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Cook County Recorder





SECOND AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS FOR AVENUE B TOWNHOME HOMEOWNER'S ASSOCIATION



76-12-309

Account County Clerks Of Sected Of This instrument prepared by And upon recording return to:

Michael Sreenan Rezmar Corporation 853 N. Elston Avenue Chicago, IL 60622 (312) 666-8887

14-30-203-008-0000 14-30-203-037-0000 1725 W. Belmont Chicago, IL 606457

BOX 333

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Fax:312-666-3558

KEZWAR CORP

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SECOND AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS, RESTRISTIONS, AND EASEMENTS FOR AVENUE B TOWNHOME HOMEOWNER'S ASSOCIATION

THIS SECOND AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS. RESTRICTIOND AND EASEMENTS FOR AVENUE B TOWNHOME HOMEOWNERS' ASSOCIATION is made and entered into as of 31st day of May, 2009. by First Bank and Trust Company, not personally but as Trustee under a Trust Agreement dated November 12, 1998 and known as Trust Number 10-2198 ("Declarant")

WHEREAS, Declarant did execute a certain Declaration Covenants, Conditions, Restrictions and Easements, For Avenue B Townhome Homeowner's Association ("Declarant") which Declaration was filed for record with the Cook County Recorder on July 13, 1999 as document number 99667121;

WHEREAS, Declarant in the Declaration did reserve for itself (in Section 11.1) the right to amend the Declaration to describe Lots within Parcel A may be made subject to all terms, provisions and conditions of the Declaration;

WHEREAS, Declarant desires to exercise said right;

NOW THEREFORE, Declarant hereby declares as follows:

- 1. The capitalized terms used herein shall, unless otherwise indicated have the meaning as set forth in the Declaration.
- 2. The Lot(s) legally described in Exhibit A attached hereto, are hereby made subject to all of the terms, provisions and conditions of the Declaration.
- 3. Except as expressly amended hereby, the Declaration shall remain in full force and effect in accordance with its terms. The Second Amendment shall be effective from and after the recording of this document with the recorder of Deeds of Cook County, Illinois.

IN WITNESS WHEREOF, the Declarant has caused this instrument to be duly executed on the day and year above written.

FIRST BANK AND TRUST COMPANY OF ILLINOIS AS TRUSTEE
BY: Its PresidentSEE RIDER CONTAINING TRUSTEE'S EXCULPATORY CLAUSE WHICH IS Attest: MADE A PART HEREOF.
Attest: MADE A PART HEREOF.
President and Vice

This SECOND AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS, AND EASEMENTS FOR AVENUE B TOWNHOME HOMEOWNERS ASSOCIATION IS MADE AND ENTERED INTO AS OF 31ST DAY OF MAY, 2000, BY FIRST BANK AND TRUST COMPANY, NOT PERSONALLY BUT AS TRUSTEE UNDER A TRUST AGREEMENT DATED NOVEMBER 12, 1998 AND KNOWN AS TRUST NUMBER 10-2198 is executed by First Bank and Trust Company of Illinois (formerly known as First Bank and Trust Co., Palatine, Illinois), not personally, but solely as Trustee under and pursuant to that certain Trust Agreement hereinafter described and the Trustee does not obligate itself hereunder, anything herein contained to the contrary notwithstanding, to the performance of any of the terms, conditions and representations made and contained in the within instrument, it being specifically understood by any and all parties dealing with this instrument that said Trustee has affixed its signature hereto as such Trustee by direction in behalf of the beneficiary or beneficiaries under the said trust without any intention of binding the said Trustee in its individual capacity. The Trustee has no knowledge of the factual matters herein contained and all agreements, conditions and representations are made solely upon the direction in behalf of the beneficiary or beneficiaries as aforesaid, and no personal liability shall be asserted to be ento ceable against said Bank by reason hereof or thereof, all such personal liability, if any, being expressly we've' and released.

IN WITNESS WHEREOr, First Bank and Trust Company of Illinois (formerly known as First Bank and Trust Co., Palatine, Illinois) for personally, but as Trustee under the provisions of a Trust Agreement dated NOVEMBER 12, 1998 and known as Trust Number 10-2198, has caused these present to be signed by its Trust Officer and Assistant Trust Officer, and its corporate seal to be hereunto affixed and attested by its Assistant Trust Officer this 31st day of MAY, 2000.

FIRST BANK AND TRUST COMPANY OF ILLINOIS (formerly known as First Bank and Trust Company, Palatine, Illinois), as Trustee under Trust Number 10-2198 and not individually.

A F

BY:

ATTEST:

Assistant Trust Officer

STATE OF ILLINOIS)
(COUNTY OF COOK)

I <u>KRISTIN A.STARNS</u>, a Notary Public in and for said County in State aforesaid, DO HEREBY CERTIFY THAT <u>ROBERT G. HERSHENHORN</u>, Trust Officer and <u>CARL R. RATH</u>, Assistant Trust Officer, of First Bank and Trust Company of Illinois (formerly known as First Bank and Trust Co., Palaure, 'Minois), who as such Trust Officer and Assistant Trust Officer, respectively, appeared before me this day in person and acknowledge that they signed and delivered the said instrument as their own free and voluntary act and as the free and voluntary act of said Company, as Trustee as aforesaid, for the uses and purposes then set forth; and the said Assistant Trust Officer, then and there acknowledged that he, as custodian of the corporate seal of said Company, did affix the corporate seal of said Company to said instrument as his own free and voluntary act as the free and voluntary act of said Company, as Trustee aforesaid, for the uses and purposes therein set forth.

GIVEN under my hand and notarial seal, this 31st day of MAY, 2000.

OFFICIAL SEAL
KRISTIN A. STARNS
NOTARY PUBLIC, STATE OF ILLINOIS
MY COMMISSION EXPIRES 11-10-03

NOTARY PUBLIC

CONSENT OF MORTGAGEE

First Bank and Trust Company of Illinois holder of the Mortgage on the Parcel dated February 1, 1998 as Document Number 98522696 hereby consents to the execution and recording of the within Amendment and agrees that said Mortgage is subject thereto.

IN WITNESS HEREOF, First Bank and Trust Company of Illinois has caused this Consent of Mortgagee to be executed by its duly authorized officers on its behalf this 3/st day of May, 2000.

FIRST BANK AND TRUST COMPANY

OF ILLINOIS

Its Vice President

STATE OF ILLINOIS

) SS

COUNTY OF COOK

000 PM

The undersigned, a Notary Public in and for said County and State, President and Vice President respectively of First Bank and Trust Company of Illinois, personally appeared Before me this day in person and acknowledged that they signed, sealed and delivered said instrument as their free and voluntary act, and as the free and voluntary act of said Bank, for the uses and purposes therein set forth.

GIVEN under my hand and notarial seal,

SEAL

LEGAL DESCRIPTION UNIT I

That part of Lots 12 and 13 in Eugene F. Prussings Addition to Lake View, a Subdivision of the North 1/2 of the Northeast 1/4 of the Northeast 1/4 of Section 30, Township 40 North, Range 14 East of the Third Principal Meridian, bounded by a line described as follows:

Beginning at the Southeast corner of aforesaid Lot 12; thence South 90° 00' 00" West along the South line of said Lot 12, 24.00 feet; to the Southwest corner of said Lot 12, also being the Southeast corner of said Lot 13; thence continuing South 90° 00' 00" West along the South line of said Lot 13, a distance of 5.90 feet; thence North 00° 02'41" East, 64.64 feet; thence North 90°00'00" East, 5 /3 feet to the East line of Lot 13, also being the West line of said Lot 12; thence continuing North 90°00'00" East, 24.00 feet to the East line of said Lot 12; thence South 00°11'30" East, along said East line 64.64 feet to the Point of Beginning, all in Cook County, Illinois.

LEGAL DESCRIPTION JUNIT 2

That part of Lots 13 and 14 in Eugen: F. Prussings Addition to Lake View, a Subdivision of the North 1/2 of the Northeast 1/4 of the Northeast 1/4 of Section 30, Township 40 North, Range 14 East of the Third Principal Meridian, bounded by a line described as follows:

Beginning at the Southeast corner of aforesaid Lot 14, also being the Southwest corner of said Lot 13; thence South 90° 00' 00" West, along the South line of said Lot 14, a distance of 2.11 feet; thence North 00°01'57" East, 65.72 feet; thence North 90°00'00" East, 1.85 feet to the East line of said Lot 14, also being the West line of said Lot 13; thence continuing North 90°00'00" East, 18.37 feet; thence South 00°02' 41" West, 65.72 feet to the South line of said Lot 13; thence South 90°00'00" West, along said South line, 18.10 feet to the Point of Beginning, all in Cook County, Illinois.

LEGAL DESCRIPTION UNIT 3

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That part of Lot 14 in Eugene F. Prussings Addition to Lake View, a Subdivisica of the North 1/2 of the Northeast 1/4 of the Northeast 1/4 of Section 30, Township 40 North, Range 14 East of the Third Principal Meridian, bounded by a line described as follows:

Beginning at a point on the South line of said Lot 14 that is 2.11 feet West from the Southeast corner thereof when measured along the South line of said Lot 14; thence South 90° 00' 00" West, along the South line of said Lot 14, a distance of 18.07 feet; thence North 00°04'53" East, 65.72 feet; thence North 90°00'00" East, 18.02' feet; thence South 00°01' 57" West, 65.72 feet to the Point of Beginning, all in Cook County, Illinois.

LEGAL DESCRIPTION UNIT 4

That part of Lots 14 and 15 in Eugene F. Prussings Addition to Lake View, a Subdivision of the North 1/2 of the Northeast 1/4 of the Northeast 1/4 of Section 30, Township 40 North, Range 14 East of the Third Principal Meridian, bounded by a line described as follows:

Beginning at the Southeast corner of aforesaid Lot 15, also being the Southwest corner of said Lot 14; thence South 90° 00' 00" West, along the South line of said Lot 15, a distance of 16.11 feet; thence North 90°00'00" East, 15.85 feet to the East line of said Lot 15, also being the West line of said Lot 14; thence continuing North 90°00'00" line of said Lot 15, also being the West line of said Lot 14; thence continuing North 90°00'00" East, 4.13 feet; nence South 90°04'53" West, 65.72 feet to the South line of said Lot 14; thence South 90°00'00" V/e.t. along said South line, 3.82 feet to the Point of Beginning, all in Cook County, Illinois.

LEGAL DESCRIPTION COUNTY 5.

That part of Lots 15 and 16 in Eugen: F. Prussings Addition to Lake View, a Subdivision of the North 1/2 of the Northeast 1/4 of the Northeast 1/4 of Section 30, Township 40 North, Range 14 East of the Third Principal Meridian, bounded by a line described as follows:

Beginning at the Southeast corner of aforesaid Lot 16 also being the Southwest corner of said Lot 15; thence South 90° 00' 00" West, along the South line of said Lot 16, a distance of 9.89 feet; thence North 00°00'13" East, 65.72 feet; thence North 90°00'00" East, 9.67 feet to the East line of said Lot 16, also being the West line of said Lot 15; thence continuing North 90°00'00" line of said Lot 16, also being the West line of said Lot 15; thence South line of said Lot 15; thence East, 8.15 feet; thence South 90°02'25" West, 65.72 feet to the South line of said Lot 15; thence South 90°00'00" West, along said South line, 7.89 feet to the Point of Beginning, all in Cook County, Illinois.

LEGAL DESCRIPTION UNIT 14

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That part of Lots 12 and 13 in Eugene F. Prussings Addition to Lake View, a Subdivision of the North 1/2 of the Northeast 1/4 of the Northeast 1/4 of Section 30, Township 40 North, Range 14 East of the Third Principal Meridian, bounded by a line described as follows:

Beginning at the Northeast of aforesaid Lot 12; thence South 00° 11' 30" East, along the East line of said Lot 12, a distance of 60.56 feet; thence North 90°00'00" West, 24.00 feet to the West line of said Lot 12 also being the East line of said Lot 13; thence continuing North 90°00'00" West, 5.63 feet: thence North 90°02'41" East, 60.56 feet to the North line of said Lots 12 and 13; thence North 90°00'00" East, along said North line, 5.39 feet to the Northeast corner of said Lot 13 also being the Northwest corner of said Lot 12; thence continuing North 90°00'00" East, 24.00 feet to the Point of Beginning, all in Cook County, Illinois.

LEGAL DESCRIPTION UNIT 15

That part of Lots 13 and 14 in Eugene F. Prussings Addition to Lake View, a Subdivision of the North 1/2 of the Northeast 1/4 of the Northeast 1/4 of Section 30, Township 40 North, Range 14 East of the Third Principal Meridian, bounded by a line described as follows:

Beginning at the Northwest of aforesaid Lot 13, also being the Northeast corner of said Lot 14; thence North 90° 00' 00" East, along the North line of said Lot 13, a distance of 18.61 feet; thence Sout! 00°02' 41" West, 59.48 feet; thence North 90°00'00" West, 18.37 feet to the West line of said Lot 13, also being the East line of said Lot 14; thence continuing North 90°00'00" line of said Lots 13 and West, 1.85 feet; thence North 00°01'57" East, 59.48 feet to the North line of said Lots 13 and 14; thence South 90°00'00" East, along said North line, 1.62 feet to the Point of Beginning, all in Cook County, Illinois.

LEGAL DESCRIPTION UNIT 16

That part of Lot 14 in Eugene F. Pussings Addition to Lake View, a Subdivision of the North 1/2 of the Northeast 1/4 of the Northeast 1/4 of Section 30, Township 40 North, Range 14 East of the Third Principal Meridian, bounded by a line described as follows:

Beginning at a point on the North line of said Lot 14 that is 4.41 feet East from the Northwest corner of aforesaid Lot 14 when measured along said North line; thence North 90° 00' 00" East, along the North line of said Lot 14, a distance of 17.97 (see; thence South 00°01'57" West, 59.48 feet; thence North 90°00'00" West, 18.02 feet; thence North 00°04'53" East, 59.48 feet to the Point of Beginning, all in Cook County, Illinois.

LEGAL DESCRIPTION UNIT 17

That part of Lots 14 and 15 in Eugene F. Prussings Addition to Lake View, a Subdivision of the North 1/2 of the Northeast 1/4 of the Northeast 1/4 of Section 30, Township 40 North, Range 14 East of the Third Principal Meridian, bounded by a line described as follows:

Beginning at the Northwest of aforesaid Lot 14, also being the Northeast corner of said Lot 15; thence North 90° 00' 00" East, along the North line of said Lot 14, a distance of 4.41 feet; thence South 00°04'53" West, 59.48 feet; thence North 90°00'00" West, 4.13 feet to the West line of said Lot 14, also being the East line of said Lot 15; thence continuing North 90°00'00" West, 15.85 feet; thence North 00°02'25" East, 59.48 feet to the North line of said Lots 14 and 15; thence South 90°00'00" East, along said North line, 15.61 feet to the Point of Beginning, all in Cook County, Illinois.

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LEGAL DESCRIPTION UNIT IS

That part of Lots 15 and 16 in Eugene F. Prussings Addition to Lake View, a Subdivision of the North 1/2 of the Northeast 1/4 of the Northeast 1/4 of Section 30, Township 40 North, Range 14 East of the Third Principal Meridian, bounded by a line described as follows:

Beginning at the Northwest of aforesaid Lot 15, also being the Northeast corner of said Lot 16; thence North 90° 00' 00" East, along the North line of said Lot 15, a distance of 8.39 feet; thence South 60°02' 25" West, 59.48 feet; thence North 90°00'00" West, 8.15 feet to the West line of said Lot 15, also being the East line of said Lot 16; thence continuing North 90°00'00" line of said Lot 15, also being the East line of said Lot 16; thence continuing North 90°00'00" West, 9.83 feet; nence North 00°08'14" WEST, 59.48 feet to the North line of said Lots 15 and 16; thence South 90°00'00" East, along said North line, 9.78 feet to the Point of Beginning, all in Cook County, Illinois.

LEGAL DESCRIPTION UNIT 19

That part of Lots 16 and 17 in Eugene F Prussings Addition to Lake View, a Subdivision of the North 1/2 of the Northeast 1/4 of the Northeast 1/4 of Section 30, Township 40 North, Range 14 East of the Third Principal Meridian, nounded by a line described as follows:

Beginning at the Northwest of aforesaid Lot 16, also being the Northeast corner of said Lot 17; thence North 90° 00' 00" East, along the North line of said Lot 16, a distance of 14.22 feet; thence South 00°08' 14" East, 59.48 feet; thence North 90°00'00" West, 14.17 feet to the West line of said Lot 16, also being the East line of said Lot 17; thence continuing North 90°00'00" line of said Lot 16, also being the East line of said Lot 17; thence continuing North 90°00'00" West, 15.42 feet; thence North 00° 00' 13" East, 59.48 feet to the North line of said Lots 16 and West, 15.42 feet; thence North 90°00'00" East, along said North line, 15.21 feet to the Point of Beginning, all in Cook County, Illinois.

LEGAL DESCRIPTION UNIT 20

That part of Lots 17 and 18 in Eugene F. Prussings Addition to Lake View, a Subdivision of the North 1/2 of the Northeast 1/4 of the Northeast 1/4 of Section 30, Township 40 North, Range 14 East of the Third Principal Meridian, bounded by a line described as follows:

Beginning at the Northwest of aforesaid Lot 17, also being the Northeast corner of said Lot 18; thence North 90° 00' 00" East, along the North line of said Lot 17, a distance of 8.79 feet; thence South 00°00' 13" West, 59.48 feet; thence North 90°00'00" West, 8.58 feet to the West line of said Lot 17, also being the East line of said Lot 18; thence continuing North 90°00'00" West, 20.65 feet; thence North 00° 12' 36" West, 59.48 feet to the North line of said Lots 17 and 18; thence South 90°00'00" East, along said North line, 20.67 feet to the Point of Beginning, all in Cook County, Illinois.