

667405

AFTER RECORDING, RETURN TO:

CHICAGO TITLE INSURANCE COMPANY
INDIANA DIVISION

John C. Hendricks, Esquire
McDonald's Corporation
One McDonald's Plaza
Oak Brook, Illinois 60521
Attn: Real Estate/Legal Dept.

DECLARATION OF RESTRICTIVE COVENANT

WHEREAS, under contract dated the 15th day of July 19 81 Frank Timkovich and Charles Timkovich, as Tenants in Common each to an undivided** (hereinafter referred to as "Seller") agreed to convey to McDonald's Corporation, a (n) Delaware corporation, (hereinafter referred to as "Purchaser") a parcel of real estate described on Exhibit A attached hereto and made a part hereof; and

WHEREAS, one of the terms of said contract states that Seller shall record a Restrictive Covenant affecting Seller's property;

NOW THEREFORE, Seller hereby covenants and agrees, in consideration of the terms and conditions recited in said contract, that the property described on Exhibit B, attached hereto, will not be used for restaurant purposes within a 2 mile radius

for a period of twenty (20) years from the date this document is recorded.

This covenant shall run with the land described in Exhibits A and B and shall inure to the benefit of and shall be binding upon the Purchaser and Seller, their heirs, administrators, grantees, assigns and successors.

IN WITNESS WHEREOF, Seller has executed this DECLARATION OF RESTRICTIVE COVENANT, this 23rd day of April, 19 82.

SELLER: Charles Timkovich
By Joseph Timkovich P.O.A.
Charles Timkovich By Joseph Timkovich
Frank Timkovich Attorney-In-Fact
Frank Timkovich
**one-half interest

WITNESS:
Valerie S. Govert
Valerie S. Govert

STATE OF: INDIANA
COUNTY OF: LAKE

AFFIDAVIT OF OWNERSHIP
(Individual)

Charles Timkovich & Frank Timkovich, being first duly sworn on oath, depose(s) and state(s) that ~~they~~ (they) ~~is~~(are) the owner(s) of the property described on Exhibit B attached and that ~~they~~ (they) own(s) no other property within a two (2) mile radius of the property described on Exhibit A attached.

IN WITNESS WHEREOF, affiant(s) ~~has~~ (have) set ~~his~~ (their) hand(s) this 23rd day of April, 19 82.

By Charles Timkovich
Charles Timkovich By Joseph Timkovich
Attorney-In-Fact

Frank Timkovich
Frank Timkovich

Subscribed and sworn to before me this 23rd day of April, 19 82.

Arlyne K. Royal
Arlyne K. NOTARY PUBLIC Royal

My Commission expires April 18, 1983
COUNTY OF RESIDENCE: Lake
(PLEASE ATTACH PROPER ACKNOWLEDGEMENT FOR STATE WHERE DOCUMENT IS TO BE RECORDED)

Prepared by: Marshall J. Goldsmith, Atty

McD-DRC-I-09/81

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STATE OF INDIANA
FILED
MAR 21 1982
CLERK OF SUPERIOR COURT
LAKE COUNTY, INDIANA
JAMES W. HENNING JR.

*Wind 21
Key 30-482-1*

Exhibit A

Lots 1, 2, 3, 4, and 5, in Block 6,
in Park Addition to Indiana Harbor, in
the City of East Chicago, as shown in
Plat Book 5, Page 32, in Lake County,
Indiana.