

This document prepared by and  
after recording mail to:

Steven A. Stender  
MUCH SHELST, P.C.  
191 North Wacker Drive  
Suite 1800  
Chicago, Illinois 60606

#### **RELEASE OF REGULATORY AGREEMENT**

**KNOW ALL MEN BY THESE PRESENTS**, that The Bank of New York Mellon Trust Company, N.A., as successor to BNY Midwest Trust Company, as trustee, having an address at 2 North LaSalle Street, 7<sup>th</sup> Floor, Chicago, IL 60602 ("Trustee"), and County of Lake, Illinois, an Illinois municipal corporation ("County"), having an address at 18 North County Street, Waukegan, IL 60085, for valuable consideration, the receipt of which is hereby acknowledged, do hereby remise, release, convey and quitclaim unto Emerald Pointe Limited Partnership, an Illinois limited partnership ("Owner"), all of their right, title, interest, claim or demand whatsoever that Trustee and the County may have acquired in, through or by that certain Regulatory Agreement and Declaration of Restrictive Covenants, by and among the County, Owner and Trustee, dated December 1, 2001, recorded January 4, 2002, in Deed Book 4834333, amended by that certain First Amendment to Regulatory Agreement and Declaration of Restrictive Covenants, recorded December 1, 2011, as document no. 6794290, encumbering the premises therein described and legally described as follows, situated in the County of Lake, State of Illinois, to wit: See Attached Exhibit A for Legal Description.

PERMANENT INDEX NUMBER: 15-08-100-010

PROPERTY: EMERALD POINTE APARTMENTS, 695 WESTMORELAND DRIVE,  
VERNON HILLS, ILLINOIS

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IN WITNESS WHEREOF, the undersigned has signed this instrument, as of this 21  
day of September, 2018.

The Bank of New York Mellon Trust  
Company, N.A., as successor to BNY Midwest  
Trust Company, as trustee

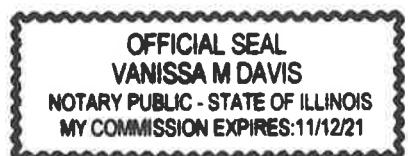
By: Cynthia Reis  
Name: Cynthia Reis  
Title: Vice President

STATE OF ILLINOIS }  
COUNTY OF COOK } ss.  
}

I, the undersigned, a Notary Public in and for the County and State aforesaid, do hereby certify that, Cynthia Reis, Vice President of The Bank of New York Mellon Trust Company, N.A., as successor to BNY Midwest Trust Company, as trustee, personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person, and acknowledged that he signed, sealed and delivered the said instrument as his free and voluntary act and as the duly authorized act of said Company, for the uses and purposes therein set forth.

GIVEN under my hand and notarial seal this 21 day of September, 2018.

  
John R.  
Notary Public



County of Lake, Illinois, an Illinois municipal corporation

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_

STATE OF ILLINOIS }  
COUNTY OF LAKE } ss.  
}

I, the undersigned, a Notary Public in and for the County and State aforesaid, do hereby certify that, \_\_\_\_\_, \_\_\_\_\_ of County of Lake, Illinois, an Illinois municipal corporation, personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person, and acknowledged that he signed, sealed and delivered the said instrument as his free and voluntary act and as the duly authorized act of said County, for the uses and purposes therein set forth.

GIVEN under my hand and notarial seal this \_\_\_\_ day of September, 2018.

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## Notary Public

**EXHIBIT "A" TO RELEASE**

**LEGAL DESCRIPTION**

**PARCEL 1:**

THAT PART OF THE SOUTH 280.0 FEET (AS MEASURED ALONG THE WEST LINE) OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 8, TOWNSHIP 43 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, LYING NORTH OF THE NORTHERLY LINE OF WESTMORELAND DRIVE, EXCEPT THAT PART LYING EASTERLY OF THE WEST LINE OF FIRST ADDITION TO SHOREVIEW SUBDIVISION, BEING A SUBDIVISION IN THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 8 AFORESAID, IN LAKE COUNTY, ILLINOIS.

**PARCEL 2:**

THAT PART OF THE SOUTH 280.0 FEET (AS MEASURED ALONG THE WEST LINE) OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 8, TOWNSHIP 43 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, LYING SOUTH OF THE SOUTHERLY LINE OF WESTMORELAND DRIVE, EXCEPT THAT PART LYING EASTERLY OF THE WEST LINE OF FIRST ADDITION TO SHOREVIEW SUBDIVISION, BEING A SUBDIVISION IN THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 8 AFORESAID, IN LAKE COUNTY, ILLINOIS.

**PARCEL 3:**

EASEMENT FOR RECREATIONAL PURPOSES FOR THE BENEFIT OF PARCELS 1 AND 2 OVER A TRACT OF LAND COMPRISED OF PART OF THE EAST 1/2 OF THE NORTHEAST 1/4 OF SECTION 7, TOWNSHIP 43 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN AND PART OF THE NORTHWEST 1/4 OF SECTION 8, TOWNSHIP AND RANGE AFORESAID; COMMENCING AT A POINT IN THE WEST LINE OF LOT 2 IN FIRST ADDITION TO SHOREVIEW SUBDIVISION, BEING A SUBDIVISION IN THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 8 AFORESAID, 19.0 FEET SOUTH OF THE NORTHWEST CORNER OF SAID LOT 2; THENCE WESTERLY ALONG A LINE 280.0 FEET NORTH OF AND PARALLEL WITH THE SOUTH LINE OF THE NORTHWEST 1/4 OF SECTION 8 AFORESAID, A DISTANCE OF 950.0 FEET TO THE POINT OF INTERSECTION OF AN ARC OF A CIRCLE CONVEX NORTHWESTERLY HAVING A RADIUS OF 450.0 FEET AND WHOSE CENTER LIES IN SAID 280.0 FOOT PARALLEL LINE, SAID POINT OF INTERSECTION BEING THE POINT OF BEGINNING OF TRACT TO BE DESCRIBED; THENCE NORTHEASTERLY ALONG SAID CURVED LINE 157.08 FEET TO A POINT OF REVERSE CURVE; THENCE NORTHERLY ALONG A CURVED LINE CONVEX EASTERLY AND HAVING A RADIUS OF 1100.0 FEET A DISTANCE OF 748.75 FEET TO A POINT OF TANGENCY; THENCE NORTH 19 DEGREES 34 MINUTES 40 SECONDS WEST ALONG A LINE TANGENT TO THE LAST DESCRIBED ARC, A DISTANCE OF 30.27 FEET TO LINE 1196.97 FEET NORTH (AS MEASURED ALONG THE WEST LINE) OF AND PARALLEL WITH THE SOUTH LINE OF THE EAST 1/2 OF THE NORTHEAST 1/4 OF SECTION 7 AFORESAID; THENCE SOUTH 89 DEGREES 52 MINUTES 55 SECONDS WEST ALONG SAID PARALLEL LINE 1113.55 FEET TO THE EAST LINE OF THE COMMONWEALTH EDISON COMPANY RIGHT-OF-WAY (BEING THE EAST LINE OF THE WEST 210.0 FEET, AS MEASURED AT RIGHT ANGLES OF THE EAST 1/2 OF THE NORTHEAST 1/4 OF SECTION 7 AFORESAID); THENCE SOUTHERLY ALONG SAID EAST LINE (HAVING A BEARING OF NORTH 00 DEGREES 03 MINUTES 13 SECONDS EAST AS PER PRIOR DEED), A DISTANCE OF 616.97 FEET TO A POINT 580.0 FEET NORTH OF THE SOUTH LINE OF THE NORTHEAST 1/4 OF SECTION 7 AFORESAID; THENCE SOUTH 89 DEGREES 56 MINUTES 47 SECONDS EAST AT RIGHT ANGLES THERETO, A DISTANCE OF 150.0 FEET; THENCE SOUTH 25 DEGREES EAST 110.0 FEET; THENCE NORTH 65 DEGREES EAST 235.32 FEET; THENCE SOUTH 89 DEGREES 56 MINUTES 47 SECONDS EAST 335.79 FEET; THENCE SOUTH 50 DEGREES EAST ALONG A LINE HEREINAFTER REFERRED TO AS LINE "A" FOR A

DISTANCE OF 462.29 FEET TO THE POINT OF BEGINNING, EXCEPT THEREFROM THAT PART LYING WESTERLY OF A LINE DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT IN THE NORTH LINE OF TRACT 301.56 FEET SOUTH 89 DEGREES 52 MINUTES 55 SECONDS WEST FROM THE NORTHEAST CORNER THEREOF; THENCE SOUTH 00 DEGREES 03 MINUTES 13 SECONDS WEST ALONG A LINE PARALLEL WITH THE WEST LINE OF THE EAST 1/2 OF THE NORTHEAST 1/4 OF SECTION 7 AFORESAID, A DISTANCE OF 286.0 FEET; THENCE SOUTH 31 DEGREES 24 MINUTES 31 SECONDS EAST 230.88 FEET; THENCE SOUTH 04 DEGREES 52 MINUTES 05 SECONDS EAST (ALONG A LINE HEREINAFTER REFERRED TO AS LINE "B") 105.32 FEET; THENCE SOUTH 40 DEGREES 00 MINUTES 00 SECONDS WEST 150.0 FEET TO A POINT IN LINE "A" (HEREINBEFORE DESCRIBED), 130.0 FEET SOUTHEASTERLY OF ITS NORTHWEST TERMINUS; ALSO EXCEPT THAT PART LYING NORTHERLY AND EASTERLY OF A LINE DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT IN LINE "B" (HEREINBEFORE DESCRIBED) 57.62 FEET NORTH 04 DEGREES 52 MINUTES 05 SECONDS WEST FROM ITS SOUTH TERMINUS; SOUTH 50 DEGREES 00 MINUTES 00 SECONDS EAST 141.73 FEET; THENCE SOUTH 17 DEGREES 10 MINUTES 24 SECONDS EAST, A DISTANCE OF 95.29 FEET TO A POINT IN CURVED LINE, CONVEX EASTERLY, HAVING A RADIUS 1035.0 FEET AND WHICH IS CONCENTRIC WITH THE SECOND CURVE IN THE EAST LINE OF TRACT HEREINBEFORE DESCRIBED; THENCE SOUTHWESTERLY ALONG SAID CURVED LINE 29.48 FEET TO A POINT OF REVERSE CURVE; THENCE SOUTHERLY ALONG ANOTHER CURVED LINE CONVEX NORTHWESTERLY HAVING A RADIUS OF 515.0 FEET AND BEING CONCENTRIC WITH THE FIRST CURVE IN THE EAST LINE OF TRACT HEREINBEFORE DESCRIBED FOR A DISTANCE OF 126.42 FEET TO A POINT IN LINE "A" (HEREINBEFORE DESCRIBED) 380.35 FEET SOUTHEASTERLY OF ITS NORTHWEST TERMINUS, AS CREATED BY GRANT RECORDED AS DOCUMENT 1676706, IN LAKE COUNTY, ILLINOIS.

PARCEL 4:

EASEMENT FOR THE BENEFIT OF PARCELS 1 AND 2 AND FOR ACCESS TO THE LAND OVER WHICH THE EASEMENT DESCRIBED IN PARCEL 3 RUNS OVER THE WESTERLY 60.0 FEET (MEASURED RADIALLY) OF THE EASTERLY 65.0 FEET (MEASURED RADIALLY) OF A TRACT OF LAND COMPRISED OF PART OF THE EAST 1/2 OF THE NORTHEAST 1/4 OF SECTION 7, TOWNSHIP 43 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, AND OF PART OF THE NORTHWEST 1/4 OF SECTION 8, TOWNSHIP AND RANGE AFORESAID; COMMENCING AT A POINT IN THE WEST LINE OF LOT 2 IN FIRST ADDITION TO SHOREVIEW SUBDIVISION, BEING A SUBDIVISION IN THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 8 AFORESAID, 19.0 FEET SOUTH OF THE NORTHWEST CORNER OF SAID LOT 2; THENCE WESTERLY ALONG A LINE 280.0 FEET NORTH OF AND PARALLEL WITH THE SOUTH LINE OF THE NORTHWEST 1/4 OF SECTION 8 AFORESAID, A DISTANCE OF 950.0 FEET TO THE POINT OF INTERSECTION OF AN ARC OF A CIRCLE CONVEX NORTHWESTERLY, HAVING A RADIUS OF 450.0 FEET AND WHOSE CENTER LIES IN SAID 280.0 FOOT PARALLEL LINE, SAID POINT OF INTERSECTION BEING THE POINT OF BEGINNING OF TRACT TO BE DESCRIBED; THENCE NORTHEASTERLY ALONG SAID CURVED LINE (HEREINAFTER REFERRED TO AS FIRST CURVE) 157.08 FEET TO A POINT OF REVERSE CURVE; THENCE NORTHERLY ALONG A CURVED LINE (HEREINAFTER REFERRED TO AS SECOND CURVE) CONVEX EASTERLY AND HAVING A RADIUS OF 1100.0 FEET A DISTANCE OF 748.75 FEET TO A POINT OF TANGENCY; THENCE NORTH 19 DEGREES 34 MINUTES 40 SECONDS WEST ALONG A LINE TANGENT TO THE LAST DESCRIBED ARC A DISTANCE OF 30.27 FEET TO A LINE 1196.97 FEET NORTH (AS MEASURED ALONG THE WEST LINE) OF AND PARALLEL WITH THE SOUTH LINE OF THE EAST 1/2 OF THE NORTHEAST 1/4 OF SECTION 7 AFORESAID; THENCE SOUTH 89 DEGREES 52 MINUTES 55 SECONDS WEST ALONG SAID PARALLEL LINE 1113.55 FEET TO THE EAST LINE OF THE COMMONWEALTH EDISON COMPANY RIGHT-OF-WAY (BEING THE EAST LINE OF THE WEST 210.0 FEET, AS MEASURED AT RIGHT ANGLES OF THE EAST 1/2 OF THE NORTHEAST 1/4 OF SECTION 7 AFORESAID); THENCE SOUTHERLY ALONG SAID EAST LINE (HAVING A BEARING OF NORTH 00 DEGREES 03 MINUTES 13 SECONDS EAST AS PER PRIOR DEED), A DISTANCE OF 616.97 FEET TO A POINT 580.0 FEET NORTH OF THE SOUTH LINE OF THE NORTHEAST 1/4 OF SECTION 7 AFORESAID; THENCE SOUTH 89 DEGREES 56 MINUTES 47 SECONDS EAST AT RIGHT ANGLES THERETO A DISTANCE OF 150.0 FEET; THENCE SOUTH 25 DEGREES EAST 110.0 FEET; THENCE NORTH 65 DEGREES

EAST 235.32 FEET; THENCE SOUTH 89 DEGREES 56 MINUTES 47 SECONDS EAST 335.79 FEET; THENCE SOUTH 50 DEGREES EAST ALONG A LINE HEREINAFTER REFERRED TO AS LINE "A" FOR A DISTANCE OF 462.29 FEET TO THE POINT OF BEGINNING; EXCEPT THEREFROM THAT PART LYING NORTHERLY OF A LINE DESCRIBED AS FOLLOWS: BEGINNING AT A POINT IN THE EASTERLY LINE OF SAID TRACT 29.48 FEET (ARC MEASUREMENT) NORTHEASTERLY OF THE POINT OF REVERSE CURVE THEREIN, HEREINBEFORE DESCRIBED; THENCE NORTH 70 DEGREES 34 MINUTES 40 SECONDS WEST PARALLEL WITH THE RADIUS PASSING THROUGH SAID POINT OF REVERSE CURVE AND CONNECTING THE CENTERS OF THE "FIRST CURVE" AND THE "SECOND CURVE FOR A DISTANCE OF 65.02 FEET TO THE WESTERLY LINE OF THE EASTERLY 65.0 FEET (MEASURED RADIALLY) OF SAID TRACT, AS CREATED BY GRANT RECORDED AS DOCUMENT 1677586, IN LAKE COUNTY, ILLINOIS.

PARCEL 5:

EASEMENT FOR THE BENEFIT OF PARCELS 1 AND 2 AND FOR ACCESS TO THE LAND OVER WHICH THE EASEMENT DESCRIBED IN PARCEL 3 RUNS, OVER A TRACT OF LAND COMPRISED OF PART OF THE EAST 1/2 OF THE NORTHEAST 1/4 OF SECTION 7, TOWNSHIP 43 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, AND OF PART OF THE NORTHWEST 1/4 OF SECTION 8, TOWNSHIP AND RANGE AFORESAID: COMMENCING AT A POINT IN THE WEST LINE OF LOT 2 IN FIRST ADDITION TO SHOREVIEW SUBDIVISION, BEING A SUBDIVISION IN THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 8, AFORESAID, 19.0 FEET SOUTH OF THE NORTHWEST CORNER OF SAID LOT 2; THENCE WESTERLY ALONG A LINE 280.0 FEET NORTH OF AND PARALLEL WITH THE SOUTH LINE OF THE NORTHWEST 1/4 OF SECTION 8 AFORESAID, A DISTANCE OF 950.0 FEET TO THE POINT OF INTERSECTION OF AN ARC OF A CIRCLE CONVEX NORTHWESTERLY HAVING A RADIUS OF 450.0 FEET AND WHOSE CENTER LIES IN SAID 280.0 FOOT PARALLEL LINE, ALSO BEING AN ANGLE POINT IN THE NORTHERLY LINE OF WESTMORELAND DRIVE; THENCE NORTH 50 DEGREES 00 MINUTES 00 SECONDS WEST ALONG SAID NORTHERLY LINE 63.88 FEET TO ANOTHER ANGLE POINT IN SAID NORTHERLY LINE OF WESTMORELAND DRIVE AND THE POINT OF BEGINNING OF LAND HEREIN DESCRIBED; THENCE CONTINUE NORTH 50 DEGREES 00 MINUTES 00 SECONDS WEST ALONG SAID NORTHERLY LINE EXTENDED 18.06 FEET TO ITS INTERSECTION WITH AN ARC OF A CIRCLE CONVEX WESTERLY, HAVING A RADIUS OF 515.0 FEET AND WHICH IS CONCENTRIC WITH THE ARC HEREINBEFORE DESCRIBED; THENCE SOUTHERLY ALONG SAID ARC 33.00 FEET TO A POINT IN ANOTHER SEGMENT OF THE NORTHERLY LINE OF WESTMORELAND DRIVE; THENCE SOUTHEASTERLY ALONG SAID NORTHERLY LINE 8.94 FEET (ARC MEASUREMENT) TO AN ANGLE POINT IN THE LINE OF WESTMORELAND DRIVE; THENCE NORTH 17 DEGREES 00 SECONDS EAST ALONG A WESTERLY LINE THEREOF, 24.96 FEET TO THE POINT OF BEGINNING, AS CREATED BY GRANT RECORDED AS DOCUMENT 1677586, IN LAKE COUNTY, ILLINOIS.

PERMANENT INDEX NUMBER: 15-08-100-010

EMERALD POINTE APARTMENTS, 695 WESTMORELAND DRIVE, VERNON HILLS, ILLINOIS