0010981339

ATTACHED TO

00/0981339

DOCUMENT NUMBER

10-22-01

SEE PLAT BOOK

BOX 15

Property of Coot Agents Office

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

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

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, 1963, pereinafter known as "Declarant" and P.D. Hartz Construction Company, Inc., hereinafter known as "Developer".

EXHIBIT ATTACHED

WITNESSETH.

WHEREAS, by the Declaration of Condominium Ownership recorded in the Office of the Recorder of Deeds of Cook County, in incis 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 7577, Cated 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 the eby 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 Agreemen, 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"):

Lot 26 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: 27-35-302-010

CHIMUN ADDRESSES:

8519 Scheer Drive 8521 Scheer Drive 8525 Scheer Drive 8527 Scheer Drive

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8523 Scheer Drive

8529 Scheer Drive

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

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WHEREAS, the Additional Property is now improved with one (1) building containing six (6) 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:

- 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

IN WITNESS WHEREOF, the Declarant has caused its corporate seal to be affixed hereunto and caused its name to be signed hereto by its duly authorized officers, this ____ MUNIST_ , 2001 day of ___ Fifth Third Bank, as Successor to Old Kent Bank, as Successor to First National Bank of Evergreen Park, as Trustee, under Trust Agreement No. 7573, dated November 1, 1983 SHE ATTACHED RIDER FOR EXECUTION BY TRUSTEE Vice President and Trust Officer Assistant Trust Officer STATE OF ILLINOIS) SS COUNTY OF COOK) I, the undersigned, a Notary Public in and for the County and State aforesaid, DO who is Vice President and Trust Officer of HEREBY CERTIFY THAT Robert J. Mayo Fifth Third Bank, as Successor to Old Kent, as Successor to First National Bank of Evergreen Park, as Trustee under Trust Number 7573 dated November 1, 1983 and Roberta A. Cartwright who is Asst. Trust Officer, of the same corporation, personally known to me to be the same persons whose names are subscribed to the foregoing instrument as such Vice President and Trust Officer, respectively, appeared before me this day in person and acknowledged that they signed and delivered the said instrument as their own free and voluntary act, and as the free and voluntary act of said corporation, for the uses and purposes therein sectorth, there acknowledge that the passeus to dianx of the xilian porate. Seel to fiscal corporation, affixed this corporate seal to the foregoingx instrument vas this vireex vanck work that years and vas other free vanck vire. A surprised that Sorporation, for the usees and purposes therein set forth. day of ^{August} 2001. Notarial Seal this /EN under my hand and

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My Commission Expires:

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

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 nor 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 of 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

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BY: Vice Pres

Vice President & Trust Officer

ATTEST

Assistant Trust Officer

CONSENT OF MORTGAGEE

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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.

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 day of, 2001.
Van Cartiffe and
By AUM Ha DUCKOW TOO
ATTEST:
Que a Orez
STATE OF ILLINOIS)) SS
COUNTY OF COOK)
CERTIFY that Jensifer Scattergood, and , Philip Jones 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 and, appeared before me this day in person and acknowledged that they signed, sealed and delivered said incircument 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 3044 day of Mugust 2001. NOTARY PUBLIC
My Commission Expires: "OFFICIAL SEAL" LINDA A. ELWOOD Notary Public, State of lithols My Commission Expires 1/25/2008

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

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		Percent	£
	<u>Unit</u>	Interest	1
	18101	1.1749%	
	18103	1.0423%	
	18105	1.0423%	
	18107	1.0423%	
	18109	1.0423%	
	18111	1.0423%	
	18113	1.0423%	•
	18115	1.1749%	
	18121	1.0423%	
	18123	1.0423%	
100	18125	1.1749%	
- VX	18127	1.0423%	
	18129	1.0423%	
	18131	1.0423%	
	18133	1.0423%	
	18135	1.1749%	
`	18141	1.1749%	
	161/3	1.0423%	
	18145	1.1749%	
	18147	1.0423%	
	18149	1.0423%	
	18151	1 1749%	
	18153	1.5423%	
	18155	1.042?%	
	8428	1.0423%	
	8430	1.0423%	
	8432	1.1749%	
	8434	1.0423%	
	8436	1.0423%	0
	8438	1.0423%	
	8412	1.1749%	\bigcup_{x}
	8414	1.0423%	
	8416	1.0423%	
	8418	1.0423% 1.0423%	
	8420		
	8422	1.0423% 1.0423%	•
	10-8411	1.1749%	•
	10-8413	1.0423%	
•	10-8415	1.0423%	•
	10-8417	1.0423%	
	10-8419	1.0423%	
	10-8421	1.1(47/0	

EXHIBIT B (CONTINUED)

10981339

		Percent	
	<u>Unit</u>	<u>Interest</u>	•
	6-8411	1.0423%	
	6-8413	1.0423%	х Ч
	6-8415	1.0423%	
	6-8417	1.0423%	
	6-8419	1.0423%	
	6-8421	1.1749%	
	8423	1.1749%	
	8425	1.0423%	
	8427	1.0423%	<i>*</i> ,
	8429	1.1749%	
	8431	1.0423%	
	8433	1.0423%	
	18161	1.0423%	
	18163	1.0423%	e e e e e e e e e e e e e e e e e e e
	18165	1.1749%	
	18167	1.0423%	
	30-18129	1.1749%	
	30- 8131	1.0423%	
	30-78133	1.0423%	
	30-ie i35	1.1749%	·
	30-18137	1.0423%	
	30-18139	1.0423%	
	30-18141	1.0423%	
	30-18143	1.1727%	
•	29-18249	1. 1 ⁷ 49%	
	29-18251	1.0423%	
	29-18253	1.1749%	
	29-18255	1.0423%	
	29-18257	1.1749%	
	29-18259	1.0423%	
	29-18261	1.0423%	TSOM
	29-18263	1.0423%	0,
	28-18275	1.1749%	
	28-18277	1.0423%	///
	28-18279	1.1749%	
	28-18281	1.0423%	Ö
	28-18283	1.1749%	C
	28-18285	1.0423%	
	28-18287	1.0423%	
	28-18289	1.0423%	
	27-18291	1.1749%	-
	27-18293	1.0423%	
	27-18295	1.0423%	
	27-18297	1.0423%	
	26-8519	1.1749%	
	26-8521	1.1749%	
	26-8523	1.1749%	
	26-8525	1.1749%	

EXHIBIT B (CONTINUED)

10981339

	Percent
<u>Unit</u>	<u>Interest</u>
26-8527	1.1749%
26-8529	1.1749%
	100.0000%

Property of Cook County Clerk's Office

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EXHIBIT "C" ADDITIONAL <u>LAND</u>

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,

Lot 25 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 ¼ of Section 35, Township 36 North, Range 12 Fast of the Third Principal Meridian, in Cook County, Illinois.

EXHIBIT ATTACHED