 1988 as Document Number 88364191 in Cook County, Illinois, and also Lot 1 and Outlot A in MTM Resubdivision being a resubdivision of Lot 3 and Outlot A in JCP Meadows P.U.D. in the Southwest quarter (1/4) of Section 9 and Southeast quarter (1/4) of Section 8, both in Township 41 North, Range 11 East of the Third Principal Meridian according to that plat thereof recorded in the Cook County Recorder's Office on September 16, 1993 as Document Number 93742116, all in Cook County, Illinois, also described as follows: Lots 1, 2, 4 & 5 in JCP Meadows P.U.D., being a resubdivision of Lot 1 in JCP Meadows Subdivision, in the Southwest quarter (1/4) of Section 9 and the Southeast Quarter (1/4) of Section 8, both in Township 41 North, Range 11 East of the Third Principal Meridian, according to that plat thereof recorded in Cook County Recorder's Office on December 18, 1985, as Document Number 85329240, and corrected by a Certificate of Correction recorded in the Cook County Recorder's Office on August 11, 1988, as Document Number 88364191, all in Cook County, Illinois, and also Lot 1 and Outlot "A" in MTM Resubdivision, being a resubdivision of Lot 3 and Outlot "A" in JCP Meadows P.U.D., in the Southwest quarter (1/4) of Section 9 and the Southeast quarter (1/4) of Section 8, both in Township 41 North, Range 11 East of the Third Principal Meridian, according to that plat thereof recorded in the Cook County Recorder's Office on September 16, 1993, as Document Number 93742116, all in Cook County, Illinois, also described as beginning at the Southwest corner of said Outlot "A" in MTM Resubdivision; thence along the boundary of said Outlot "A" North 01 27' 05" East a distance of 929.33 feet, thence continuing along said boundary of Outlot "A" North 41 09' 16" East a distance of 608.81 feet, thence continuing along said boundary of Outlot "A" Southeasterly on a curve to the right having a radius of 2814.79 feet for an arc length of 203.31 feet; thence continuing along said boundary of Outlot "A" South 44 46' 50" East a distance of 896.30 feet; thence continuing along said boundary of Outlot "A" South 44 45' 05" East a distance of 398.80 feet thence continuing along said boundary of Outlot "A" South 57 20' 41.9" West a distance of 248.467 feet; thence continuing along said boundary of Outlot "A" South 30 00' 00" West a distance of 50.00 feet; thence continuing along said boundary of Outlot "A" South 00 00' 00" West a distance of 165.00 feet; thence continuing along said boundary of Outlot "A" South 90 00' 00" West a distance of 829.99 feet; thence continuing along said boundary of Outlot "A" North 88 04' 15" West a distance of 420.41 feet to the point of beginning.

Street Address: 1400 East Golf Road, Rolling Meadows, Illinois

# UNOFFICIAL COPY

99606488

P.I.N.: 08-08-403-023-0000  
08-08-403-025-0000  
08-08-403-030-0000  
08-08-403-031-0000  
08-09-302-016-0000  
08-09-302-017-0000  
08-09-302-018-0000  
08-09-302-020-0000  
08-09-302-021-0000  
08-09-302-022-0000

Property of Cook County Clerk's Office

# UNOFFICIAL COPY

99606488

## EXHIBIT B

### LEGAL DESCRIPTION OF OUTPARCELS

#### LOT 4

THAT PART OF LOTS 1, 2, 4, & 5 IN JCP MEADOWS P.U.D. BEING A RESUBDIVISION OF LOT 1 IN JCP MEADOWS SUBDIVISION, IN THE SOUTHWEST QUARTER (1/4) OF SECTION 9 AND THE SOUTHEAST QUARTER OF (1/4) OF SECTION 8, BOTH IN TOWNSHIP 41 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS, ACCORDING TO THE PLAT THEREOF RECORDED IN THE COOK COUNTY RECORDER'S OFFICE ON DECEMBER 18, 1985 AS DOCUMENT NUMBER 85329240 AND CORRECTED BY CERTIFICATE OF CORRECTION RECORDED IN THE COOK COUNTY RECORDER'S OFFICE ON AUGUST 11, 1988 AS DOCUMENT NUMBER 88364191 IN COOK COUNTY, ILLINOIS AND ALSO PART OF OUTLOT "A" IN MTM RESUBDIVISION BEING A RESUBDIVISION OF LOT 3 AND OUTLOT "A" IN JCP MEADOWS P.U.D. IN THE SOUTHWEST QUARTER (1/4) OF SECTION 9 AND THE SOUTHEAST QUARTER (1/4) OF SECTION 8, BOTH IN TOWNSHIP 41 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THAT PLAT THEREOF RECORDED IN THE COOK COUNTY RECORDER'S OFFICE ON SEPTEMBER 16, 1993 AS DOCUMENT NUMBER 93742116, ALL IN COOK COUNTY, ILLINOIS, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF SAID OUTLOT "A" IN MTM RESUBDIVISION; THENCE SOUTH 90 DEGREES, 00 MINUTES, 00 SECONDS WEST, ALONG THE NORTHERLY RIGHT-OF-WAY LINE OF GOLF ROAD, A DISTANCE OF 219.99 FEET TO A POINT OF BEGINNING; THENCE CONTINUING ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 237.28 FEET; THENCE NORTH 13 DEGREES, 00 MINUTES, 00 SECONDS EAST, A DISTANCE OF 136.94 FEET; THENCE NORTH 08 DEGREES, 51 MINUTES, 37 SECONDS EAST, A DISTANCE OF 42.07 FEET; THENCE NORTH 90 DEGREES, 00 MINUTES, 00 SECONDS EAST, A DISTANCE OF 200.00 FEET; THENCE SOUTH 00 DEGREES, 00 MINUTES, 00 SECONDS EAST, A DISTANCE OF 175.00 FEET TO THE POINT OF BEGINNING, IN THE CITY OF ROLLING MEADOWS, COOK COUNTY, ILLINOIS.

#### LOT 5

THAT PART OF LOTS 1, 2, 4, & 5 IN JCP MEADOWS P.U.D. BEING A RESUBDIVISION OF LOT 1 IN JCP MEADOWS SUBDIVISION, IN THE SOUTHWEST QUARTER (1/4) OF SECTION 9 AND THE SOUTHEAST QUARTER OF (1/4) OF SECTION 8, BOTH IN TOWNSHIP 41 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS, ACCORDING TO THE PLAT THEREOF RECORDED IN THE COOK COUNTY RECORDER'S OFFICE ON DECEMBER 18, 1985 AS DOCUMENT NUMBER 85329240 AND CORRECTED BY CERTIFICATE OF CORRECTION RECORDED IN THE COOK COUNTY RECORDER'S OFFICE ON AUGUST 11, 1988 AS DOCUMENT NUMBER 88364191 IN COOK COUNTY, ILLINOIS AND ALSO PART OF OUTLOT "A" IN MTM RESUBDIVISION BEING A RESUBDIVISION OF LOT 3 AND OUTLOT "A" IN JCP MEADOWS P.U.D. IN THE SOUTHWEST QUARTER (1/4) OF SECTION 9 AND THE SOUTHEAST QUARTER (1/4) OF SECTION 8 BOTH, IN TOWNSHIP 41 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THAT PLAT THEREOF RECORDED IN THE COOK COUNTY RECORDER'S OFFICE ON SEPTEMBER 16, 1993 AS DOCUMENT NUMBER 93742116, ALL IN COOK COUNTY, ILLINOIS, DESCRIBED

# UNOFFICIAL COPY

99606488

AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF SAID OUTLOT "A" IN MTM RESUBDIVISION AS A POINT OF BEGINNING; THENCE SOUTH 90 DEGREES, 00 MINUTES, 00 SECONDS WEST, ALONG THE NORTHERLY RIGHT-OF-WAY LINE OF GOLF ROAD, A DISTANCE OF 219.99 FEET; THENCE NORTH 00 DEGREES, 00 MINUTES, 00 SECONDS EAST, A DISTANCE OF 175.00 FEET; THENCE NORTH 45 DEGREES, 00 MINUTES, 00 SECONDS EAST, A DISTANCE OF 47.10 FEET; THENCE NORTH 90 DEGREES 00 MINUTES, 00 SECONDS EAST, A DISTANCE OF 211.69 FEET TO A POINT ON THE EASTERLY LINE OF SAID OUTLOT "A"; THENCE SOUTH 30 DEGREES, 00 MINUTES, 00 SECONDS WEST, ALONG SAID EASTERLY LINE, A DISTANCE OF 50.00 FEET; THENCE SOUTH 00 DEGREES, 00 MINUTES, 00 SECONDS WEST, ALONG SAID EASTERLY LINE, A DISTANCE OF 165.00 FEET TO THE POINT OF BEGINNING, IN THE CITY OF ROLLING MEADOWS, COOK COUNTY, ILLINOIS.

Property of Cook County Clerk's Office

# UNOFFICIAL COPY

99606488

## EXHIBIT C

### LEGAL DESCRIPTIONS FOR RETAIL 1, RETAIL 2 AND RETAIL 3

#### LOT 3

THAT PART OF LOT 2 IN JCP MEADOWS P.U.D. BEING A RESUBDIVISION OF LOT 1 IN JCP MEADOWS SUBDIVISION, IN THE SOUTHWEST QUARTER (1/4) OF SECTION 9 AND THE SOUTHEAST QUARTER OF (1/4) OF SECTION 8, BOTH IN TOWNSHIP 41 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS, ACCORDING TO THE PLAT THEREOF RECORDED IN THE COOK COUNTY RECORDER'S OFFICE ON DECEMBER 18, 1985 AS DOCUMENT NUMBER 85329240 AND CORRECTED BY CERTIFICATE OF CORRECTION RECORDED IN THE COOK COUNTY RECORDER'S OFFICE ON AUGUST 11, 1988 AS DOCUMENT NUMBER 88364191 IN COOK COUNTY, ILLINOIS AND ALSO PART OF OUTLOT "A" IN MTM RESUBDIVISION BEING A RESUBDIVISION OF LOT 3 AND OUTLOT "A" IN JCP MEADOWS P.U.D. IN THE SOUTHWEST QUARTER (1/4) OF SECTION 9 AND THE SOUTHEAST QUARTER (1/4) OF SECTION 8, BOTH IN TOWNSHIP 41 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THAT PLAT THEREOF RECORDED IN THE COOK COUNTY RECORDER'S OFFICE ON SEPTEMBER 16, 1993 AS DOCUMENT NUMBER 93742116, ALL IN COOK COUNTY, ILLINOIS, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SAID OUTLOT "A" IN MTM RESUBDIVISION, ON THE NORTHERLY LINE OF GOLF ROAD; THENCE ALONG THE SOUTHERLY LINE OF SAID OUTLOT "A" NORTH 88 DEGREES, 04 MINUTES, 15 SECONDS EAST, A DISTANCE OF 420.41 FEET; THENCE CONTINUING ALONG SAID SOUTHERLY LINE, NORTH 90 DEGREES, 00 MINUTES, 00 SECONDS EAST, A DISTANCE OF 61.14 FEET TO A POINT OF BEGINNING; THENCE NORTH 00 DEGREES, 00 MINUTES, 00 SECONDS WEST, A DISTANCE OF 148.00 FEET; THENCE NORTH 90 DEGREES, 00 MINUTES, 00 SECONDS EAST, A DISTANCE OF 284.17 FEET; THENCE SOUTH 13 DEGREES, 00 MINUTES, 00 SECONDS WEST, TO A POINT ON THE NORTHERLY LINE OF GOLF ROAD, A DISTANCE OF 151.89 FEET; THENCE NORTH 00 DEGREES, 00 MINUTES, 00 SECONDS WEST, A DISTANCE OF 250.00 FEET, ALONG SAID NORTHERLY LINE OF GOLF ROAD, TO THE POINT OF BEGINNING, IN THE CITY OF ROLLING MEADOWS, COOK COUNTY, ILLINOIS.

#### LOT 8

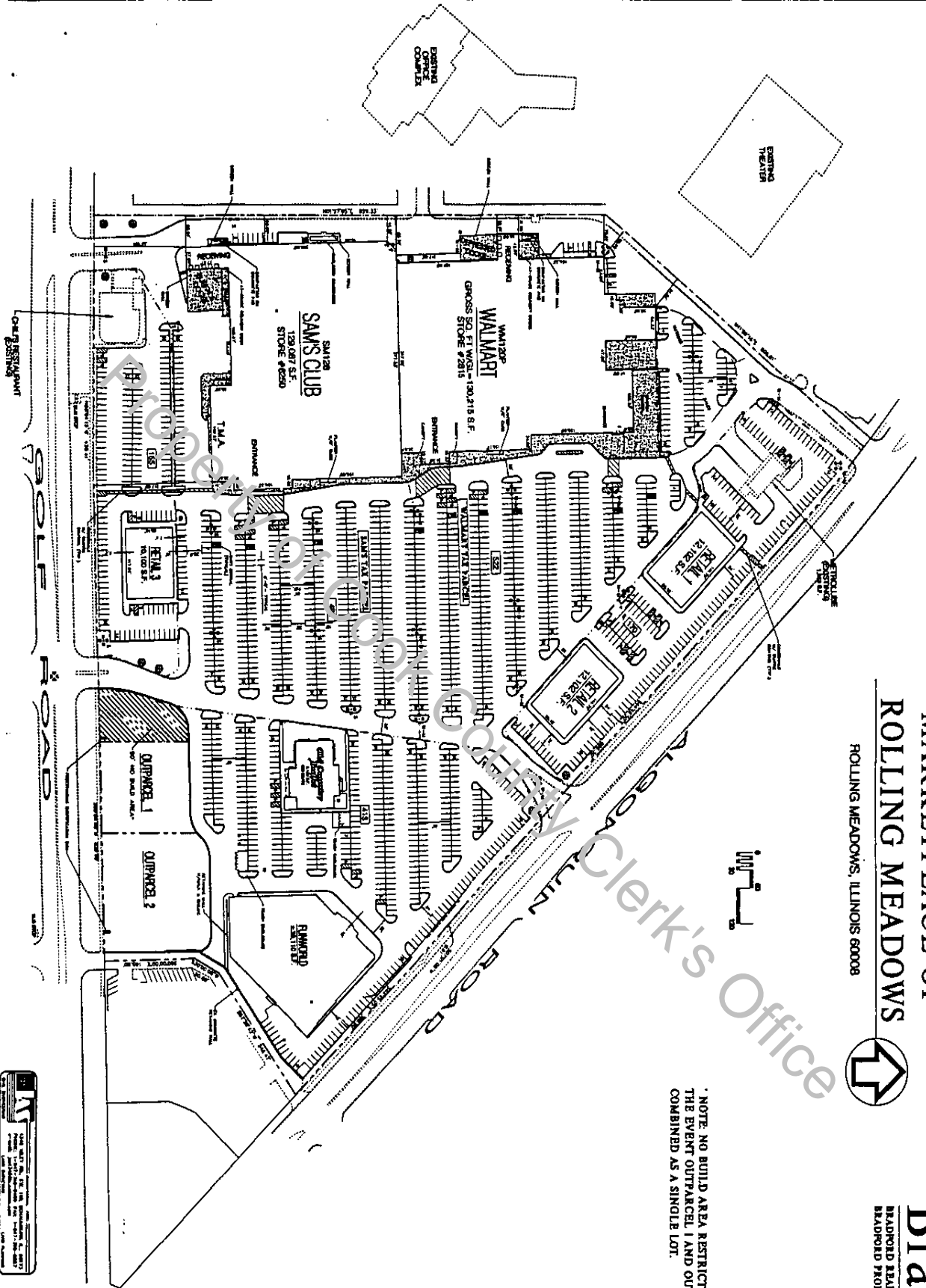
THAT PART OF LOT 1 AND LOT 5 IN JCP MEADOWS P.U.D. BEING A RESUBDIVISION OF LOT 1 IN JCP MEADOWS SUBDIVISION, IN THE SOUTHWEST QUARTER (1/4) OF SECTION 9 AND THE SOUTHEAST QUARTER OF (1/4) OF SECTION 8, BOTH IN TOWNSHIP 41 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS, ACCORDING TO THE PLAT THEREOF RECORDED IN THE COOK COUNTY RECORDER'S OFFICE ON DECEMBER 18, 1985 AS DOCUMENT NUMBER 85329240 AND CORRECTED BY CERTIFICATE OF CORRECTION RECORDED IN THE COOK COUNTY RECORDER'S OFFICE ON AUGUST 11, 1988 AS DOCUMENT NUMBER 88364191 IN COOK COUNTY, ILLINOIS AND ALSO PART OF OUTLOT "A" IN MTM RESUBDIVISION BEING A RESUBDIVISION OF LOT 3 AND OUTLOT "A" IN JCP MEADOWS P.U.D. IN THE SOUTHWEST QUARTER (1/4) OF SECTION 9 AND THE SOUTHEAST QUARTER (1/4) OF SECTION 8, BOTH IN TOWNSHIP 41 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THAT PLAT THEREOF RECORDED IN THE COOK COUNTY RECORDER'S OFFICE ON SEPTEMBER 16, 1993 AS DOCUMENT NUMBER 93742116, ALL IN COOK COUNTY, ILLINOIS, DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF SAID OUTLOT "A" ON THE SOUTHERLY LINE OF ALGONQUIN ROAD; THENCE NORTH 44 DEGREES, 45 MINUTES, 05 SECONDS WEST, ALONG THE SOUTHERLY LINE OF ALGONQUIN ROAD, A DISTANCE OF 398.80 FEET; THENCE NORTH 07 DEGREES, 01 MINUTES, 05 SECONDS EAST, ALONG SAID SOUTHERLY



LINE, A DISTANCE OF 0.61 FEET: THENCE NORTH 44 DEGREES, 46 MINUTES, 50 SECONDS WEST, ALONG SAID SOUTHERLY LINE, A DISTANCE OF 325.12 FEET TO A POINT OF BEGINNING: THENCE CONTINUING NORTH 44 DEGREES, 46 MINUTES, 50 SECONDS WEST ALONG THE SOUTHERLY LINE OF ALGONQUIN ROAD, A DISTANCE OF 271.07 FEET: THENCE SOUTH 45 DEGREES, 13 MINUTES, 10 SECONDS WEST, A DISTANCE OF 151.69 FEET: THENCE SOUTH 44 DEGREES, 49 MINUTES, 56 SECONDS EAST, A DISTANCE OF 289.73 FEET: THENCE NORTH 45 DEGREES, 00 MINUTES, 00 SECONDS EAST, A DISTANCE OF 66.43 FEET: THENCE NORTH 33 DEGREES, 00 MINUTES, 00 SECONDS EAST, A DISTANCE OF 86.97 FEET, TO THE POINT OF BEGINNING, IN THE CITY OF ROLLING MEADOWS, COOK COUNTY, ILLINOIS.

LOT 9

THAT PART OF LOT 4 AND LOT 5 IN JCP MEADOWS P.U.D. BEING A RESUBDIVISION OF LOT 1 IN JCP MEADOWS SUBDIVISION, IN THE SOUTHWEST QUARTER (1/4) OF SECTION 9 AND THE SOUTHEAST QUARTER OF (1/4) OF SECTION 8, BOTH IN TOWNSHIP 41 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS, ACCORDING TO THE PLAT THEREOF RECORDED IN THE COOK COUNTY RECORDER'S OFFICE ON DECEMBER 18, 1985 AS DOCUMENT NUMBER 85329240 AND CORRECTED BY CERTIFICATE OF CORRECTION RECORDED IN THE COOK COUNTY RECORDER'S OFFICE ON AUGUST 11, 1988 AS DOCUMENT NUMBER 88364191 IN COOK COUNTY, ILLINOIS AND ALSO PART OF OUTLOT "A" IN MTM RESUBDIVISION BEING A RESUBDIVISION OF LOT 3 AND OUTLOT "A" IN JCP MEADOWS P.U.D. IN THE SOUTHWEST QUARTER (1/4) OF SECTION 9 AND THE SOUTHEAST QUARTER (1/4) OF SECTION 8, BOTH IN TOWNSHIP 41 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THAT PLAT THEREOF RECORDED IN THE COOK COUNTY RECORDER'S OFFICE ON SEPTEMBER 16, 1993 AS DOCUMENT NUMBER 93742116, ALL IN COOK COUNTY, ILLINOIS, DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF SAID OUTLOT "A" ON THE SOUTHERLY LINE OF ALGONQUIN ROAD; THENCE NORTH 44 DEGREES, 45 MINUTES, 05 SECONDS WEST, ALONG THE SOUTHERLY LINE OF ALGONQUIN ROAD, A DISTANCE OF 398.80 FEET: THENCE NORTH 07 DEGREES, 01 MINUTES, 05 SECONDS EAST, ALONG SAID SOUTHERLY LINE, A DISTANCE OF 0.61 FEET: THENCE NORTH 44 DEGREES, 46 MINUTES, 50 SECONDS WEST, ALONG SAID SOUTHERLY LINE, A DISTANCE OF 596.19 FEET TO A POINT OF BEGINNING; THENCE CONTINUING NORTH 44 DEGREES, 46 MINUTES, 50 SECONDS WEST, ALONG SAID SOUTHERLY LINE OF ALGONQUIN ROAD, A DISTANCE OF 295.00 FEET; THENCE SOUTH 45 DEGREES, 13 MINUTES, 10 SECONDS WEST, A DISTANCE OF 205.13 FEET; THENCE SOUTH 44 DEGREES, 46 MINUTES, 50 SECONDS EAST, A DISTANCE OF 14.90 FEET; THENCE NORTH 90 DEGREES, 00 MINUTES, 00 SECONDS EAST, A DISTANCE OF 75.00 FEET; THENCE SOUTH 44 DEGREES, 49 MINUTES, 56 SECONDS EAST, A DISTANCE OF 227.27 FEET: THENCE NORTH 45 DEGREES, 13 MINUTES, 10 SECONDS EAST, A DISTANCE OF 151.69 FEET TO THE POINT OF BEGINNING, IN THE CITY OF ROLLING MEADOWS, COOK COUNTY, ILLINOIS.



MARKETPLACE OF  
ROLLING MEADOWS

ROLLING MEADOWS, ILLINOIS 60008



**Bradford**  
BRADFORD REAL ESTATE SERVICES CORP.  
BRADFORD PROPERTY CORPORATION

NOTE: NO BUILD AREA RESTRICTION ONLY APPLIES IN THE EVENT OUTPARCEL 1 AND OUTPARCEL 2 ARE COMBINED AS A SINGLE LOT.



10 S. Riverside Plaza  
Suite 420  
Chicago, IL 60603  
(312) 474-8000  
FAX (312) 474-8070  
03-24-99  
EXHIBIT D

ACKNOWLEDGMENT

STATE OF ILLINOIS §

§ SS

COUNTY OF \_\_\_\_\_ §

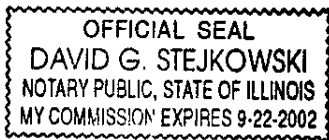
Be it remembered that on this 22d day of June, 1999, before me a notary public in and for the county and state aforesaid came Thomas Pascho, who is personally known to me to be the person who executed the within document on behalf of such bank/corp., and such persons duly acknowledged the execution of the same to be the act and deed of said bank/corp.

In testimony whereof, I have hereunto set my hand and affixed my notary seal the day and year last above written.

David G. Stejkowski

Notary Public

(SEAL)



My commission expires

\_\_\_\_\_