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DOCUMENT NUMBER

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2001-10-03 12:57:39 Cook County Recorder

FIRST AMENDMENT TO DECLARATION OF CONDOMINIUM OWNERSHIP FOR GALLAGHER & HENRY'S CONDOMINIUMS AT LONG RUN CREEK OF ORLAND PARK

AFTER RECORDING RETURN TO: Gallagher and Henry, 6280 W. Joliet Road, Countryside, 11.60525

EXHIBIT ATTACHED

THIS TIRST AMENDMENT TO THE DECLARATION OF LONG RUN CREEK CONDOMINIUMS is made and entered into by STANDARD BANK AND TRUST COMPANY, as Trustee, under Trust Agreement No 9382, dated December 14, 1984, for convenience hereinafter referred to as the "Owner" or "Dackgrant").

#### **RECITALS:**

WHEREAS, on Jurie 6, 2001, the Declarant recorded in the Office of the Recorder of Deeds of Cook County, Illinois, as Document no. 0010485265, a Declaration of Condominium. The Declaration provides for amendments to add additional units. The Declarant hereby makes the First Amendment to the Declaration adding the parcel pursuant to the attached survey SEE EXHIBIT A to the following described parcel:

Lots 2 and 3, in Gallagher & Henry's Condominiums at Long Run Creek of Orland Park Unit 1, being a Subdivision of part of the Southwest Quarter of Section 6, Township 36, North, Range 12 East of the Third Principal Meridian, according to the Plat the reof recorded as Document 00798355, in Cook County, Illinois.

Permanent Index Numbers: 27-06-302-003, 27-06-302-004, 27-06-302-005, 27-06,302-006, 27-06-302-007, 27-06-302-008

27-06-302-014 The add on parcel is common described as 11860 Winderhera Court, Orland Park, Illinois.

WHEREAS, the Owner submitted said real estate to the provisions of the Illinois Condominium Property Act (the "Act") on June 6, 2001, by recording the Declaration of Condominium for GALLAGHER & HENRY'S LONG RUN CREEK CONDOMINIUMS AT ORLAND PARK, UNIT 1, as document no. 0010485265, in the Office of the Recorder of Deeds of Cook County, Illinois, as Document Number 96515133.

WHEREAS, the Owners and the Declarant by Article XVI, 6, of the Declaration, reserved the right and power to annex, add, submit and subject to the provisions of the Act and of the Declaration any part or all of the Additional Parcel (the "Additional Parcel"). Declarant hereby exercises the rights, and powers to annex, add, submit and subject the real estate to the described Condeminium Declaration.

PREPARED BY:THOMAS F. COURTNEY & ASSOCIATES ATTORNEYS AT LAW 7000 W. 127TH STREET PALOS HEIGHTS, ILL. 60463 (708)448-4400

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Countryside, Il. 60525

Gallagher & Henry 6280 Joliet Road

RETURN TO:

NOW, THEREFORE, as the record owner of the real estate hereinafter described, pursuant to the power reserved in the Declaration to the Declarant and for the purpose above set forth, Declarant hereby amends the Declaration as follows:

- 1. <u>Terms.</u> If not otherwise defined herein, the terms used herein shall have the meanings set forth in the Declaration.
- 2. Added Property. The following described real estate is hereby annexed and added to the Parcel and Property, and is hereby submitted and subjected to the provisions of the Act and of the Declaration as Added Property, legal to-wit:

Lot 4 in Gallaghe: & Henry's Condominiums at Long Run Creek Unit 1, being a Subdivision of part of the Southwest Quarter of Section 6, Township 36, North, Range 12 East of the Third Principal Meridian, according to the plat thereof recorded October 21, 2000, as Document 00798355, in Cook County, Illinois

- 3. Amendment of Schedule B. Schedule B of the Declaration, is hereby amended setting forth the percentage interests in the common elements of the 48 units in the condominium, subject to subsequent amendment shifting and reallocating the percentages.
- 4. Consent. All Owners, by the Declarant, their attorney-in-fact, hereby consent to this Amendment to the Declaration.
- 5. <u>Covenants to Run with Land.</u> The covenants, conditions, restrictions and easements contained in the Declaration, as amended by this instrument, shall run with and bind the Property including the divided units.
- 6. Ratification of Declaration as Amended. In all other respects the Declaration, as heretofore and hereby amended, is ratified and confirmed and shall continue in full force and effect.

#### **EXONERATION OF TRUSTEE**

This Instrument is executed by the TRUSTEE aforesaid, and not personally, in the exercise of the power and authority conferred upon and vested in it as such Trustee, It is expressly understood and agreed by every person, firm or corporation hereafter claiming any interest under this Instrument on that the Trustee as aforesaid, and not personally has joined in the execution of this Instrument for the sole purpose of subjecting the title holding interest and the trust estate under the said Trust Number to the terms of this Instrument; that any and all obligations, duties, covenants and agreements of every nature herein set forth to be kept or performed and discharged by the beneficiaries under said Trust, or their successors, and not by the TRUSTEE either personally, or as such Trustee, to sequester trust assets, rentals, avails or proceeds of any kind or otherwise to see to the fulfillment or discharge of any obligations, express or implied, arising under the terms of this agreement, except where said Trustee is acting pursuant to direction as provided by the terms of said Trust Number after the

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Trustee has first been supplied with funds required for the purpose. In the event of conflict between the terms of this paragraph and of the remainder of the Instrument of any question of apparent liability or obligation resting upon said Trustee, the exculpatory provisions hereof shall be controlling.

IN WITNESS WHEREOF, STANDARD BANK & TRUST COMPANY, as Trustee under a Trust Agreement Dated December 14, 1984, and known as Trust Number 9382 aforesaid and not individually, has caused its name to be signed and to these presents by its $\underline{T}$ . O.
President and attested by its Trust Officer.
DATED: September 26 , 2001 TITLE Patricia Ralphson, T. O.
ATTEST:
STATE OF ILLINOIS ) SS.
COUNTY OF COOK )
I, THE UNDERSIGNED a Notary Public in and for said County in the State aforesaid, do hereby certify that Patricia Ralphsc., T. 0. President and Thomas P. Mulqueen Trust Officer of said Bank, personally
known to me to be the same persons whose names are subscribed to the foregoing instrument as such DULY AUTHORIZED OFFICERS 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 of said Bank for the uses and purposes therein set forth; and UNDERSIGNED OFFICER did also then and there acknowledge that as custodian of the Corporate Seal of STANDARD BANK
AND TRUST COMPANY, as Trustee, under Trust Agreement No. 9382, dated December 14, 1984, for the uses and purposes therein set forth.
GIVEN under my hand and Notarial Seal this 26th day of September, 2001.
"OFFICIAL SEAL" Marlene Hebert Notary Public, State of Illinois My Commission Expires 12-14-03
MY COMMISSION EXPIRES:

PREPARED BY:THOMAS F. COURTNEY & ASSOCIATES
ATTORNEYS AT LAW
7000 W. 127TH STREET
PALOS HEIGHTS, ILL. 60463
(708)448-4400
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STATE OF ILLINOIS	)
•	) SS
COUNTY OF COOK	)

#### **CERTIFICATE OF DEVELOPER**

ROBERT GALLAGHER, being first duly sworn on oath, deposes and states as follows:

That no Notice of Intent as required by Section 30 of the Illinois Condominium Property Act was given, as there were no tenants of the Parcel. The property is improved with an unoccupied newly constructed building.

IN WITNESS WHEREOF, the undersigned executed this Certificate on the 2644 day of September, 2001.

Maket E. gallie ka ROBERT GALLAGHER

STATE OF ILLINOIS

, ) SS.

**COUNTY OF COOK** 

THE UNDERSIGNED, a Notary Public in and for the County and State aforesaid, does hereby certify that ROBERT GALLAGHER, PRESIDENT OF ORCHARD HILL BUILDING COMPANY is personally known to me to be the same person whose name is subscribed to the foregoing Certificate, appeared before me this day in person and acknowledged that he signed, sealed, and delivered the said Certificate as his free and voluntary act, for the uses and purposes therein set forth.

GIVEN UNDER my hand and notarial seal this <u>264</u> day of September 2001.

NOTARY PUBLIC

OFFICIAL SEAL\*

Marilyn Hager

Notary Public, State of Illinois
My Commission Expires July 14, 2003

EXHIBIT B AMENDED PERCENTAGE

Percentage interest	Address	Unit No. 48 Units
•		
0.021222	11840	101
0.0233333	11840	102
0.0233333	11840	103
0.0181111	11840	104
0.0233333	11840	201
0.0233333	11840	202
0.0233333	11840	203
0.0181111	11840	204
0.025333	11840	301
0.025333	11840	302
0.025333	11840	. 303
0.0241011	11840	304
0.521222	11850	101
0.023(;33:)	11850	102
0.0233333	11850	103
0.018593	11850	104
0.0233333	11850	201
0.0233333	11850	202
0.0233333	11850	203
0.0181111	11850	204
0.0233333	11850	301
0.0233333 0.0233333	11850	302
0.018444	11350	303
0.025333	1165C	304
0.025333	11250 11850	401
0.025333		402
0.0241011	11850 11850 11860	403
0.021222	11860	404
0.0233333	11860	102
0.0233333	11860	102
0.0181111	11860	103
0.0233333	11860	201
0.0233333	11860	102
0.0233333	11860	203
0.018121	11860	204
0.0233333	11860	301
0.0233333	11860	302
0.0233333	11860	303
0.018445	11860	304
0.025333	11860	401
0.025333	11860	402
0.025333001	11860	403
0.0240881	11860	404
100.00%		

EXHIBIT ATTACHED