

# UNOFFICIAL COPY

PARTY WALL AGREEMENT

3615288

This Agreement made this 12th day of May,  
19 87, between EDWARD & FLORENCE VILLADONGA  
and JAMES A. & CONSTANCE M. LAVATY

Whereas, EDWARD VILLADONGA & FLORENCE VILLADONGA  
the owner (s) of the following described

property:

SEE ATTACHED LEGAL (A)

Whereas, JAMES A. LAVATY and CONSTANCE M. LAVATY  
the owner(s) of the following described

property:

SEE ATTACHED LEGAL (B)

Whereas, there exists common walls dividing the  
aforesaid, residential townhome units, and

Whereas, it is the intention of the parties  
that in the event of the sale of either of the said  
townhome units, that the dividing wall between  
the said units shall remain in the same condition for the  
use of any and all subsequent purchasers,

Now, therefore, the aforesaid parties, in order  
to protect each and every other purchaser, his successors  
and assigns, of any unit as aforesaid, do hereby create  
easements in the said party walls between the units, as  
follows:

1. The said dividing walls are hereby declared to  
be party walls between the adjoining residences erected on  
said premises.

2. The cost of maintaining the party wall shall  
be borne equally by the owners on either side of said  
wall.

3. The said party wall shall not be materially  
altered or damaged by any of the parties nor shall any  
of the parties have the right to add to or detract from  
the party wall in any manner whatsoever, it being the  
intention that the party wall shall at all times remain  
in the same position as when erected. If it becomes  
necessary to repair or rebuild the party wall, or any portion  
thereof, the same shall be rebuilt and erected in the  
same place where it now stands.

Villadonga/ 609 Nelson Ln. Des Plaines, IL (09-07-210-035)

Lavaty / 611 Nelson Ln. Des Plaines, IL (09-07-210-036)

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The West 46.54 feet of a parcel of land described as follows: That part of Lots Ninety (90) and Ninety-One (91) in Gleich's Prospect Ridge hereinafter described bounded by a line described as follows: Commencing at a point on the West line of said Lot Ninety (90), Twenty (20) feet South of the Northwest corner thereof; thence South on the West line of said Lots Ninety (90) and Ninety-One (91), Sixty-Three (63) feet to a point Twenty (20) feet North of the Southwest corner of said Lot Ninety-One (91); thence East parallel with the South line of said Lot Ninety-One (91), Ninety-Six (96) feet; thence South on a line parallel with the East line of Lot Ninety-One (91), 26.50 feet; thence East parallel with the South line of Lot Ninety-One (91), Forty-One (41) feet to a point on the East line of said Lot Ninety-One (91), 2.50 feet North of the Southeast corner thereof; thence North on the East line of said Lots Ninety (90) and Ninety-One (91), 64.50 feet to a point Forty-Five (45) feet South of the Northeast corner of said Lot Ninety (90); thence West parallel with the North line of said Lot Ninety (90), Twenty-One (21) feet; thence North parallel with the East line of Lot Ninety (90), Twenty-Five (25) feet; thence West parallel with the North line of Lot Ninety (90); One Hundred Sixteen (116) feet to the place of beginning.

3615288

The West Ten (10) feet of the most Southerly Nineteen (19) feet of a parcel of land described as follows: That part of Lots Ninety (90) and Ninety-One (91) in Gleich's Prospect Ridge hereinafter described bounded by a line described as follows: Commencing at a point on the West line of said Lot Ninety (90), Twenty (20) feet South of the Northwest corner thereof; thence South on the West line of said Lot Ninety (90) and Ninety-One (91), Sixty-Three (63) feet to a point Twenty-Nine (29) feet North of the Southwest corner of said Lot Ninety-One (91); thence East parallel with the South line of said Lot Ninety-One (91), Ninety-Six (96) feet; thence South on a line parallel with the East line of Lot Ninety-One (91), 26.50 feet; thence East parallel with the South line of Lot Ninety-One (91), 2.50 feet North of the Southeast corner thereof; thence North on the East line of said Lot Ninety-One (91) and Ninety-One (91), 64.50 feet to a point Forty-Five (45) feet South of the Northeast corner of said Lot Ninety (90); thence West parallel with the North line of said Lot Ninety (90), Twenty-One (21) feet; thence North parallel with the East line of Lot Ninety (90), Twenty-Five (25) feet; thence West parallel with the North line of Lot Ninety (90), One Hundred Sixteen (116) feet to the place of beginning.

In Gleich's Prospect Ridge, being a Subdivision in the Northeast Quarter ( $\frac{1}{4}$ ) of Fractional Section 7, Township 41 North, Range 12 East of the Third Principal Meridian, according to Plat thereof registered in the Office of the Registrar of Titles of Cook County, Illinois, on June 10, 1955, as Document Number 1209310.

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4. In the event of damage or destruction of said wall from any cause, other than the negligence of either party thereto, the owners shall, at joint expense, repair or rebuild said wall, and each party, his successors and assigns, shall have the right to the full use of said wall so repaired or rebuilt. If either party's negligency shall cause damage to or destruction of said wall, such negligent party shall bear the entire cost of repair or reconstruction. If either party shall neglect or refuse to pay for his share, or all of such costs in the case of negligence, the other party may have said wall repaired or reconstructed and shall be entitled to have a mechanics' lien on the premises of the party so failing to pay for the amount of such defaulting party's share of the repair or replacement cost.

5. Neither party shall alter or change said party walls in any manner, interior decoration excepted, and said party wall shall always remain in the same location as when erected, and each party to said common or division wall shall have a perpetual easement in that part of the premises of the other on which said party wall is located, for party wall purposes.

6. The easements hereby created are and shall be perpetual and construed as covenants running with the land and each and every person accepting a deed to any lot in said multiple unit shall be deemed to accept said deed with the understanding that each and every other purchaser is also bound by the provisions herein contained, and each and every purchaser, by accepting a deed to either lot shall thereby consent and agree to be bound by the covenants herein contained to the same extent as though he had signed this instrument.

7. This Agreement shall be binding upon the undersigned, their successors, assigns and grantees.

IN WITNESS WHEREOF, the parties have caused the undersigned, to be signed the day and date first above written.

Edward Villadonga James A. Savely  
Flora Villadonga Constance M. Savely

3615238

State of Illinois  
 County of Cook

I, Edward Villadonga a Notary Public in and for the County and State aforesaid do HEREBY CERTIFY that on this day Edward Villadonga + Flora Villadonga James A. Savely + Constance M. Savely have appeared before me and are personally know to me to be the same persons who caused their signatures to be affixed to the above instrument as their free and voluntary act for the uses and purposes therein set forth.

GIVEN under my hand and seal this 12th day of May, 1987.

Edward A. Villadonga  
 NOTARY PUBLIC

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PARCEL 1: THE EAST 21.04 FEET OF THE WEST 67.58 FEET OF A PARCEL OF LAND DESCRIBED AS FOLLOWS: THAT PART OF LOTS 90 AND 91 IN GLEICH'S PROSPECT RIDGE HEREINAFTER DESCRIBED BOUNDED BY A LINE DESCRIBED AS FOLLOWS: COMMENCING AT A POINT ON THE WEST LINE OF SAID LOT 90, 20 FEET SOUTH OF THE NORTHWEST CORNER THEREOF; THENCE SOUTH ON THE WEST LINE OF SAID LOTS 90 AND 91, 63 FEET TO A POINT 29 FEET NORTH OF THE SOUTHWEST CORNER OF SAID LOT 91; THENCE EAST PARALLEL WITH THE SOUTH LINE OF SAID LOT 91, 96 FEET; THENCE SOUTH ON A LINE PARALLEL WITH THE EAST LINE OF LOT 91, 26.50 FEET; THENCE EAST PARALLEL WITH THE SOUTH LINE OF LOT 91, 41 FEET TO A POINT ON THE EAST LINE OF SAID LOT 91, 2.50 FEET NORTH OF THE SOUTHEAST CORNER THEREOF; THENCE NORTH ON THE EAST LINE OF SAID LOTS 90 AND 91, 64.50 FEET TO A POINT 45 FEET SOUTH OF THE NORTHEAST CORNER OF SAID LOT 90; THENCE WEST PARALLEL WITH THE NORTH LINE OF SAID LOT 90, 21 FEET; THENCE NORTH PARALLEL WITH THE EAST LINE OF LOT 90, 25 FEET; THENCE WEST PARALLEL WITH THE NORTH LINE OF LOT 90, 116 FEET TO THE PLACE OF BEGINNING, IN COOK COUNTY, ILLINOIS.

3618288

PARCEL 2: THE EAST 10 FEET OF THE WEST 20 FEET OF THE MOST SOUTHERLY 19 FEET OF A PARCEL OF LAND DESCRIBED AS FOLLOWS: THAT PART OF LOTS 90 AND 91, IN GLEICH'S PROSPECT RIDGE HEREINAFTER DESCRIBED BOUNDED BY A LINE DESCRIBED AS FOLLOWS: COMMENCING AT A POINT ON THE WEST LINE OF SAID LOT 90 20 FEET SOUTH OF THE NORTHWEST CORNER THEREOF; THENCE SOUTH ON THE WEST LINE OF SAID LOTS 90 AND 91, 63 FEET TO A POINT, 29 FEET NORTH OF THE SOUTHWEST CORNER OF SAID LOT 91; THENCE EAST PARALLEL WITH THE SOUTH LINE OF SAID LOT 91, 96 FEET; THENCE SOUTH ON A LINE PARALLEL WITH THE EAST LINE OF LOT 91, 26.50 FEET; THENCE EAST PARALLEL WITH THE SOUTH LINE OF LOT 91, 41 FEET TO A POINT ON THE EAST LINE OF SAID LOT 91, 2.50 FEET NORTH OF THE SOUTHEAST CORNER THEREOF; NORTH ON THE EAST LINE OF SAID LOTS 90 AND 91, 64.50 FEET TO A POINT 45 FEET SOUTH OF THE NORTHEAST CORNER OF SAID LOT 90; THENCE WEST PARALLEL WITH THE NORTH LINE OF SAID LOT 90, 21 FEET; THENCE NORTH PARALLEL WITH THE EAST LINE OF LOT 90, 25 FEET; THENCE WEST PARALLEL WITH THE NORTH LINE OF LOT 90, 116 FEET TO THE PLACE OF BEGINNING ALL IN GLEICH'S PROSPECT RIDGE, BEING A SUBDIVISION IN THE NORTHEAST 1/4 OF FRACTIONAL SECTION 7, TOWNSHIP 41 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO PLAT THEREOF REGISTERED IN THE OFFICE OF THE REGISTRAR OF TITLES OF COOK COUNTY, ILLINOIS, ON JUNE 10, 1948 AS DOCUMENT NUMBER 1800310, IN COOK COUNTY, ILLINOIS.

PARCEL 3: EASEMENT FOR INGRESS AND EGRESS APPURTENANT TO AND FOR THE USE AND BENEFIT OF PARCELS 1 AND 2 AS SET FORTH AND DEFINED IN PLAT OF EASEMENTS FILED AS DOCUMENT NO. LR1947740, IN COOK COUNTY, ILLINOIS.

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1385131  
IN DUPLICATE  
8823198  
8823198  
8823198

GREATER ILLINOIS  
TITLE COMPANY  
BOX 115  
# 410009

IDENTIFIED No.	OFFICE OF RECORDS CLERK OF COOK COUNTY 643
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COOK COUNTY CLERK'S OFFICE  
JUN 10 1948