

R63-16635

DOC. NO. FILED FOR RECORD IN RECORDERS OFFICE OF DUPAGE COUNTY, ILLINOIS

MAY 27 1968 - 3 45 PM

Charles H. Gabel
RECORDER

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DECLARATION OF RESTRICTIONS

WHEREAS, The Naperville Savings and Loan Association, a corporation existing under the laws of the State of Illinois, is the owner of the real estate hereinafter described:

NOW, THEREFORE, in consideration of the premises, said owner does hereby declare and establish the restrictions and protective covenants which follow hereinafter against each of the said parcels of real estate and does hereby declare that after this date they shall hold title to said real estate subject to said building restrictions and protective covenants.

The undersigned hold the property subject to the following restrictions:

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- 1. THAT the property is hereinafter described as follows:

Lots 1, 2, 3 and 4 in Block 2 of Rosmer's Addition to the Town of Naperville, a subdivision of part of the southeast quarter of Section 13, Township 38 North, Range 9, East of the Third Principal Meridian, and part of the Southwest quarter of Section 18, Township 38 North, Range 10, East of the Third Principal Meridian, according to the plat thereof recorded on January 26, 1843, as Document 414 in Du Page County, Illinois.

THAT the uses shall be restricted to those uses set forth in Section 3.4 B-1 District of the Zoning Ordinance adopted November 4, 1940, in the City of Naperville, the uses being restricted to Nos. 6 and 7 of said Zoning Ordinance Sec. 3.4.

- 2. That a ten foot building set back line is hereby established on Washington Street and Franklin Avenue, set back line to be ten feet back from the property line.

- 3. THAT no more than thirty-five percent of the total lot area of the premises hereinabove described shall be used or covered by building purposes and the remaining sixty-five percent shall be used for off street parking purposes.

CHARGE DUPAGE CO. DIVISION

77/3
EXHIBIT A

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4. THAT this agreement shall be binding upon the successors and assigns of the undersigned and that this agreement shall be construed as a covenant running with the land.

5. THAT this Declaration of Restrictions or any part thereof may be abrogated by a Resolution adopted by the City Council of the City of Naperville, Illinois, and the City Council shall be the sole legal entity that may enforce said covenants.

6. THAT enforcement shall be by proceedings at law or in equity against any person or persons violating or attempting to violate any covenant either to restrain violation or to recover damages.

DATED THIS 9th DAY OF May 1963

THE NAPERVILLE BUILDING AND LOAN ASSOCIATION
a corporation existing under the laws of the
State of Illinois.

William W. Bisher

PRESIDENT

A. A. Bernant

SECRETARY



STATE OF ILLINOIS)
COUNTY OF DUPAGE) SS:

I, the undersigned Notary Public, in and for the County and State aforesaid, DO HEREBY CERTIFY that *William W. Bisher* personally known to me to be the President of The Naperville Savings and Loan Association, a corporation, and *A. A. Bernant* personally known to me as the Secretary of said corporation, and personally known to me to be the same persons whose names are subscribed to the foregoing instrument, appeared before me this day in person and severally acknowledged that as such President and Secretary, they signed and delivered the said instrument as President and Secretary of said corporation and caused the corporate seal of said corporation to be affixed thereto, pursuant to authority given by the Board of *Directors* of said corporation as their free and voluntary act, and as the free and voluntary act and deed of said corporation, for the uses and purposes therein set forth.

GIVEN UNDER MY HAND AND OFFICIAL SEAL, this 9th day of May 1963.

Frank P. O'Connell

NOTARY PUBLIC

Commission expired *April 9, 1963*

