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# EXHIBIT

ATTACHED TO

0011083001

DOCUMENT NUMBER

11-16-01

**SEE PLAT BOOK**

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Property of Cook County Clerk's Office

1008801100

10-6-11

**EXHIBIT ATTACHED**

**FIRST AMENDMENT TO  
DECLARATION OF CONDOMINIUM OWNERSHIP  
AND OF EASEMENTS, RESTRICTIONS, COVENANTS AND BY-LAWS  
ORIGINALLY RECORDED ON DECEMBER 29, 2000 AS DOCUMENT  
NUMBER 0001021613**

**FOR  
ASTOR HOUSE II ASSOCIATION**

**LOCATED AT**

**PREMISES COMMONLY KNOWN AS**

**1111 NORTH HARLEM AVENUE  
OAK PARK, ILLINOIS 60302**

**PURSUANT TO THE CONDOMINIUM PROPERTY ACT OF ILLINOIS**

October 5, 2001

This instrument drafted by and  
upon recordation return to:

WILLARD N. NYMAN, Esq.  
Attorney at Law  
36 South Wabash Avenue, Suite 1310  
Chicago, Illinois 60603  
(312) 422-1711

Permanent Real Estate Index Number:

16-06-300-035-0000

RECORDED  
DATE 11-16-01  
INDEXED  
OK BY [Signature]

39

**FIRST AMENDMENT TO  
DECLARATION OF CONDOMINIUM OWNERSHIP AND  
EASEMENTS, RESTRICTIONS, COVENANTS AND BY-LAWS  
FOR ASTOR HOUSE II ASSOCIATION**

**1111 NORTH HARLEM AVENUE  
OAK PARK, ILLINOIS 60302**

**THIS DECLARATION OF CONDOMINIUM OWNERSHIP AND EASEMENTS,  
RESTRICTIONS, COVENANTS AND BY-LAWS FOR THE ASTOR HOUSE II  
ASSOCIATION** made and entered into by the Trustee (as hereinafter defined) as of October 5,  
2001.

**WITNESSETH: THAT**

**WHEREAS**, the Trustee holds legal title to the parcel of real estate situated in the  
Village of Oak Park, Cook County, Illinois and legally described on Exhibit "B" attached hereto  
and by this reference made a part hereof; and

**WHEREAS**, the Trustee desires and intends by this Amendment to the Declaration to  
submit the property (as hereinafter defined) to the provisions of the Condominium Property Act  
of the State of Illinois, as amended from time to time, and is further desirous of establishing, for  
its own benefit and that of all future owners or occupants of the Property, certain easements and  
rights in, over and upon the Property and certain mutually beneficial restriction and obligations  
with respect to the use and maintenance thereof; and

**WHEREOF**, the Trustee desires and intends that the several owners, mortgagees,  
occupants, and other persons acquiring any interest in the property shall at all times enjoy the  
benefits of, and shall at all times hold their interests subject to, the rights, easements, privileges,  
and restrictions hereinafter set forth, all of which are declared to be in furtherance of a plan to  
promote and protect the cooperative aspect of ownership and to facilitate the proper  
administration of such Property and are established for the purpose of enhancing and perfecting  
the value, desirability and attractiveness of the Property;

**NOW, THEREFORE**, the Trustee, as the legal title holder of the Property, and for the  
purposes above set forth:

**AMENDS AND DECLARES AS FOLLOWS:**

**UNOFFICIAL COPY**  
**FIRST AMENDMENT TO DECLARATION OF CONDOMINIUM OWNERSHIP  
AND EASEMENTS, RESTRICTIONS, COVENANTS AND BYLAWS  
FOR ASTOR HOUSE II ASSOCIATION  
1111 NORTH HARLEM AVENUE, OAK PARK, ILLINOIS 11083001**

This Amendment to the Declaration of Condominium ownership and easements, restrictions, covenants and bylaws for the ASTOR HOUSE II ASSOCIATION made and entered into by the Trustee, Firststar Bank, N.A. as Trustee under Trust Agreement dated August 4, 2000 and known as Trust No. 7375 (Declarant) as of October 5, 2001.

Whereas, the Trustee holds legal title to the parcel situated in the Village of Oak Park, Cook County, Illinois, and legally described on Exhibit A attached hereto, and by this reference made a part hereof;

Whereas, the Trustee desires and intends by this Amendment to first amend the Declaration dated December 20, 2000 and recorded December 29, 2000 as No. 0001021613 to submit the property to the provisions of the Condominium Act of the State of Illinois, as amended from time to time.

Whereof, the Trustee desires and intends that the owners, mortgagees, occupants and other persons acquiring any interest in the property shall at all times enjoy the benefits of and at all time hold their interests subject to the rights, easements, privileges and restrictions set forth in the Declaration of Condominium, including this First Amendment, all of which are declared to be in furtherance of a plan to promote and protect the cooperative aspect of ownership and facilitate the proper administration of such property and are established for the purposes of enhancing and perfecting the value, desirability and attractiveness of the property.

Wherefore, the Trustee as the Legal Titleholder of the property for the purposes set forth above declares that: 1) Exhibit "A" shall be deleted in its entirety and replaced by the attached Exhibit A; and 2) Exhibit "B" shall be deleted in its entirety and replaced by the attached Exhibit B and that any references in the Declaration to exhibits pertaining to common elements shall be references to Exhibit A and any references to the legal description shall be references to Exhibit B.

Wherefore, the Trustee as the Legal Titleholder of the property for the purposes set forth above declares that 13.17 Storage is herewith amended: Storage Units S-1 through S-6 will be assigned by the Developer to Condominium Unit Owners whereas S-7, S-9, S-10, S-11, S-12, and S-13 will be retained by the Developer as set forth on the Amended Plat Sheet 2 of 4 (Basement) attached hereto. Developer reserves the right in its absolute discretion to build out and sell additional storage units in the Basement, and further reserves and retain a right of easement for ingress and egress to access, repair, install, service, alter, modify or remove telephone, cable, gas, water, sewer, sprinkler or any other service or device whether utility or amenity.

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IN WITNESS WHEREOF, Firstar Bank, N.A., as Trustee as aforesaid and not individually, has caused its corporate seal to be affixed hereunto and has caused its name to be signed to these presents this 10 day of October, 2001.

SEE RIDER ATTACHED HERETO AND MADE A PART THEREOF

FIRSTAR BANK, N.A.,

As Trustee, under a Trust Agreement dated August 4, 2000,  
and known as Trust No. 7375.

11083001

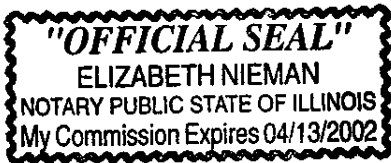
By: Norma J. Haworth  
Its: Norma J. Haworth, Land Trust Officer

Attest: Angela McClain  
Its: Angela McClain, Land Trust Officer

STATE OF ILLINOIS     )  
  ) SS.  
COUNTY OF COOK     )

The undersigned, a Notary Public in and for the County and State aforesaid, do hereby certify that Norma J. Haworth and Angela McClain,  
**Land Trust Officer** ~~President~~ and **Land Trust Officer** ~~Secretary~~, respectively, of Firstar Bank, N.A., subscribed to the foregoing instrument as such and 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 Trustee, for the use and purposes therein set forth; and there was then affixed the said Corporate Seal of said Trustee to said instrument as affixer's free and voluntary act, and as the free and voluntary act of said Trustee, for the uses and purposes therein set forth.

GIVEN under my hand and Notarial Seal, October 10, 2001.



Elizabeth Nieman  
NOTARY PUBLIC

Property Clerk's Office

## GENERAL DOCUMENT EXONERATION RIDER

The foregoing instrument is executed by FIRSTAR BANK, N.A., not personally but as Trustee under Trust No. 7375 as aforesaid, in the exercise of power and authority conferred upon and vested in said Trustee as such, and it is expressly understood and agreed that nothing in said instrument shall be construed as creating any liability on said Trustee personally to pay any indebtedness accruing thereunder, or to perform any promises, agreements or covenants or to honor any warranties or representations, either expressed or implied, including but not limited to warranties (including but not limited to warranties of title, physical condition, environmental condition, merchantability, and fitness for particular purpose), indemnifications (including but not limited to indemnifications for injury to persons or property, for environmental liability, and for liability or damages resulting from or relating to claims or matters of any nature whatsoever), and hold harmless representations in said instrument (all such liability, if any, being expressly waived by the parties hereto and their respective successors and assigns) and that so far as said Trustee is concerned, the owner of any indebtedness or right accruing under said document shall look solely to the premises described therein for the payment or enforcement thereof, it being understood that said Trustee merely holds legal title to the premises described therein and has no control over the management thereof or the income therefrom, and has no knowledge respecting any factual matter with respect to said premises, except as represented to it by the beneficiary or beneficiaries of said trust. In event of conflict between the terms of this rider and of the instrument to which it is inserted or attached, in any questions of apparent liability or obligation resting upon said trustee, the provisions of this rider shall be controlling.

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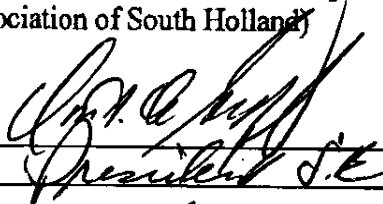
1108300<sub>1</sub>

## CONSENT OF MORTGAGEE

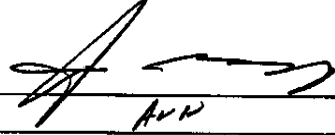
Manufacturers Bank (Formerly known as First Savings and Loan Association of South Holland), holder of a Mortgage on the Property dated November 15, 2000 and recorded as Document Number 00939802 and another mortgage dated August 16, 2000 recorded as Document Number 00669803 hereby consents to the execution and recording of the within First Amendment to Declaration of Condominium Ownership and agrees that said Mortgage is subject thereto and to the provisions of the Condominium Property Act of the State of Illinois.

Manufacturers Bank  
(Formerly known as First Savings and Loan Association of South Holland)

By: \_\_\_\_\_  
Its: \_\_\_\_\_



Attest: \_\_\_\_\_  
Its: \_\_\_\_\_



STATE OF ILLINOIS )  
  ) SS  
COUNT OF COOK )

The undersigned, a Notary public in and for the County and State aforesaid, do hereby certify that DON A. DE GRAFF, President, of the MANUFACTURERS BANK (Formerly known as FIRST SAVINGS AND LOAN ASSOCIATION OF SOUTH HOLLAND), a corporation, and Jan Banga, personally known to me to be the Assistant Secretary of said corporation, and personally known to me to be the same persons whose names are subscribed to the foregoing instrument as such and respectively appeared before me this day in person and acknowledge that they signed and delivered said instrument as their own free and voluntary act, and as the free and voluntary act of said Trustee to said instrument as affixer's free and voluntary act, and as the free and voluntary act of said Trustee, for the use and purposes therein set forth.

GIVEN under my hand and Notarial Seal, October 16, 2001.



  
\_\_\_\_\_  
NOTARY PUBLIC



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1108300<sub>1</sub>

## CONSENT OF DEVELOPER

American Condo Corporation, agent under Firststar Bank, N.A., as Trustee, under a Trust Agreement dated August 4, 2000, and known as Trust No. 7375, hereby certifies that, prior to the execution by it or its agent of any agreement for the sale of a Unit, it has provided a copy of the Notice of Intent required by the Act of all persons who were tenants of the Property on the date the Notice of Intent was given. Such notices were given on or prior to such time as required by law.

IN WITNESS WHEREOF, American Condo Corporation as agent for the Trustee under a Trust Agreement dated August 4, 2000, has executed this certificate to be executed by its duly authorized President this 9th day of October, 2001.

American Condo Corporation,

By: *Jan C. Faulkner*  
Jan C. Faulkner

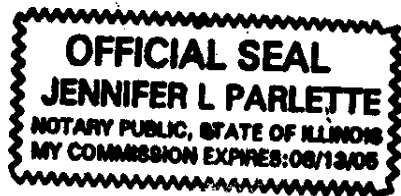
Its: President

STATE OF ILLINOIS     )  
  ) SS  
COUNT OF COOK        )

The undersigned, a Notary public in and for the County and State aforesaid, do hereby certify that Jan C. Faulkner, President, personally appeared before me this day in person and acknowledged that they signed, sealed and delivered said instrument as his own free and voluntary act, and as the free and voluntary act of said Bank; for the use and purposes therein set forth.

GIVEN under my hand and Notarial Seal, October 9th, 2001.

*Jennifer L. Parlette*  
NOTARY PUBLIC



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Exhibit A

11083001

ASTOR HOUSE II Association  
Percentage Interest in Common Elements for  
Six (6) Residential Condominium Units

<u>Unit #</u>	<u>Percentage Interest</u>
1-A	23.30
2-A	23.30
1-B	13.34
2-B	13.34
1-C	13.34
2-C	<u>13.34</u>
<b>Sub-Total:</b>	<b>99.96</b>
P-1	.0050
P-2	.0050
P-3	.0050
P-4	.0050
P-5	.0050
P-6	.0050
P-7	<u>.0050</u>
<b>Sub-Total:</b>	<b>.035</b>
S-1	.00038
S-2	.00038
S-3	.00038
S-4	.00038
S-5	.00038
S-6	.00038
S-7	.00038
S-8	.00038
S-9	.00038
S-10	.00038
S-11	.00038
S-12	.00038
S-13	<u>.00044</u>
<b>Sub-Total:</b>	<b>.005</b>
<b>TOTAL:</b>	<b>100%</b>

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Exhibit B

11083001

PARCEL 1:

UNITS 1-A, 2-A, 1-B, 2-B, 1-C, 2-C AND P-1 THROUGH P-7, AND S-1 THROUGH S-13 IN ASTOR HOUSE II ASSOCIATION, AS DELINEATED ON A SURVEY OF THE FOLLOWING DESCRIBED REAL ESTATE:

THE NORTH 45.25 FEET OF THE SOUTH 60.75 FEET OF LOT 5 IN BLOCK 1 IN WILLIAM C. REYNOLDS SUBDIVISION OF THE NORTHWEST ¼ OF THE SOUTHWEST ¼ OF SECTION 6, TOWNSHIP 39 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

WHICH SURVEY IS ATTACHED AS AN EXHIBIT TO THE DECLARATION OF CONDOMINIUM RECORDED AS DOCUMENT NUMBER 0001021613, TOGETHER WITH ITS UNDIVIDED PERCENTAGE INTEREST IN THE COMMON ELEMENTS IN COOK COUNTY, ILLINOIS.

PARCEL 2:

EASEMENT FOR ALL PURPOSES CONNECTD WITH THE USE AND ENJOYMENT, INGRESS AND EGRESS ALONG A 5 FOOT STRIP OF LAND OVER THE WEST 152 FEET OF LOT 5 LYING 5 FEET NORTH OF AND ADJOINING A LINE 60.75 FEET NORTH OF THE SOUTH LINE OF SAID LOT 5 AS CREATED BY INSTRUMENT RECORDED August 29, 2000 AS SOCUMENT 00669805.

Permanent Real Estate Index Number(s): 16 06-300-035-0000

Address of Real Estate: 1111 North Harlem Avenue  
Oak Park, Illinois 60302

EXHIBIT ATTACHED