

UNOFFICIAL COPY



# EXHIBIT

ATTACHED TO

0010732215

DOCUMENT NUMBER

8-9-01

SEE PLAT BOOK

Box 15

UNOFFICIAL COPY

Property of Cook County Clerk's Office

1186570100

12-9-8

Box 12

PREPARED BY & MAIL TO:  
P.D. Hartz Construction Company, Inc.  
8995 WEST 95TH STREET  
PALOS HILLS, IL 60465  
Original Document No. 99333247

**SEVENTH AMENDMENT TO DECLARATION  
OF CONDOMINIUM OWNERSHIP AND OF  
EASEMENTS, RESTRICTIONS, AND  
COVENANTS FOR TOWN POINTE  
CONDOMINIUM ASSOCIATION**

**EXHIBIT ATTACHED**

44002480C

THIS DECLARATION is made by Fifth Third Bank, as Successor to Old Kent Bank, as Successor to First National Bank of Evergreen Park, as Trustee under Trust No. 7573, dated November 1, 1983, hereinafter known as "Declarant" and P.D. Hartz Construction Company, Inc., hereinafter known as "Developer".

WITNESSETH

WHEREAS, by the Declaration of Condominium Ownership recorded in the Office of the Recorder of Deeds of Cook County, Illinois as Document No. 99333247 on April 7, 1999. Fifth Third Bank, as Successor to Old Kent Bank, as Successor to First National Bank of Evergreen Park, as Trustee, under Trust Number 7573, dated November 1, 1983, and not individually, submitted certain real estate to the Condominium Property Act of the State of Illinois (the "Act"), said Condominium being known as Town Pointe Condominium Association; and

WHEREAS, under Paragraph 1 of Article XIX of the Declaration, the right is reserved by the Developer, P.D. Hartz Construction Company, Inc., to annex and add certain real property to the Parcel and Property described in the Declaration, and thereby add to the Condominium; and

WHEREAS, Fifth Third Bank, as Successor to Old Kent Bank, as Successor to First National Bank of Evergreen Park, as Trustee under Trust Agreement dated November 1, 1983, and known as Trust No. 7573, is the legal title holder of the property to be annexed and P.D. Hartz Construction Company, Inc. is the Developer and beneficial owner of said Trust and wishes to annex and add to said Parcel and Property, and thereby submit to the Act as a part of the Condominium the following real property (the "Additional Property"):

Lots 27 and 28 in Town Pointe Multi Family Unit 2, being a subdivision as recorded per Document No. 09033230 of part of the Southwest Quarter (1/4) of Section 35, Township 36 North, Range 12 East of the Third Principal Meridian, in Cook County, Illinois, recorded on November 3, 1999.

PIN: 27-35-302-011  
27-35-302-012

COMMON ADDRESSES:	18275 Kirby Drive	18285 Kirby Drive	18295 Kirby Drive
	18277 Kirby Drive	18287 Kirby Drive	18297 Kirby Drive
	18279 Kirby Drive	18289 Kirby Drive	
	18281 Kirby Drive	18291 Kirby Drive	
	18283 Kirby Drive	18293 Kirby Drive	

RECORDING FEE ~~75.00~~  
DATE 8/9/01  
OK BY

# UNOFFICIAL COPY

Which property is a portion of the Development Area described in said Declaration; and

WHEREAS, the Additional Property is now improved with two (2) building containing twelve (12) units as defined in the Declaration.

NOW THEREFORE, Fifth Third bank, as Successor to Old Kent Bank, as Successor to First National Bank of Evergreen park, as Trustee under Trust Agreement dated November 1, 1983, and known as Trust No. 7573, and not individually, as the legal title holder of the Additional Property and P.D. Hartz Construction Company, Inc. as the Developer, and for the purpose above set forth, hereby declares that the Declaration be and hereby is amended as follows:

1. The Additional Property is hereby annexed to the parcel and Property as defined in Article I of the Declaration and is hereby submitted to the provisions of the Act as a part of the Condominium in accordance with, and shall be deemed to be governed in all respects by the terms and provisions of the Declaration.
2. The Plat attached to the Declaration as Exhibit "A" showing the boundaries of the Property and delineating and describing the Units contained therein, is hereby amended and supplemented by Exhibit "A" attached hereto showing the boundaries of the annexed Property and Describing the additional units contained in said annexed Property.
3. Exhibit "B" attached to the Declaration setting forth the percentages of the undivided interest in the common elements corresponding to each Unit described in Exhibit "A" prior to this Amendment are hereby reduced to the respective percentage interest in the common elements as set forth in Exhibit "B" attached hereto. Exhibit "C" attached to the Declaration is amended by the substitution of Exhibit "C" attached hereto.
4. The additional common elements added to the Declaration by this Amendment, are hereby granted and conveyed, all as set forth in the Declaration.
5. Except as expressly set forth herein, the Declaration shall remain in full force and effect in accordance with its terms.

**THE REST OF THIS PAGE HAS INTENTIONALLY BEEN LEFT BLANK**



# UNOFFICIAL COPY

RIDER ATTACHED TO  
THE SEVENTH AMENDMENT TO THE  
DECLARATION OF CONDOMINIUM OWNERSHIP

10732215

DATED NOVEMBER 1, 1983 UNDER TRUST NO. 7573

Executed and delivered by Fifth Third Bank, as Successor to Old Kent Bank, as Successor to First National Bank of Evergreen Park, not in its individual capacity, but solely in the capacity herein described, for the purpose of binding the herein described property, and it is expressly understood and agreed by the parties hereto, anything herein to the contrary notwithstanding that each and all of the undertakings and agreements herein made, are made and intended not as personal undertakings and agreements of the Trustee, or for the purpose of binding the Trustee personally, but executed and delivered by the Trustee solely in the exercise of the powers conferred upon it as such Trustee, and no personal liability or personal responsibility is assumed by, or shall at any time be asserted or enforced against said trustee on account hereof or on account of any undertaking or agreement herein contained, either expressed or implied. All such personal liability, if any being hereby expressly waived and released by all other parties hereto, and those claiming by, through or under them.

Fifth Third Bank, as Successor to Old Kent Bank, as Successor to First National Bank of Evergreen Park, not individually, but as Trustee under Trust Number 7573

BY: Robert J. Gray  
Vice President & Trust Officer

ATTEST:

Nancy Rodriguez  
Assistant Trust Officer

# UNOFFICIAL COPY

## CONSENT OF MORTGAGEE

10732215

Fifth Third Bank, the owner and holder of the mortgages, dated June 1, 1999 Document No. 99729786 and dated June 23, 1999 Document No. 99605571 recorded in the Office of the Recorder of Deeds of Cook County, Illinois, on the property, hereby consent to the execution and recording of the Declaration of Condominium Ownership and of Easements, Restrictions and Covenants for the Town Pointe Condominium Association.

IN WITNESS WHEREOF; the said Fifth Third Bank has caused the instrument to be signed by its duly authorized officers on its behalf; all done at Cook County, Illinois, on the 1<sup>st</sup> day of August, 2001.

By: Jennifer Scott

ATTEST:

Virginia Buschner

STATE OF ILLINOIS )  
DU PAGE ) SS  
COUNTY OF COOK )

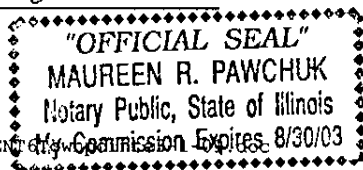
I, the undersigned, a Notary Public in and for the said County and State, DO HEREBY CERTIFY that Jennifer Scott and Virginia Buschner respectively of, Fifth Third Bank, as Successor to Old Kent Bank, as Successor to First National Bank of Evergreen Park, personally known to me to be same persons whose names are subscribed to the foregoing instrument as such AVP and AVP, 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 corporation, or the uses and purposes therein set forth.

Given under my hand and Notarial seal the 1<sup>st</sup> day of August, 2001.

Maureen R. Pawchuk  
NOTARY PUBLIC

My Commission Expires:

8-30-03



G:\Decks\Fldr-AMENDMENT

# UNOFFICIAL COPY

## EXHIBIT "B" PERCENTAGE INTERESTS IN COMMON ELEMENTS FOR TOWN POINTE CONDOMINIUM ASSOCIATION

<u>Unit</u>	<u>Percent Interest</u>
18101	1.2640%
18103	1.1213%
18105	1.1213%
18107	1.1213%
18109	1.1213%
18111	1.1213%
18113	1.1213%
18115	1.2640%
18121	1.1213%
18123	1.1213%
18125	1.2640%
18127	1.1213%
18129	1.1213%
18131	1.1213%
18133	1.1213%
18135	1.2640%
18141	1.2640%
18143	1.1213%
18145	1.2640%
18147	1.1213%
18149	1.1213%
18151	1.2640%
18153	1.1213%
18155	1.1213%
8428	1.1213%
8430	1.1213%
8432	1.2640%
8434	1.1213%
8436	1.1213%
8438	1.1213%
8412	1.2640%
8414	1.1213%
8416	1.1213%
8418	1.1213%
8420	1.1213%
8422	1.1213%
10-8411	1.1213%
10-8413	1.2640%
10-8415	1.1213%
10-8417	1.1213%
10-8419	1.1213%
10-8421	1.2640%

10732215



# UNOFFICIAL COPY

## EXHIBIT B (CONTINUED)

<u>Unit</u>	<u>Percent Interest</u>
6-8411	1.1213%
6-8413	1.1213%
6-8415	1.1213%
6-8417	1.1213%
6-8419	1.1213%
6-8421	1.2640%
8423	1.2640%
8425	1.1213%
8427	1.1213%
8429	1.2640%
8431	1.1213%
8433	1.1213%
18161	1.1213%
18163	1.1213%
18165	1.2640%
18167	1.1213%
30-18129	1.2640%
30-18131	1.1213%
30-18133	1.1213%
30-18135	1.1213%
30-18137	1.2640%
30-18139	1.1213%
30-18141	1.2640%
30-18143	1.1213%
29-18249	1.2640%
29-18251	1.1213%
29-18253	1.1213%
29-18255	1.1213%
29-18257	1.2640%
29-18259	1.1213%
29-18261	1.2640%
29-18263	1.1213%
28-18275	1.2640%
28-18277	1.1213%
28-18279	1.1213%
28-18281	1.1213%
28-18283	1.2640%
28-18285	1.1213%
28-18287	1.1213%
28-18289	1.2640%
27-18291	1.1213%
27-18293	1.1213%
27-18295	1.1213%
27-18297	1.2647%
	<hr/>
	100.0000%

10732215

Property of Cook County Clerk's Office

# UNOFFICIAL COPY

10732215

**EXHIBIT "C"**  
**ADDITIONAL LAND**

Lot 1 in Town Pointe Multi-Family Unit 1, being a subdivision as recorded per Document No. 98-194139, of part of the Southwest 1/4 of Section 35, Township 36 North, Range 12 East of the Third Principal Meridian, in Cook County, Illinois.

And also,

Lots 25 and 26, both inclusive, in Town Pointe Multi Family Unit 2, being a subdivision as recorded per Document No. 09033230 on November 3, 1999 of part of the Southwest 1/4 of Section 35, Township 36 North, Range 12 East of the Third Principal Meridian, in Cook County, Illinois.

**EXHIBIT ATTACHED**