

# TICOR TITLE

PREPARED BY:  
and RETURN TO:  
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**4359916**

Filed for Record in:  
LAKE COUNTY, IL  
MARY ELLEN VANDERVENTER - RECORDER  
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**FIRST AMENDMENT TO  
DECLARATION OF RECIPROCAL EASEMENT AGREEMENTS  
AND PROTECTIVE COVENANTS FOR  
LAKE ZURICH CORPORATE PARK**

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**FIRST AMENDMENT TO  
DECLARATION OF RECIPROCAL EASEMENT AGREEMENTS  
AND PROTECTIVE COVENANTS FOR  
LAKE ZURICH CORPORATE PARK**

**THIS FIRST AMENDMENT TO DECLARATION OF RECIPROCAL EASEMENT AGREEMENTS AND PROTECTIVE COVENANTS** (hereinafter "First Amendment") is made effective as of this 12<sup>th</sup> day of May, 1999 by Harris Bank Barrington, N.A. not personally but solely as trustee of a certain trust agreement dated November 2, 1994 and known as trust number 11-5038 ("Trust 5038") and LZCP Investors, L.L.C., an Illinois limited liability company ("LZCP") (Trust 5038 and LZCP are in the singular referred to as the "Owner" or the "Declarant" and together the "Owners" or the "Declarants").

**RECITALS**

A. Trust 5038 was the legal titleholder of certain real property located in the Village of Lake Zurich (the "Village") legally described on Exhibit "A" ("Original Property") and is currently the owner of not less than seventy-five percent (75%) of the Original Property.

B. LZCP is the legal titleholder of certain real property located in the Village, which property is legally described on Exhibit "B" attached hereto and made a part hereof ("First Additional Property").

C. Pursuant to Declaration of Reciprocal Easement Agreements and Protective Covenants for Lake Zurich Corporate Park recorded in the office of the Recorder of Deeds for Lake County Illinois ("Recorder's Office") as Document No. 4091647 ("Declaration"), Trust 5038 subjected the Original Property to the terms and provisions of the Declaration. For purposes hereof, the Original Property, as affected by the Declaration, is herein referred to as the "Lake Zurich Corporate Park".

D. Article VIII, Section C.1. provides that the Declaration may be amended by the owners of seventy-five percent (75%) of the square footage of the Original Property by the recording in the Recorder's office of an amendment executed by such owners.

E. Trust 5038 wishes to amend the Declaration to provide that:

1. Declarants may annex additional land to the Lake Zurich Corporate Park; and
2. Permit the present annexation of the First Additional Property to the Lake Zurich Corporate Park;

and LZCP wishes to join in this First Amendment to annex First Additional Land to Lake Zurich Corporate Park.

UNITED STATES DEPARTMENT OF JUSTICE  
FEDERAL BUREAU OF INVESTIGATION  
WASHINGTON, D. C. 20535

THIS REPORT CONTAINS INFORMATION OF A CONFIDENTIAL NATURE  
AND IS INTENDED FOR THE USE OF THE FBI AND ITS FIELD OFFICES  
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PERSONS UNLESS SO AUTHORIZED BY THE FBI. IT IS THE POLICY  
OF THE FBI TO PROTECT THE CONFIDENTIALITY OF THIS INFORMATION  
AND TO TAKE APPROPRIATE ACTION TO PREVENT THE UNLAWFUL  
DISCLOSURE OF THIS INFORMATION.

SECTION 1

On 10/15/78, the FBI received information from the  
State Department regarding the activities of the  
Organization of American States (OAS) in the  
Americas. The information was obtained from a  
source who has provided reliable information in the past.

The source advised that the OAS is currently  
operating out of the State Department building in  
Washington, D. C. The source also advised that  
the OAS is currently conducting operations in  
various parts of the Americas.

The source further advised that the OAS is  
currently conducting operations in the  
Americas. The source also advised that the  
OAS is currently conducting operations in  
various parts of the Americas. The source  
also advised that the OAS is currently  
conducting operations in various parts of the  
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conducting operations in various parts of the  
Americas.

It is noted that the source has provided reliable  
information in the past.

The source also advised that the OAS is  
currently conducting operations in various  
parts of the Americas.

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currently conducting operations in various  
parts of the Americas.

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currently conducting operations in various  
parts of the Americas.

NOW THEREFORE, Trust 5038, as owner of at least seventy-five percent (75%) of the Original Property, and LZCP, as owner of the First Additional Property, do hereby declare that any interest in the Original Property and the First Additional Property is and shall be held, conveyed and occupied subject to the covenants, easements, changes, liens and restrictions set forth in the Declaration, as amended by this First Amendment.

**ARTICLE I**

**INCORPORATION OF RECITALS**

Recitals A. through E., both inclusive, immediately above, are incorporated into this Article One as though fully set forth herein.

**ARTICLE II**

**CONSTRUCTION**

This First Amendment shall be construed in conjunction with the Declaration. The First Amendment shall amend and modify the Declaration. Except as modified hereby, the Declaration shall remain in full force and effect and is hereby ratified and confirmed. All terms used herein shall have the meanings ascribed in the Declaration unless otherwise defined herein.

**ARTICLE III**

**RESERVATION OF RIGHT TO ANNEX ADDITIONAL PROPERTY**

**A. Annexation of Additional Property.** Declarant or Declarants, for themselves and their successors and assigns, hereby reserve the right to add to the Lake Zurich Corporate Park any land which is adjacent to the Original Property, the First Additional Property or any other property hereafter annexed to the Lake Zurich Corporate Park. No rights or obligations of any kind whatsoever in all or a part of any additional land shall exist except as to additional land described in a recorded "Amendment to Declaration" annexing and adding such additional land to the Lake Zurich Corporate Park and subjecting such additional land to the terms of the Declaration, as previously amended. In the future, Declarant or Declarants may add additional land to the Lake Zurich Corporate Park and may amend the Declaration for such purpose without the requirement in the Declaration that the amendment be approved by "seventy-five percent (75%) of the owners of the Original Property.

**B. Procedure for Annexing Additional Property.** To annex additional land to the Lake Zurich Corporate Park:

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1. Declarant or Declarants shall prepare and record an amendment to the Declaration identifying the land being annexed to the Lake Zurich Corporate Park.
2. The amendment may contain such modifications and additions to the provisions of the Declaration as Declarant or Declarants deem reasonably necessary to incorporate the additional land to the then existing Lake Zurich Corporate Park.
3. Each owner's share of Association Costs shall be calculated in accordance with the formulae set forth in the Declaration. Upon the recording of an Amendment annexing additional land to the Lake Zurich Corporate Park, the Declarants or, if management of the Lake Zurich Corporate Park has been turned over to the Owner's Association, then the Association, shall recalculate each Parcel Owner's Proportionate Share of Association Costs.
4. Upon the recordation of such Amendment To The Declaration, any additional facilities intended to be administered by the Association for the benefit of the Parcel Owners shall be identified.
5. The recording of any such Amendment To The Declaration shall not alter the amount of the lien for Association Costs assessed against a Parcel prior to such recording.

#### ARTICLE IV

##### ANNEXATION OF FIRST ADDITIONAL PROJECT

- A. **Annexation of First Additional Property.** First Additional Property is hereby annexed and added to the Lake Zurich Corporate Park.
- B. **Terms of Declaration.** First Additional Land, and all improvements constructed thereon, is hereby subjected to the terms and provisions of the Declaration, as hereby and from time to time amended,
- C. **The Property.** From and after the recording of this First Amendment, any reference to the Property shall mean the Original Property and the First Additional Land, taken together.
- D. **Parcel Owner's Proportionate Share of Association Costs.** Each Parcel Owner shall pay their respective proportionate share of Association Costs determined in accordance with Article V, Section F of the Declaration. The term "Property" as used in that formula shall mean the Original Property and the Additional Property, taken together. As soon as practical, Declarant shall advise each Parcel Owner of their adjusted proportionate share.

1. The first section of the Act provides that the Secretary of the Interior shall have the honor to receive and accept the title of the land...

2. The second section of the Act provides that the Secretary of the Interior shall have the honor to receive and accept the title of the land...

3. The third section of the Act provides that the Secretary of the Interior shall have the honor to receive and accept the title of the land...

4. The fourth section of the Act provides that the Secretary of the Interior shall have the honor to receive and accept the title of the land...

5. The fifth section of the Act provides that the Secretary of the Interior shall have the honor to receive and accept the title of the land...

ARTICLE IV

SECTION 1. TITLE

1. The first section of the Act provides that the Secretary of the Interior shall have the honor to receive and accept the title of the land...

2. The second section of the Act provides that the Secretary of the Interior shall have the honor to receive and accept the title of the land...

3. The third section of the Act provides that the Secretary of the Interior shall have the honor to receive and accept the title of the land...

4. The fourth section of the Act provides that the Secretary of the Interior shall have the honor to receive and accept the title of the land...

In witness whereof, Declarants have executed this First Amendment to Declaration of Reciprocal Easement Agreements and Protective Covenants for Lake Zurich Corporate Park as of the day and year first above written.

TRUST 5038

Harris Bank Barrington, N.A., not personally but as trustee aforesaid u/t/a/ No. 11-5038 As Trustee and not personally

By: Elizabeth Cordova  
Its Elizabeth Cordova  
AVP & Land Trust Officer

LZCP

LZCP Investors, L.L.C., an Illinois limited liability company

By: [Signature]  
Manager

This instrument is executed by the undersigned Land Trustee, not personally but solely as trustee in the exercise of the power and authority conferred upon and vested in it as such Trustee. It is expressly understood and agreed that all the warranties, indemnities, representations, covenants, undertakings and agreements herein made on the part of the Trustee are undertaken by it solely in its capacity as Trustee and not personally. No personal liability or personal responsibility is assumed by or shall at any time be asserted or enforceable against the Trustee on account of any warranty, indemnity, representation, covenant, undertaking or agreement of the Trustee in this instrument.

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To facilitate the implementation of the proposed system, the Board of Directors of the Agency has approved the following plan of action:

The following information is being furnished to you for your information and guidance.

SECRET

*[Handwritten signature]*  
[Illegible typed name and title]

Approved for release on [illegible] by [illegible]

SECRET

*[Handwritten signature]*  
[Illegible typed name and title]

This document contains information that is classified as SECRET and is intended for the use of authorized personnel only. It is not to be distributed, copied, or otherwise disseminated to unauthorized personnel. If you are not an authorized recipient, you should not read, use, or disseminate this information. If you have received this document in error, please notify the appropriate authority immediately.

STATE OF ILLINOIS )  
 ) SS  
COUNTY OF COOK )

The undersigned, a Notary Public, in and for said County, in the State aforesaid, do hereby certify that Elizabeth Cordova of Harris Bank Barrington, N.A., not personally but as trustee aforesaid of a certain Trust Agreement Number 11-5038, as Land Trust Officer thereof, personally known to me to be the same person whose name s subscribed to the foregoing instrument as such person appeared before me this day in person and acknowledged that she signed and delivered the said instrument as her free and voluntary act and as the free and voluntary act of said Harris Bank Barrington, N.A. for the uses and purposes set forth.

Given this 12th day of May, 1999.

Dolores A. Korinke  
Notary Public  
My Commission Expires \_\_\_\_\_



STATE OF ILLINOIS )  
 ) SS  
COUNTY OF COOK )

The undersigned, a Notary Public, in and for said County, in the State aforesaid, do hereby certify that Jeffrey A. Tideman as \_\_\_\_\_ of LZCP Investors, L.L.C., personally known to me to be the same person whose name s subscribed to the foregoing instrument as such person appeared before me this day in person and acknowledged that he signed and delivered the said instrument as his free and voluntary act and as the free and voluntary act of said LZCP Investors, L.L.C. for the uses and purposes set forth.

Given this 12th day of May, 1999.

Nancy H. Lewis  
Notary Public  
My Commission Expires \_\_\_\_\_



STATE OF MARYLAND

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COUNTY OF COOK

I, the undersigned, a duly qualified elector in the State of Maryland, do hereby certify that the following named persons are duly qualified electors in the County of Cook, State of Maryland, and are entitled to register as voters in the District of Columbia. The names of the persons named herein are as follows: [List of names]

Given this 1st day of March, 1991

OFFICE OF THE CLERK OF THE BOARD OF ELECTIONS  
STATE OF MARYLAND  
1000 ...

*[Signature]*

City Commissioner

STATE OF MARYLAND

22

COUNTY OF COOK

I, the undersigned, a duly qualified elector in the State of Maryland, do hereby certify that the following named persons are duly qualified electors in the County of Cook, State of Maryland, and are entitled to register as voters in the District of Columbia. The names of the persons named herein are as follows: [List of names]

Given this 1st day of March, 1991

OFFICE OF THE CLERK OF THE BOARD OF ELECTIONS  
STATE OF MARYLAND  
1000 ...

*[Signature]*

City Commissioner

**LEGAL DESCRIPTION OF ORIGINAL PROPERTY**

**EXHIBIT "A"**

**4359916**

469507.2 - DS2A

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EXHIBIT A  
Legal Description

Parcel 1:

THE SOUTHERLY HALF OF LOT 1, ALL OF LOT 8, AND ALL OF LOT 9 IN SCHOOL TRUSTEES' SUBDIVISION OF SECTION 16, IN TOWNSHIP 43 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN; EXCEPT THEREFROM ALL THAT PART LYING WESTERLY OF THE EASTERLY LINE OF LAKE ZURICH INDUSTRIAL CENTER UNITS 2, 3, 4A AND THE FIRST RESUBDIVISION OF LAKE ZURICH INDUSTRIAL CENTER UNIT 3.

ALSO,

SS

LOTS 1, 2, 3, AND 4 IN LAKE ZURICH ESTATES, BEING A SUBDIVISION OF PARTS OF SECTIONS 15 AND 16, TOWNSHIP 43 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN; EXCEPT THEREFROM ALL THAT PART LYING EASTERLY OF THE WESTERLY RIGHT-OF-WAY LINE OF QUENTIN ROAD;

ALSO,

THAT PART OF THE SOUTHWEST QUARTER OF SAID SECTION 15, LYING WESTERLY OF SAID WESTERLY RIGHT-OF-WAY LINE AND NORTHERLY OF SAID LOTS 1 AND 2 IN SAID LAKE ZURICH ESTATES; ALL IN LAKE COUNTY, ILLINOIS.

and parts of Parcel 1 also known as

Parcel 2:

Lots 1 through 20 in Lake Zurich Corporate Park, Unit 1, being a subdivision of part of Section 16, Township 43 North, Range 10 East of the Third Principal Meridian according to the plat thereof recorded January 30, 1998 as document 4080315 in Lake County, Illinois

and parts of Parcel 1 also known as and including additional land

14-16-400-008-021, 14-16-400-009-021,  
14-16-200-049-021, 14-16-200-050-021

**LEGAL DESCRIPTION OF FIRST ADDITIONAL PROPERTY**

— Lots 1 through 10 in Lake Zurich Commerce Center, being a subdivision of part of Sections 15 & 16 in Township 43 North, Range 10 East of the Third Principal Meridian according to the plat thereof recorded April 5, 1999 as document 4331924

14-15-301-003

14-15-301-002-0021

4359916