

SETBACK ENCROACHMENT AGREEMENT

4709 N. STERLING

In consideration of an exception granted by the City of Peoria from the application of Section 2-4.1001 of the Zoning Ordinance of the City of Peoria permitting the undersigned to construct a structure within the limits prescribed by that section, the undersigned hereby agrees that in the event the City of Peoria, or the County of Peoria, or the State of Illinois make any improvements to any of the right-of-way abutting the premises upon which the structure is to be located and requires the space upon which the structure is located, the undersigned shall remove the structure forthwith upon receipt of thirty (30) days written notice to do so at his own expense and shall hold the City of Peoria free and harmless from any expense or liability arising out of the removal or relocation of the structure, and from any liability for any damage to remaining property of the undersigned.

This agreement shall be binding upon all heirs, assigns and successors of the undersigned and shall be recorded in the office of the Recorder of Deeds of Peoria County and shall run with the land in relation to the following described property:

NOV 11 1987

(ATTACHED)

STATE OF ILLINOIS }  
County of Peoria } SS  
HELEN G. BLAIR, County Clerk }  
*Helen G. Blair*  
Recorder of Deeds

IN WITNESS WHEREOF the undersigned has placed his signature hereto personally in behalf of his respective principal.

*David L. Golwitzer*

*David L. Golwitzer*  
DAVID L. GOLWITZER.  
ILLINO FND. OIL CO.  
617 KEOKUK ST.  
LINCOLN, ILL. 62656

APPROVED:

PREPARED BY

*Bill Frunling*  
Planning Director  
BILL FRUNLING

DATE: 11/2/87

ATTACHMENT I

That part of lots 8, 9, 10, & 11 of Farrelly's Golden Gardens, a subdivision in the North 1/2 of the Northwest 1/4 of Section 19, Township 9 North, Range 8 East of the Fourth Principal Meridian, County of Peoria, State of Illinois, described as follows:

Commencing at the northeast corner of Lot 8, thence west along the north lot line of said Lot 8 a distance of twenty-five feet to the point of beginning; thence South  $0^{\circ}$ , 9 minutes West 169.75 feet to a point; thence South  $44^{\circ}$ , 55 minutes West, 28.40 feet to a point; thence South  $89^{\circ}$ , 41 minutes West, 39.30 feet to a point; thence northwesterly in an arc having a radius of 56.0 feet a distance of 87.97 feet, said arc having its terminus at a point North  $45^{\circ}$  West a distance of 79.20 feet from its point of beginning; thence North  $0^{\circ}$ , 19 minutes West 85.25 feet to a point; thence North  $4^{\circ}$ , 27 minutes, 52 seconds East a distance of 48.47 feet to a point in the North line of Lot 8; thence North  $89^{\circ}$ , 41 minutes East a distance of 112.96 feet to the point of beginning, excepting therefrom the North 20 feet of the above described premises.