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DECLARATION OF RESTRICTIVE COVENANT TO RUN WITH THE LAND

THIS DECLARATION executed this 23rd day of March, 1989, by the Parkway Bank and Trust Company, as Trustee under Trust Agreement dated September 30, 1988, and known as Trust No. 9037, hereinafter referred to as the "Owner", for creation of a restrictive covenant to run with the land as herein described:

WHEREAS, the Parkway Bank and Trust Company, as Trustee of Trust No. 9037 is the owner of the real property legally described as follows:

Parcel 1: Lots 10, 11 and 12 in Holland's Resubdivision, of Lots 1 to 109, inclusive and vacated streets and alleys in Dall's Sunnyside Addition to Wheeling, in the South 1/2 of Section 2, Township 42 North, Range 11, East of the Third Principal Meridian, according to the plat thereof registered in the Office of the Registrar of Title of Cook County, Illinois on September 16, 1935 as Document 1621040 (Hereinafter referred to as Parcel 1).

Parcel 2: Lots 13 through 17 inclusive in Holland's Resubdivision of Lots 1 to 109, inclusive, and vacated streets and alleys in Dall's Sunnyside Addition to Wheeling, in the South Half of Section 2, Township 42 North, Range 11, East of the Third Principal Meridian, according to the plat thereof registered in the Office of the Registrar of Titles of Cook County, Illinois on September 16, 1935, as Document Number 1621040 in Cook County, Illinois. (Hereinafter referred to as Parcel 2.)

WHEREAS, the beneficiaries under the Parkway Bank and Trust Company No. 9037 are desirous of building a shopping center on Parcels 1 and 2.

WHEREAS, the Village of Wheeling has given all necessary approvals for the construction of a shopping center on Parcel 1 and Parcel 2 subject to the condition that two parcels of property legally described herein as Parcels 1 and 2, are joined together and prohibited from being sold independent of each other.

THEREFORE, in consideration of the Village of Wheeling's approval of the construction of a shopping center on Parcels 1 and 2, Parkway Bank and Trust Company, as Trustee of Trust No. 9037 hereby covenants and agrees that the real property legally described herein as Parcels 1 and 2 shall not be sold independently of each other and shall only be sold together as one parcel.

This covenant shall run with the land and shall be binding upon all successors and assigns of the owner.

Every person who now or hereafter owns or acquires any right, title or interest in Parcels 1 and 2 is and shall be conclusively deemed to have consented and agreed to the covenants, conditions and restrictions contained herein, whether or not any reference to this Declaration is contained in the instrument by which such person acquired such interest or right.

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20 W. DUNDEE RD.
WHEELING, IL 60090

OFFICIAL BUSINESS
VILLAGE OF WHEELING

5/5/89 description of the property is on CAT-1330668 and 1448640

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IN WITNESS WHEREOF, I have hereunto set my hand and the seal of said County, at Chicago, Illinois, this 1st day of January, 2010.

Clerk of Cook County

Property of Cook County Clerk's Office

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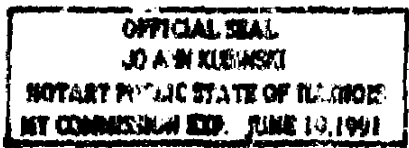
STATE OF ILLINOIS)
) SS.
COUNTY OF COOK)

I, the undersigned, a Notary Public in and for the County and State aforesaid, DO HEREBY CERTIFY that Posanne DuPass,
Asst. Vice President of FAIRWAY BANK AND TRUST COMPANY
and Joan M. Schwartz, Asst. Vice President ~~Secretary~~
of said corporation, personally known to me to be the same persons whose names are subscribed to the foregoing instrument as such Asst. Vice President and Asst. Vice President ~~Secretary~~, respectively, appeared before me this day in person and acknowledged that they signed and delivered the same instrument as their free and voluntary act, and as the free and voluntary act of said corporation, as Trustee under Trust Number 9037, for the uses and purposes therein set forth; and the said Asst. Vice President ~~Secretary~~ did also then and there acknowledge that (s)he, as custodian of the corporate seal of said corporation, did affix the said seal of said corporation to said instrument as his/her own free and voluntary act, and as the free and voluntary act of said corporation, as trustee aforesaid, for the uses and purposes therein set forth.

GIVEN under my hand and official seal, this 23rd day of March, 1989.

John Kubinski
NOTARY PUBLIC

My commission expires: June 10, 1991



County Clerk's Office

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OFFICIAL BUSINESS
VILLAGE OF WHEELING

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1989 MAY -5 PM 3 03

CAROL MOSELEY BRAUN
REGISTRAR OF TITLES



WILLIAM OF WHEELING
PATRICIA TOLEY
855 W. DUNDEE RD
P.O. Box 1
WHEELING, IL. 60090.

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Property of Cook County Clerk's Office

DATE: 11/13/89