



FIRST AMENDMENT TO DECLARATION OF RESTRICTIONS

THIS FIRST AMENDMENT TO DECLARATION OF RESTRICTIONS (the "Amendment") is made and entered into as of this 28th day of February, 2002 by Amalgamated Bank of Chicago, as Trustee under a Trust Agreement dated July 31, 2000 and known as Trust No. 5863 ("Declarant").

WITNESSETH:

WHEREAS, Declarant is the owner of that certain real property legally described on Attachment A attached hereto and made a part hereof ("Parcel A"); and

WHEREAS, Declarant is also the owner of that certain real property legally described on Attachment B attached hereto and made a part hereof ("Parcel B"); and

WHEREAS, Declarant has heretofore entered into that certain Declaration of Restrictions (the "Declaration") dated as of March 7, 2001 and recorded on March 12, 2001 in the Office of the Recorder of Deeds for Cook County, Illinois as document no. 0010192807, which Declaration imposes certain restrictions on Parcels A and B; and

WHEREAS, with the consent of the City of Calumet City, Declarant desires to amend the Declaration as provided in this Amendment.

NOW, THEREFORE, for and in consideration of Ten Dollars (\$10.00) in hand paid, and other good and valuable considerations, the receipt and sufficiency of which are hereby acknowledged, Declarant hereby amends the Declaration as follows: Exhibit B to the Declaration is hereby replaced in its entirety by the revised Exhibit B that is attached to and made a part of this Amendment as Attachment C, and consequently, from and after this Amendment, all references in the Declaration to "Parcel 2" shall mean and refer to the property described on Attachment C to this Amendment and the Declaration shall no longer apply to Lots 10, 11 and 12 referenced on Attachment B to this Amendment.

Except as provided in this Amendment, the Declaration remains in full force and effect without modification.

This Amendment shall be binding upon, and shall inure to the benefit of, Declarant and its successors and assigns.

It is expressly understood and agreed by and between the parties hereto, anything herein to the contrary notwithstanding, that each and all of the warranties, indemnities, representations, covenants, undertakings and agreements herein made on the part of the Trustee, while in form purporting to be the warranties, indemnities, representations, covenants, undertakings and agreements of said Trustee, are nevertheless, each and every one of them made and intended not as personal warranties, indemnities, representations, covenants, undertakings and agreements by said Trustee or for the purpose or with the intention of binding said Trustee personally but are made and intended for the purpose of binding only the trust property held by said Trustee, and this instrument is executed and delivered by said Trustee not in its own right, but solely in the exercise of the powers conferred upon it as such Trustee; and that no personal liability or responsibility is assumed by nor shall at any time be asserted or enforceable against Amalgamated Bank of Chicago on account of this instrument or on account of any warranty, indemnity, representation, covenant, undertaking or agreement of the said Trustee in this instrument contained, either expressed or implied, all of such personal liability, if any, being expressly waived and released.

IN WITNESS WHEREOF, Declarant has executed and delivered this Amendment as of the day and year first above written.

AMALGAMATED BANK OF CHICAGO, as Trustee under a Trust Agreement dated July 31, 2000 and known as Trust No. 5883 and not personally

By: [Signature]  
Name: IRVING P. POLAKOW  
Title: SENIOR VICE PRESIDENT

CONSENT

The City of Calumet City hereby consents to the foregoing Amendment and agrees that the same does not cause any violation of its zoning ordinances.

CITY OF CALUMET CITY

By: [Signature]  
Name: Dominick J. Gigliotti  
Title: Mayor

Attest: [Signature]  
Name: Michelle Markiewicz Qualkinbush  
Title: City Clerk

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STATE OF ILLINOIS )

0020370694

COUNTY OF COOK )

ss.

The foregoing instrument was acknowledged before me this 15<sup>th</sup> day of April, 2002 by IRVING B. POLAKOW, the SENIOR VICE PRESIDENT of Amalgamated Bank of Chicago, not personally but as Trustee under a Trust Agreement dated July 31, 2000 and known as Trust No. 5883, on behalf of such Trust.

Joan M. Dicosola

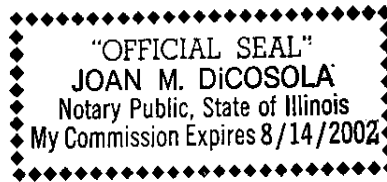
Notary Public for the State of Illinois

Commission Expires: 8-14-2002

STATE OF ILLINOIS )

ss.

COUNTY OF COOK )



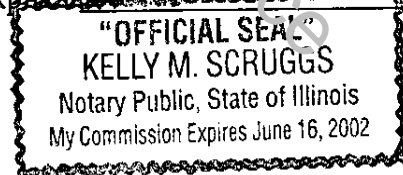
I, the undersigned, a Notary Public in and for said County, in the State aforesaid, do hereby certify that Dominick J. Gigliotti, personally known to me to be the Mayor of the City of Calumet City, an Illinois Municipal Corporation, and Michelle Markiewicz Quattinbach personally known to me to be the City Clerk of said City, and personally known to me to be the same persons whose names are subscribed to the foregoing instrument, appeared before me this day in person, and severally acknowledged that as such Mayor and City Clerk they signed and delivered the said instrument and caused the corporate seal of said City to be affixed thereto, pursuant to authority given by the Board of Trustees of said City, as their free and voluntary act, and as the free and voluntary act of said City, for the uses and purposes therein set forth.

Given under my hand and notarial seal this 13<sup>th</sup> day of March, 2002.

Kelly M. Scruggs

Notary Public for the State of Illinois

Commission Expires: \_\_\_\_\_



This document prepared by and after recording return to:

Thomas H. Page, Esq.  
Barack Ferrazzano Kirschbaum Perlman  
& Nagelberg  
333 West Wacker Drive  
Suite 2700  
Chicago, IL 60606

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## ATTACHMENT A

LOTS 17 THROUGH 27 (EXCEPT THE EAST 5 FEET OF THE AFORESAID LOTS) IN BLOCK 1, IN FORD CALUMET TERRACE, A SUBDIVISION OF THE NORTHEAST  $\frac{1}{4}$  OF THE SOUTHEAST  $\frac{1}{4}$  OF SECTION 12, TOWNSHIP 36 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

Property Address: 522 Torrence, Calumet City, Illinois

PIN: 29-12-407-025; 026; 027; 028; 029; 030; 031; 032; 033; 034; 035

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## ATTACHMENT B

LOTS 10 THROUGH 17, BOTH INCLUSIVE, IN BLOCK 5 IN FORD CALUMET CENTER, A SUBDIVISION OF THE WEST 1376.16 FEET OF THE NORTH ½ OF THE SOUTHWEST ¼ OF SECTION 7, TOWNSHIP 36 NORTH, RANGE 15 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS

Property Address: Vacant Lots on Torrence Avenue, South of Wilson, Calumet City, Illinois

PIN: 30-07-307-007; 008; 009; 010; 011; 012; 013; 014

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## ATTACHMENT C

### EXHIBIT B

(Revised)

LOTS 13 THROUGH 17, BOTH INCLUSIVE, IN BLOCK 5 IN FORD CALUMET CENTER, A SUBDIVISION OF THE WEST 1376.16 FEET OF THE NORTH ½ OF THE SOUTHWEST ¼ OF SECTION 7, TOWNSHIP 36 NORTH, RANGE 15 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS

Property Address: Vacant Lots on Torrence Avenue, South of Wilson, Calumet City, Illinois

PIN: 30-07-308-010; 011; 012; 013; 014