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2002-08-15 09:54:03
Cook County Recorder 29.00



This document is prepared by and return document to:

Wallace K. Moy
53 W. Jackson Blvd. #1564
Chicago, Illinois 60604

Property of Cook County Clerk's Office

**FIRST AMENDMENT TO DECLARATION
OF CONDOMINIUM OWNERSHIP AND EASEMENTS,
RESTRICTIONS AND COVENANTS FOR
1920-1928 SOUTH WELLS CONDOMINIUM**

5m

This First Amendment to that certain Declaration of Condominium Ownership and Easements, Restrictions, and Covenants for 1920-1928 South Wells Condominium, Chicago, Illinois recorded with the Recorder of Deeds of Cook County, Illinois on July 23, 2002, as Document No. 0020801067, as amended from time to time (the "Declaration"), and legally described in the attached Rider, is executed by Suburban Bank & Trust Co., as Trustee under Trust Agreement dated August 1, 2000, and known as Trust No. 74-2901, and not individually (hereinafter referred to as the "Declarant").

WITNESSETH

WHEREAS, that real estate described in the First Recital to the Declaration, which by this reference is made a part hereof, is located in the County of Cook and State of Illinois has been submitted to the Condominium Property Act of the State of Illinois, as amended (the "Act") pursuant to the Declaration;

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WHEREAS, pursuant to Article IV(5), the Developer hereby assigns parking spaces to unit owners as set forth in First Amended Exhibit "C" attached hereto and made a part hereof;

WHEREAS, the Declarant desires to amend the Declaration as it relates to the assignment of parking spaces (Exhibit "C" thereto).

NOW THEREFORE, the Declarant, as the holder of legal title, for the purposes above set forth, hereof declares that the Declaration is amended as follows:

- 1) Exhibit "C" of the Declaration, "1920-1928 South Wells Condominium Assignment of Parking Spaces" is deleted and the attached First Amended Exhibit "C" duly prepared by the Developer is substituted in lieu thereof;
- 2) It is expressly understood and agreed by and between the parties hereto, anything herein to the contrary notwithstanding, that each and all of the representations, covenants, undertakings, warranties and agreements herein made on the part of the Declarant while in form purporting to the representations, covenants, undertakings, warranties, and agreements of the Declarant are nevertheless each and every one of them, made and intended not as personal representations, covenants, undertakings, warranties, and agreements by the Declarant or for the purpose or with the intention of binding the Declarant personally but are made and intended for the purpose of binding only that portion of the property specifically described herein, and this instrument is executed and delivered by the Declarant not in its own right, but solely in the exercise of the powers conferred upon it as such Declarant; and that no personal liability or personal responsibility is assumed by nor shall at any time be asserted or enforceable against Declarant, on account of this instrument or on account of any representation; covenants, undertaking, warranty, or agreement of the Declarant in this instrument contained, either expressed or implied, all such personal liability, if any, being expressly waived and released. The Declarant makes no personal representations as to nor shall it be responsible for the existence, location or maintenance of the chattels herein described, if any; and
- 3) Trustee Exculpation. This declaration is executed by SUBURBAN BANK & TRUST CO., aforesaid, in the exercise of power and authority conferred upon and vested in it as such trustee (and said trustee hereby warrants that it possesses full power and authority to execute this instrument). It is expressly understood and agreed by every person, firm or corporation hereafter claiming any interest under this declaration that said trustee as aforesaid, an not personally has joined in the execution of this declaration for the sole purpose of subjecting the title holding interest and trust estate under said Trust No. 74-2901 to the terms of this declaration; and any and all obligations, duties, covenants and agreements of every nature herein set forth by said trustee, as aforesaid to be kept or performed are intended to be kept, performed and discharged by the beneficiaries under said trust or their successor, and not by said trustee personally, and further,

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that no duty shall rest upon Suburban Bank & Trust Co., 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 obligation, express or implied arising under the terms of this declaration, including where said trustee is acting pursuant to direction as provided by the terms of said trust, and after the 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 declaration on any question of apparent liability or obligation resting upon said trustee, the exculpatory provisions hereof shall be controlling.

IN WITNESS WHEREFORE, the said SUBURBAN BANK & TRUST CO., as trustee aforesaid and not individually has caused its corporate seal to be affixed hereunto and caused its name to be signed in these presents by its duly authorized Officer this 8th day of August, 2002.

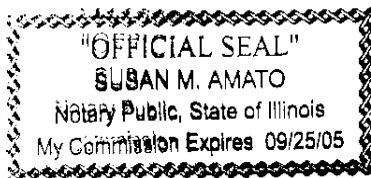
BY: Rosemary Mazur
ROSEMARY MAZUR, its Trust officer

STATE OF ILLINOIS)
) SS
COUNTY OF C O O K)

I, the undersigned, a Notary Public in and for the said County, in the State aforesaid, do hereby certify that Rosemary Mazur, Trust Officer of Suburban Bank & Trust, who is personally known to me to be the same person whose name is subscribed to the foregoing instrument as Trust Officer appeared before me this day in person and acknowledged that she signed and delivered the said instrument as her own free and voluntary act and as the free and voluntary act of said bank as trustee as aforesaid, for the uses and purposes therein set forth; and the Trust Officer then and there acknowledged that she as custodian of the corporate seal of said bank, did affix the corporate seal of said bank to said instrument as her own free and voluntary act and as the free and voluntary act of said bank as trustee as aforesaid, for the uses and purposes therein set forth.

Given under my hand and notary seal this 8th day of August, 2002.

Susan M Amato
NOTARY PUBLIC



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FIRST AMENDED EXHIBIT "C"

RICHLAND TERRACE CONDOMINIUM ASSIGNMENT OF PARKING SPACE

<u>Unit</u>	<u>Parking Description</u>
1926-1	1
1926-2	2
1926-3	3
1928-1	4
1928-2	5
1928-3	6
1922-1	7
1922-2	8
1922-3	9
1920-1	10
1920-2	11
1920-3	12

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CHICAGO TITLE INSURANCE COMPANY

ORDER NUMBER: 1401 007612479 DB
STREET ADDRESS: 1920-28 S. WELLS
CITY: CHICAGO COUNTY: COOK
TAX NUMBER:

LEGAL DESCRIPTION:

UNITS 1920-1, 1920-2, 1920-3, 1922-1, 1922-2, 1922-3, 1926-1, 1926-2, 1926-3, 1928-1, 1928-2, 1928-3 IN THE 1920-1928 SOUTH WELLS CONDOMINIUM AS DELINEATED ON A SURVEY OF THE FOLLOWING DESCRIBED REAL ESTATE:

LOTS 58 AND 59, BOTH INCLUSIVE, IN SANTE FE GARDEN III, BEING A RESUBDIVISION OF PART OF BLOCKS 21, 24, 25 & 41 AND THE VACATED STREETS AND ALLEYS LYING WITHIN AND ADJOINING SAID BLOCKS, IN CANAL TRUSTEES' NEW SUBDIVISION OF BLOCKS IN THE EAST FRACTION OF THE SOUTHEAST 1/4 OF SECTION 21, ALL IN TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS. ALSO EASEMENTS FOR INGRESS AND EGRESS FOR THE BENEFIT OF PARCEL 1 AS CREATED BY DECLARATION OF PARKSHORE COMMONS II COMMUNITY ASSOCIATION RECORDED AS DOCUMENT NUMBER 0010358538 AS AMENDED.

WHICH SURVEY IS ATTACHED AS EXHIBIT "A" TO THE DECLARATION OF CONDOMINIUM RECORDED AS DOCUMENT NUMBER 0020801067, AND AS AMENDED, TOGETHER WITH ITS UNDIVIDED PERCENTAGE INTEREST IN THE COMMON ELEMENTS, ALL IN COOK COUNTY, ILLINOIS.

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