

# UNOFFICIAL COPY

## FIRST AMENDMENT OF ACCESS EASEMENT AGREEMENT



Doc#: 0411812121  
Eugene "Gene" Moore Fee: \$30.50  
Cook County Recorder of Deeds  
Date: 04/27/2004 11:17 AM Pg: 1 of 4

This First Amendment of Access Easement Agreement ("First Amendment") is made and entered into this 9<sup>th</sup> day of April, 2004, by and between Park Place Apartments, L.L.C., an Illinois limited liability company ("Park Place"), and Menard, Inc., a Wisconsin corporation ("Menard") with offices located at 4777 Menard Drive, Eau Claire, WI 54703.

### RECITALS

**WHEREAS**, the parties entered into Access Easement Agreement ("Agreement") on November 18, 2003 in order to establish certain easements; and

**WHEREAS**, the parties wish to amend the Agreement

**NOW THEREFORE**, the parties, for themselves and their successors and assigns, in consideration of their respective undertakings and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, hereby covenant and agree as follows:

1. Successors and Assigns: Section 4.07 is hereby deleted and stricken from the Agreement.
2. Miscellaneous:
  - (a) Except as expressly provided above, the Agreement is hereby ratified and reaffirmed and is in full force and effect in accordance with its original terms, conditions and provisions.
  - (b) This First Amendment is binding upon and shall inure to the benefit of the parties and their respective successors and assigns under the Agreement.
  - (c) All capitalized terms not defined in this First Amendment shall have the same meaning ascribed to those terms in the Agreement.
  - (d) In the event of any conflict between the terms of this First Amendment and the terms of the Agreement, the terms of this First Amendment shall govern and control.
  - (e) This First Amendment shall become effective as of the date of the last party hereto has executed this Amendment.
  - (f) This First Amendment may be executed in several counterparts, each of which may be deemed an original, and all such counterparts together shall constitute one and the same Amendment.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed as of the date set forth above.

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my  
Office

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## Separate signature page of Menard

MENARD, INC.,  
a Wisconsin corporation

By: *Marv Prochaska*  
Marv Prochaska  
Vice President

### ACKNOWLEDGEMENT

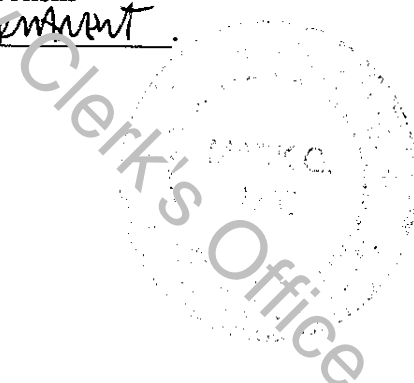
State of WISCONSIN)

)ss

County of EAU CLAIRE )

On this 9<sup>th</sup> day of APRIL, 2004, before me a Notary Public within and for said county and State, personally appeared Marv Prochaska, to me personally known, who, being by me duly sworn, did say that he is the Vice President of Real Estate of Menard, Inc., the corporation named in the foregoing instrument, and that the instrument was signed on behalf of the corporation by authority of its Board of Directors and Marv Prochaska acknowledged the instrument to be the free act and deed of the corporation.

*Mark G. [Signature]*  
Notary Public  
Eau Claire County, Wisconsin  
My Commission: 18 PERMANENT



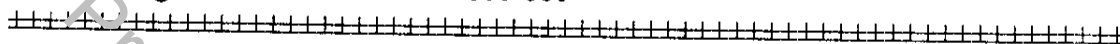


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**Property affected by Amendment  
Menard Parcel**

LOT 1 IN PARK PLACE, BEING A SUBDIVISION IN THE NORTHWEST FRACTIONAL QUARTER OF SECTION 18, TOWNSHIP 41 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS, ACCORDING TO THE PLAT THEREOF RECORDED REGISTERED IN THE OFFICE OF THE REGISTRAR OF TITLES OF COOK COUNTY, ILLINOIS ON OCTOBER 13, 1989, AS DOCUMENT NUMBER LR3832492.

Lot 1 is assigned PIN number 07-18-100-016



**Property affected by Amendment  
PPA Parcel**

Lots Two (2), Three (3), and Four (4) in Park Place, being a Subdivision in the Northwest Fractional Quarter (1/4) Of Section 18, Township 41 North, Range 10, East of the Third Principal Meridian, in Cook County, Illinois, according to the Plat thereof registered in the Office of the Registrar of Titles of Cook County, Illinois on October 13, 1989, as Document number LR3832492.

Lots 2, 3, and 4 are assigned PIN numbers 07-18-100-017, -018, -and -019 respectively

Property of Cook County Clerk's Office