

# UNOFFICIAL COPY

**Prepared By:**

Michael D. Downing  
Miller, Forest & Downing, Ltd.  
1275 Milwaukee Ave., Suite 300  
Glenview, Illinois 60025

**COOK COUNTY  
RECORDER**

**EUGENE "GENE" MOORE  
SKOKIE OFFICE**

**99606898**

1606/0010 87 006 Page 1 of 9  
**1999-06-24 10:58:48**  
Cook County Recorder 37.50

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**NORTHFIELD WOODS SANITARY DISTRICT  
DECLARATION OF RESTRICTIONS  
REGULATING SANITARY SEWER SYSTEMS**

1. WHEREAS, the title to that certain real estate, consisting of the territory hereinafter described (hereinafter referred to as the "Parcel"), is vested in The Glenview Park District, an Illinois municipal corporation (hereinafter referred to as "Declarant"); and
  2. WHEREAS, the Parcel is currently used as a national historic landmark containing one building, on approximately 44.2 acres; and
  3. WHEREAS, the Parcel is located within the territorial boundaries of the Northfield Woods Sanitary District, a municipal corporation organized and existing under the laws of the State of Illinois (hereinafter referred to as "District"); and
  4. WHEREAS, said Parcel is legally described on Exhibit A, attached hereto and made a part hereof; and
  5. WHEREAS, Declarant is desirous of utilizing the sanitary sewer system and facilities of the District in accordance with the rules, regulations and ordinances of the District;
- and

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6. WHEREAS, it is in the public interest, and necessary for the proper operation of the sewer system of the District, that discharges into the District's sanitary sewer mains be limited as determined by and in the sole discretion of the Board of Trustees of the District taking into consideration the recommendations and advice of the District's Engineer; and

7. WHEREAS, Declarant has submitted to the District engineering plans and specifications of Daniel Creaney Company, last revision dated January 8, 1997, and which plans are hereby made an integral part hereof; and

8. WHEREAS, Declarant represents to the District that the only discharges from the Parcel into the District's system will be those as set forth in the aforementioned development plans and will be strictly limited to an average daily flow of 2,400 gallons per day not to exceed a maximum of 6,000 gallons per day per acre. The aforementioned flow rate is predicated upon a maximum fixture count for the Parcel as follows:

<u>Fixture Description</u>	<u>Quantity</u>
Kitchen Sink with 3 basins	1
Dishwashers	1
Water Closets	4
Lavatory Sinks	4
Bathtubs/showers	<u>3</u>
TOTAL:	13

Said fixture count has been provided to the District by Declarant and Declarant acknowledges District has utilized such data in establishing the maximum daily flow rate set forth herein. All discharges shall be in accordance with all applicable laws and regulations of all governmental bodies and agencies.

It is understood and agreed that the only building permitted to connect to the District's sewer system pursuant to this Declaration is *The Redfield Center*, and that no other connections to the sewer system are permitted under this Declaration.

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Further, Declarant herein represents to the District that a grease trap has been installed, in accordance with all applicable District regulations, pursuant to the direction of the District's engineer and inspector, prior to Declarant's connection to the lines of the District; and, said installation shall be maintained in accordance with all applicable ordinances, rules, regulations and provisions of the District. Declarant acknowledges that any change, amendment or modification in use may result, in the District's sole discretion, in the requirement for installation of additional sanitary sewerage facilities. All grease traps shall be continuously maintained by Declarant, at Declarant's sole expense, in accordance with all District directions, rules, regulations and ordinances, as the same may be, from time to time, promulgated by said District; and

9. WHEREAS, predicated upon such representations and in complete reliance thereon, the District has authorized Declarant to connect to the sanitary sewer system of the District.

NOW, THEREFORE, in consideration of the foregoing, Declarant hereby covenants and warrants as follows:

A. All WHEREAS paragraphs in the preamble are hereby incorporated as if again recited herein; and

B. For the term of twenty (20) years, commencing November 1, 1993, and expiring October 31, 2018, all restrictions recited herein shall be in full force and effect; it being understood that all right and permission to utilize the sewage disposal system of the District is predicated upon the outflow from the Declarant's development, fixtures and drains as hereinbefore recited, and that continuation of such right and permission of use is conditioned upon the maintenance and use of said property in conformance with the limitations and representations set forth in all recitals contained herein, as well as continued compliance with all District directives, rules, regulations and ordinances. Failure to so comply or the creation of any

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flow rates in excess of those herein set forth may result, upon proper notice and opportunity to be heard, in termination, without liability to the District, of sanitary sewer service to the Parcel and all improvements located thereon; and

C. All restrictions and conditions of use set forth in this Declaration may only be modified by the District or its successors, Declarant having been given proper notice and an opportunity to be heard regarding any such proposed modifications; and

D. This Declaration shall inure to the benefit of the District and be binding upon the respective successors, assigns and lessees of the property owners; and

E. District hereby agrees to assume sole jurisdiction, ownership and control of the sewer extension installed by Declarant, all as shown on Site Plan, Exhibit B, attached. All costs and expenses associated with the enforcement of the laws, ordinances and regulations of the District, including all recitations herein set forth, and which costs and expenses shall include, but not be limited to, costs and expenses for engineering, inspection, maintenance of Declarant's system and attorneys' fees, shall be born by, and be the sole responsibility of, the Declarant and any successors in title thereto; and

F. This document shall be recorded with the Cook County Recorder of Deeds and the restrictions and recitals herein contained shall constitute covenants running with the land during the term of this Declaration; and

G. If any section, paragraph, sentence or clause of this Declaration is, regardless of cause, held invalid or to be unconstitutional, the remaining sections, paragraphs, sentences and clauses shall all continue in force and effect and shall be construed thereafter as being the entire provisions of this Declaration.

H. Prior to execution of this Declaration, Declarant and District executed a Service Agreement Regulating Sanitary Sewer Usage, dated August 5, 1997. That Agreement is hereby terminated and this Declaration shall contain all provisions regulating sanitary sewer service for the Parcel.

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I. Declarant agrees to pay a fee to District for the use of District's sanitary system. Initially, said fee shall be four hundred dollars (\$400.00) annually. District reserves the right to periodically increase said fee, upon notice to Declarant.

J. Concurrently with the execution of this Declaration, Declarant shall furnish proper transfer documents to effectuate a valid dedication to District of the sewer extension installed by Declarant. The sewer extension shall include, but not be limited to, all equipment, lift stations, pipes, conduits, sewers, manholes and related materials and appurtenances, as well as any and all easements related thereto, all at no cost to District.

IN WITNESS WHEREOF, the undersigned parties have executed this DECLARATION OF RESTRICTIONS on the date below set forth.

GLENVIEW PARK DISTRICT, an Illinois  
Municipal Corporation

By: *[Signature]*  
Date: January 5, 1999  
Attest: *[Signature]*

W97\NWS2\GPDDRC.DOC

STATE OF ILLINOIS )  
 ) SS.  
COUNTY OF COOK )

On this 5th day of JANUARY, 1999 before me, a Notary Public in and for said County and state aforesaid, personally appeared JOHN HWINANS and THOMAS J. RICHARDSON, and being by me duly sworn, did depose, acknowledge and say that they are the PRESIDENT and SECRETARY, respectively, of The Glenview Park District, an Illinois municipal corporation described in and which executed the foregoing instrument; that the instrument was executed and attested on behalf of the corporation; and that they acknowledge the execution of the instrument to be the voluntary act and deed of the corporation.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal this 5th day of JANUARY, 1999.



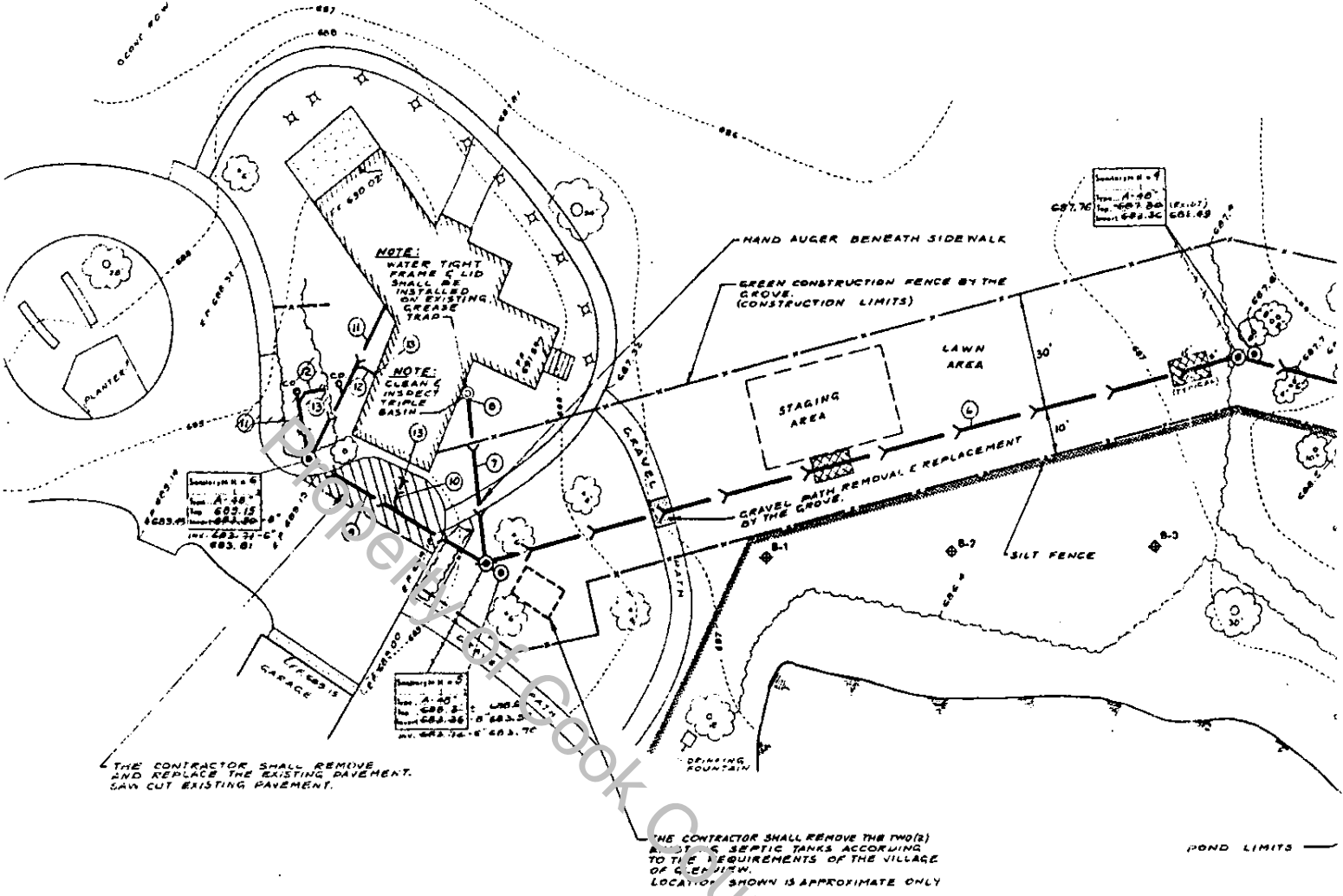
Lisa Burmeister  
Notary Public

## LEGAL DESCRIPTION

THAT PART OF THE SOUTHWEST 1/4 OF SECTION 29, TOWNSHIP 42 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWESTERLY CORNER OF LOT 9 IN OWNER'S PARTITION OF LOTS 2 AND 3 OF THE SUBDIVISION OF LOT 10 OF THE COUNTY CLERK'S DIVISION OF THE WEST 1/2 OF SAID SECTION 29, ACCORDING TO THE PLAT OF SAID OWNER'S PARTITION RECORDED AUGUST 13, 1898 AS DOCUMENT 2720650; THENCE NORTH 37 DEGREES 44 MINUTES 52 SECONDS WEST (NORTH 37 DEGREES 32 MINUTES BY DEED) ALONG THE SOUTHWESTERLY LINE OF SAID LOT 9, BEING ALSO THE CENTER LINE OF MILWAUKEE AVENUE, 25.00 FEET; THENCE NORTH 51 DEGREES 12 MINUTES 10 SECONDS EAST ALONG A STRAIGHT LINE DRAWN FROM SAID LAST DESCRIBED POINT TO THE SOUTHWEST CORNER OF LOT 10 IN SAID OWNER'S PARTITION RECORDED AS DOCUMENT 2720650, 47.64 FEET TO AN INTERSECTION WITH A LINE 47.63 FEET, AS MEASURED AT RIGHT ANGLES, NORTHEASTERLY OF AND PARALLEL WITH THE SOUTHWESTERLY LINE OF SAID LOT 9; THENCE NORTH 37 DEGREES 44 MINUTES 52 SECONDS WEST ALONG SAID LAST DESCRIBED PARALLEL LINE AND ALONG SAID PARALLEL LINE EXTENDED NORTHWESTERLY, BEING ALSO THE NORTHEASTERLY LINE OF MILWAUKEE AVENUE, 240.00 FEET TO A POINT OF BEGINNING AT THE MOST WESTERLY NORTHWEST CORNER OF LOT 1 IN THE GROVE, BEING A RESUBDIVISION ACCORDING TO THE PLAT THEREOF RECORDED NOVEMBER 20, 1991 AS DOCUMENT 91609977; THENCE CONTINUING NORTH 37 DEGREES 44 MINUTES 52 SECONDS WEST ALONG SAID NORTHEASTERLY LINE OF MILWAUKEE AVENUE, 201.53 FEET TO THE EASTERLY LINE OF THE 250 FEET WIDE NORTHERN ILLINOIS TOLL HIGHWAY; THENCE NORTHERLY ALONG SAID EASTERLY LINE OF THE NORTHERN ILLINOIS TOLL HIGHWAY, BEING A CURVED LINE CONVEX EASTERLY AND HAVING A RADIUS OF 5854.83 FEET, AN ARC DISTANCE OF 1318.55 FEET TO A POINT OF TANGENCY IN SAID LINE (THE CHORD OF SAID ARC BEARS NORTH 16 DEGREES 47 MINUTES 22 SECONDS WEST, 1315.76 FEET); THENCE NORTH 13 DEGREES 10 MINUTES 43 SECONDS WEST ALONG THE EASTERLY LINE OF THE NORTHERN ILLINOIS TOLL HIGHWAY, 422.42 FEET TO THE SOUTHERLY LINE OF WEST LAKE AVENUE PER DOCUMENT 11200345; THENCE EASTERLY ALONG SAID SOUTHERLY LINE OF WEST LAKE AVENUE, BEING A CURVED LINE CONVEX NORTHERLY AND HAVING A RADIUS OF 3865.78 FEET, AN ARC DISTANCE OF 111.40 FEET TO A POINT OF TANGENCY IN SAID LINE (THE CHORD OF SAID ARC BEARS NORTH 86 DEGREES 26 MINUTES 53 SECONDS EAST, 111.40 FEET); THENCE NORTH 87 DEGREES 16 MINUTES 25 SECONDS EAST ALONG THE SOUTHERLY LINE OF WEST LAKE AVENUE, 1208.37 FEET TO THE NORTHWEST CORNER OF LOT 2 IN LATTER-DAY SAINTS TEMPLE SUBDIVISION, ACCORDING TO THE PLAT THEREOF RECORDED APRIL 18, 1984 AS DOCUMENT 27050474; THENCE SOUTH 00 DEGREES 01 MINUTES 06 SECONDS WEST ALONG THE WEST LINE OF SAID LATTER-DAY SAINTS TEMPLE SUBDIVISION, BEING ALSO A LINE 730.00 FEET, AS MEASURED AT RIGHT ANGLES, WEST OF AND PARALLEL WITH THE EAST LINE OF THE SOUTHWEST 1/4 OF SAID SECTION 29, 743.55 FEET TO THE MOST WESTERLY SOUTHWEST CORNER OF LOT 1 IN SAID LATTER-DAY SAINTS TEMPLE SUBDIVISION, BEING ALSO A NORTHWEST CORNER OF LOT 1 IN THE GROVE, AFORESAID; THENCE CONTINUING SOUTH 00 DEGREES 01 MINUTES 06 SECONDS WEST ALONG THE SOUTHERLY EXTENSION OF THE WEST LINE OF SAID LATTER-DAY SAINTS TEMPLE SUBDIVISION, BEING ALSO THE NORTHWESTERLY LINE OF LOT 1 IN THE GROVE, AFORESAID, 97.92 FEET TO AN ANGLE POINT IN SAID NORTHWESTERLY LINE; THE FOLLOWING 4 COURSES ARE ALONG THE NORTHWESTERLY LINE OF LOT 1 IN THE GROVE, AFORESAID; THENCE SOUTH 55 DEGREES 05 MINUTES 17 SECONDS WEST, 345.35 FEET (SOUTH 55 DEGREES 03 MINUTES 07 SECONDS WEST, 345.57 FEET BY DEED); THENCE SOUTH 25 DEGREES 33 MINUTES 50 SECONDS EAST (SOUTH 25 DEGREES 36 MINUTES 00 SECONDS EAST BY DEED), 444.48 FEET; THENCE SOUTH 63 DEGREES 38 MINUTES 56 SECONDS WEST (SOUTH 63 DEGREES 36 MINUTES 46 SECONDS WEST BY DEED), 665.72 FEET; THENCE SOUTH 51 DEGREES 02 MINUTES 29 SECONDS WEST (SOUTH 51 DEGREES 00 MINUTES 19 SECONDS WEST BY DEED), 327.60 FEET TO THE POINT OF BEGINNING, TOGETHER WITH ALL OF WEST LAKE STREET LYING NORTH OF AND ADJOINING THE AFOREDESCRIBED TRACT OF LAND, IN COOK COUNTY, ILLINOIS.

P.I.N.s: 04-29-300-070  
04-29-300-069

Commonly known as The Redfield Center, portion of The Grove, 1421 Milwaukee Ave.,  
Glenview, Illinois.



**NOTES:**

1. EXCESS SPOIL MATERIAL SHALL BE STOCKPILED AS DIRECTED BY THE GROVE.
2. ALL SURFACE GRADES AFTER CONSTRUCTION SHALL BE SAME AS THOSE EXISTING (THE CONTRACTOR SHALL BE RESPONSIBLE FOR TOPSOIL PLACEMENT, AND GROVE SHALL RESTORE LANDSCAPING MATERIAL AND SOD).
3. CONTRACTOR SHALL REMOVE AND REPLACE SPRINKLER SYSTEM ON THE PROPERTY OF CHURCH OF JESUS CHRIST OF LATTER DAY SAINTS.
4. LOCATIONS OF EXISTING UTILITIES ARE APPROXIMATE. CONTRACTOR SHALL VERIFY.

**SOIL BORING**

SOIL BORINGS WERE OBTAINED BY "SOIL & MATERIAL CONSULTANTS, INC.". SEE THE GEOTECHNICAL INVESTIGATION REPORT, FILE NO. 14190, DATED 9-27-96.

**SANITARY SEWER DATA**

1. CORE DRILL EXISTING MANHOLE WITH BOOT. REMOVE AND REPLACE EXISTING BENCH FOR NEW CONNECTION. PROVIDE RUBBER GASKETED COUPLING CONNECTION.
2. 105 L.F. 8" P.V.C., PRESSURE PIPE, @ 0.44% 0.55%
3. 65 L.F. 8" P.V.C., PRESSURE PIPE, @ 0.44% 0.62%
4. 109 L.F. 8" P.V.C., PRESSURE PIPE, @ 0.44% 0.43%
5. 83 L.F. 8" P.V.C. PRESSURE PIPE, @ 0.44% 0.46%
6. 81 L.F. 8" P.V.C., PRESSURE PIPE, @ 0.44% 0.50%
7. 15 L.F. 6" P.V.C., PRESSURE PIPE @ 1.00% MIN.
8. REMOVE EXISTING SANITARY SEWER AND REPLACE CONNECTION WITH RUBBER GASKETED COUPLING.
9. 55 L.F. 8" P.V.C., PRESSURE PIPE, @ 0.45% 0.44%
10. 8 L.F. 6" P.V.C., PRESSURE PIPE, @ 1.00% MIN.
11. 43 L.F. 6" P.V.C., PRESSURE PIPE, @ 1.00% MIN.
12. 8 L.F. 6" P.V.C., PRESSURE PIPE, @ 1.00% MIN.
13. CONTRACTOR TO VERIFY LOCATION AND ELEVATION OF EXISTING SANITARY SERVICE PRIOR TO THE START OF CONSTRUCTION AND REPORT ALL PROBLEMS AND CONFLICTS TO ENGINEER. PROVIDE FLEXIBLE ADAPTOR COUPLING CONNECTION.

THESE RECORDS HAVE BEEN PREPARED AND FURNISHED FOR INFORMATION. CONTRACTOR SHALL BE RESPONSIBLE FOR INCORPORATING ANY CHANGES. ALSO, THE INFORMATION IS FOR USE IN THE EVENT OF A FUTURE INFORMATION VERIFIED BY THE CONTRACTOR'S RESPONSIBILITY.

**DANIEL CREANEY COMP**  
CONSULTING CIVIL ENGINEERS  
450 SKOKIE BLVD. SUITE 105  
NORTHBROOK, ILL 480-5787

DESIGNED BY: D.A.C.      CHECKED BY: D.A.C.  
DRAWN BY: D.M.L.      JOB NO. 2167



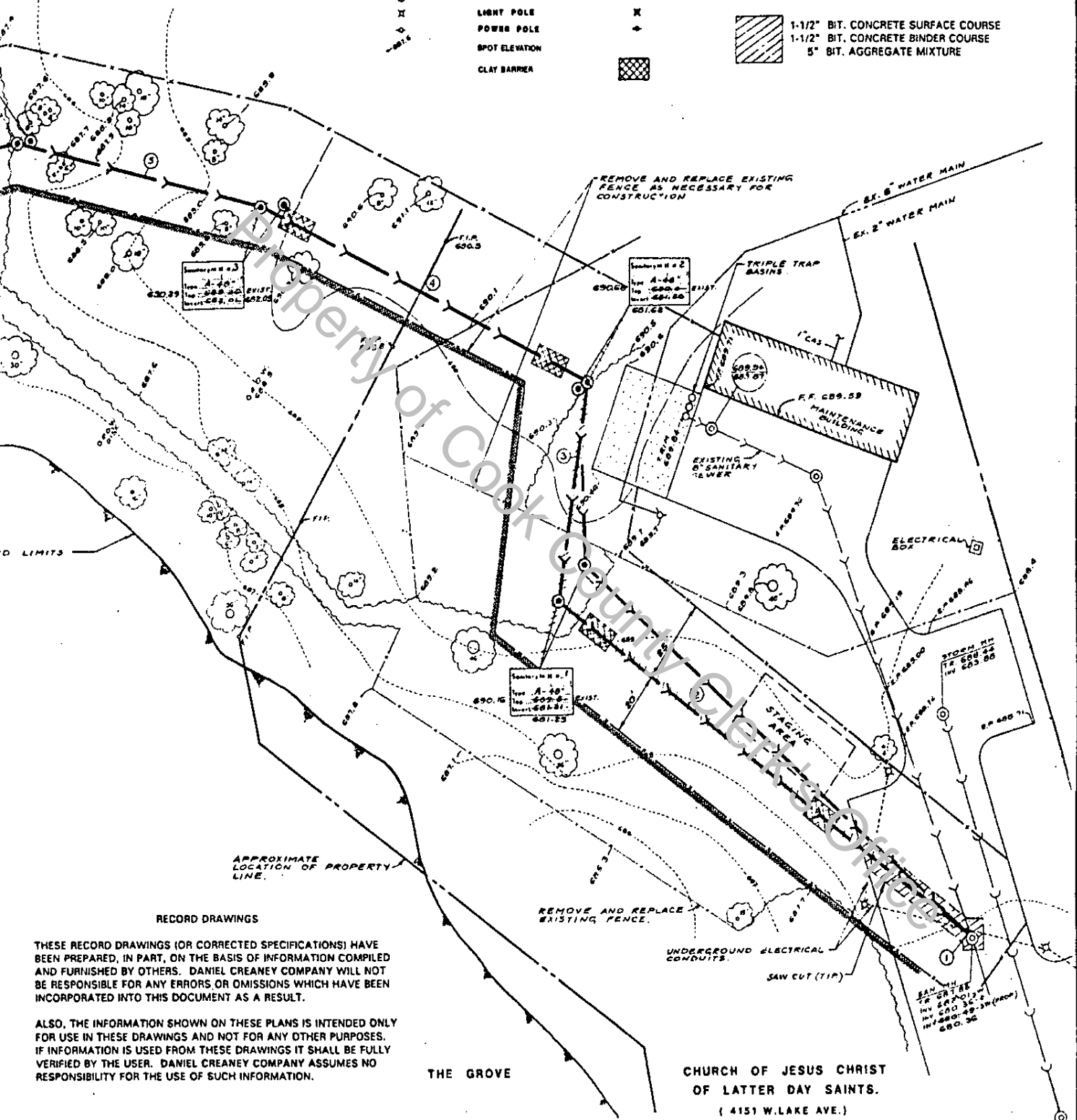
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Portion of line to be maintained by Sanitary District

EXISTING	LEGEND	PROPOSED
	STORM SEWER	
	SANITARY SEWER	
	WATER MAIN	
	MANHOLE	
	CATCHBASIN	
	FIRE HYDRANT	
	VALVE VAULT	
	LIGHT POLE	
	POWER POLE	
	SPOT ELEVATION	
	CLAY BARRIER	

PAVEMENT REMOVAL AND REPLACEMENT IN KIND (MIN. BELOW)

	1-1/2" BIT. CONCRETE SURFACE COURSE
	1-1/2" BIT. CONCRETE BINDER COURSE
	5" BIT. AGGREGATE MIXTURE



DATE	BY	REVISION
5-5-97	R.M.S.	RECORD DRAWINGS
3-24-97	H.E.R.	PER ADDENDUM #1 TO CONTRACT
3-18-97	H.E.R.	PER M.H.R.D. REVIEW
2-6-97	H.E.R.	PER M.H.R.D. REVIEW
1-8-97	H.E.R.	PER REVIEW BY VILLAGE ENG. DEPT.
7-17-96	H.E.R.	APPROVAL BY P.E. 1
12-16-96	H.E.R.	PER REVIEW BY VILLAGE ENG. DEPT.
10-7-96	H.E.R.	PER REVIEW BY M.H.R.
9-4-96	J.L.R.	PER REVIEW BY "THE GROVE"

**CREANEY COMPANY**  
CIVIL ENGINEERS  
BLVD. SUITE 105  
CHICAGO, ILL. 480-5757

**REDFIELD CENTER AT THE GROVE**  
1421 MILWAUKEE AVENUE  
GLENVIEW, ILLINOIS

SHEET  
**2**  
OF 4  
DATE 8-28-98  
JOB NO. 2767

86890966 SANITARY SEWER PLAN

86890966