

the Unit Ownership without including therein both his interest in the Unit and his corresponding percentage of ownership in the Common Elements, it being the intention hereof to prevent any severance of such combined ownership. Any such deed, mortgage, lease or other instrument purporting to affect the one without including also the other shall be deemed and taken to include the interest so omitted even though the latter is not expressly mentioned or described therein.

3. EASEMENTS.

- (a) ENCROACHMENTS. If any portion of the Common Elements encroaches upon any Unit, or if any Unit encroaches upon any portion of the Common Elements or any other Unit as a result of the construction, repair, reconstruction, settlement or shifting of any building, a valid mutual easement shall exist in favor of the owners of the Common Elements and the respective Unit Owners involved to the extent of the encroachment. A valid easement shall not exist in favor of any Unit Owner who creates an encroachment by his intentional, wilful or negligent conduct or that of his agent.
- (b) UTILITY EASEMENTS. The Illinois Bell Telephone Company, Commonwealth Edison Company and all other public utilities serving the Property are hereby granted the right to lay, construct, renew, operate and maintain conduits, cables, pipes, wires, transformers, switching apparatus and other equipment related to their service to the Property, into and through the Common Elements, and the Units, where reasonably necessary for the purpose of providing utility services to the Property.
- (c) STORAGE AREA. The storage area for the Unit Owner's personal property in the respective basements shall be part of the Common Elements, and the exclusive use and possession of such area shall be allocated among the respective Unit Owners in such manner and subject to such rules and regulations as the Trustee or the Board may prescribe. Each Unit Owner shall be responsible for his personal property in such storage area. The Board and the Association shall not be considered the bailee of such personal property and shall not be responsible for any loss or damage thereto whether or not due to the negligence of the Board and/or the Association.

(D) Added - 4th Amend.

4. EASEMENTS AND RIGHTS TO RUN WITH LAND. All easements and rights described herein are easements and rights running with the land, perpetually in full force and effect, and at all times shall