

# UNOFFICIAL COPY



Doc#: 0530034011 Fee: \$74.00  
Eugene "Gene" Moore RHSP Fee: \$10.00  
Cook County Recorder of Deeds  
Date: 10/27/2005 08:19 AM Pg: 1 of 9

FOR RECORDER'S USE ONLY

## FIRST AMENDMENT TO DECLARATION OF EASEMENTS, RESTRICTIONS AND COVENANTS FOR JOHNSTON PROPERTIES AT CORNELL LAKES

F	84	A
P	BW	P
T	1027	V
I		

This document was prepared by and,  
after recording, should be mailed to:

Eric J. Miller  
Farwell, Farwell & Associates, P.C.  
8 West Campbell Street  
2nd Floor  
Arlington Heights, IL 60005

1 RECORDING FEE 84  
DATE 1027-05 COPIES 6  
OK BY BW

9p

# UNOFFICIAL COPY

## **FIRST AMENDMENT TO THE DECLARATION OF EASEMENTS, RESTRICTIONS AND COVENANTS FOR JOHNSTON PROPERTIES AT CORNELL LAKES**

**THIS FIRST AMENDMENT TO THE DECLARATION OF EASEMENTS, RESTRICTIONS AND COVENANTS FOR JOHNSTON PROPERTIES AT CORNELL LAKES** (hereinafter referred to as the "First Amendment") is made this 24th day of October, 2005 by **ANN MARIE JOHNSTON, MARK STRAUSS and ALLISON STRAUSS** (hereinafter referred to as the "Declarants").

### **WITNESSETH:**

**WHEREAS**, the Declarants executed that certain Declaration of Easements, Restrictions and Covenants for Johnston Properties at Cornell Lakes, dated December 8, 2004 and recorded April 15, 2005 as Document Number 0510549308 in the office of the Cook County Recorder of Deeds (hereinafter referred to as the "Declaration");

**WHEREAS**, the Declarants are the titleholders in fee simple of a Lot, legally described in Exhibit A, attached hereto and made a part hereof, in the Village of Palatine, County of Cook, State of Illinois;

**WHEREAS**, pursuant to Section 11.3, the Declarants have the right to amend the Declaration; and

**WHEREAS**, the Declarants desire to amend the Declaration to add a conflict provision and a plat of survey delineating the fee simple legal description for each Townhome.

**NOW, THEREFORE**, Declarants, in accordance with the rights reserved to it in the Declaration, make this first amendment as follows:

1. All capitalized terms used in this First Amendment shall have the same meanings herein as in the Declaration
2. Declaration Continuous. Except as expressly supplemented and/or amended by this First Amendment, the Declaration shall continue in full force and effect. The Declaration and this First Amendment contain all of the terms, covenants, conditions and agreements of the Declarants relating to the subject matter thereof and hereof. No prior or other agreements or understandings pertaining to such matters are valid or of any force and effect.
3. Control. To the extent of any inconsistency between the provisions of this First Amendment and the Declaration, as amended, the provisions of this First Amendment shall control. The Declaration, except as modified by this First Amendment, is, in all respects, revived, republished, ratified and confirmed by the Declarants, and the terms, covenants, conditions and agreements thereof shall remain in full force and effect and binding upon all parties.

# UNOFFICIAL COPY

IN WITNESS WHEREOF, the party has caused this instrument to be duly executed on the day and year first above written.

ANNE MARIE JOHNSTON, an individual

By: *Ann Marie Johnston*  
Ann Marie Johnston

MARK and ALLISON STRAUSS, husband and wife

By: *Mark Strauss*  
Mark Strauss

By: *Allison Strauss*  
Allison Strauss

STATE OF ILLINOIS     )  
                                  )  
COUNTY OF COOK     )     SS.

I, *Cynthia L. Charley*, a Notary Public in and for said County, in the state aforesaid, DO HEREBY CERTIFY that ANNE MARIE JOHNSTON, ALLISON STRAUSS & MARK STRAUSS, personally known to me to be the same person(s) whose name(s) subscribed to the foregoing instrument, appeared before me this day in person, and acknowledged that they signed, sealed and delivered the said instrument as their free and voluntary act, for the uses and purposes therein set forth.

Given under my hand and official seal this *24<sup>th</sup>* day of *October*, 2005.

*Cynthia L. Charley*  
NOTARY PUBLIC

My commission expires: *10/24/05*

# UNOFFICIAL COPY

## EXHIBIT A

### LEGAL DESCRIPTION

**PARCEL 1:**

LOT 33 IN CORNELL LAKES APARTMENTS UNIT 3, BEING A SUBDIVISION OF PART OF THE NORTHEAST 1/4 OF SECTION 16, TOWNSHIP 42 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

**PARCEL 2:**

EASEMENT FOR THE BENEFIT OF PARCEL 1, AS SET FORTH IN THE DECLARATION OF EASEMENTS, RECORDED AS DOCUMENT 87292350, AND IN THE AMENDMENT AND RESTATEMENT OF EASEMENTS, RESTRICTIONS AND COVENANTS, RECORDED AS DOCUMENT 0506949248, AND AS CREATED BY DEED FROM AMERICAN NATIONAL BANK AND TRUST COMPANY OF CHICAGO, A NATIONAL BANKING ASSOCIATION, AS TRUSTEE UNDER TRUST AGREEMENT DATED DECEMBER 19, 1977 AND KNOWN AS TRUST NUMBER 41512 TO JOHN EKIZIAN, FRANCES L. EKIZIAN AND MICHAEL EKIZIAN, RECORDED AS DOCUMENT NUMBER 88256883 FOR WALKS, DRIVEWAYS, INGRESS AND EGRESS, PARKING AND RECREATIONAL FACILITIES, OVER SUCH PORTIONS OF THE FOLLOWING PROPERTY AS FALLS IN COMMON AREAS, AS COMMON AREAS ARE DEFINED IN SAID DECLARATION OF EASEMENT:

LOTS 1 AND 2, THE SOUTH 60 FEET OF LOT 6 (EXCEPT THE EAST 17 FEET THEREOF, TAKEN FOR HIGHWAY PURPOSES), AND ALL OF LOT 4 (EXCEPT THE EAST 17 FEET THEREOF, TAKEN FOR HIGHWAY PURPOSES), IN ARTHUR T. MCINTOSH AND COMPANY'S PALATINE FARMS, A SUBDIVISION OF THAT PART OF THE WEST 1/2 OF THE NORTHWEST 1/4, AND OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4, AND OF THE EAST 1/2 OF THE SOUTHWEST 1/4 OF SECTION 15, LYING SOUTHERLY OF THE SOUTHWESTERLY LINE OF THE RIGHT OF WAY OF THE CHICAGO AND NORTHWESTERN RAILROAD, AND ALSO THAT PART OF LOT 8 IN THE SCHOOL TRUSTEE'S SUBDIVISION OF SECTION 15, LYING SOUTHERLY OF THE SOUTHWESTERLY LINE OF THE RIGHT OF WAY OF THE CHICAGO AND NORTHWESTERN RAILROAD, ALL IN COOK COUNTY, ILLINOIS.

PIN: 02-16-215-039-0000

Property Commonly Known As: 416-422 North Lake Shore Drive  
Palatine, Illinois 60067

# UNOFFICIAL COPY

## EXHIBIT B

### PERCENTAGE INTERESTS

Listed below is the percentage of interest each unit has in the Association. These percentages determine the amount of the Association's assessment for each unit. The approximate square footage does not include the garage, which is a Townhome Maintenance Area. The respective percentages are as follows:

<u>Unit</u>	<u>Approximate Square Footage</u>	<u>Percentage</u>
Unit 416	920 sq. ft.	25.76%
Unit 420	920 sq. ft.	25.76%
Unit 422	872 sq. ft.	24.42%
Unit 418	859 sq. ft.	24.06%
<b>Approximate Total Square Footage of Building:</b>		<b>3,571 sq. ft.</b>


# UNOFFICIAL COPY

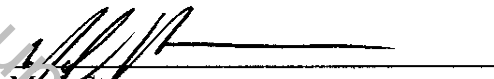
## EXHIBIT D

### CONSENT OF CO-OWNERS

We the undersigned, ALLISON STRAUSS and MARK STRAUSS, consent to the execution and recording of this Declaration of Easements, Restrictions and Covenants for Johnston Properties at Cornell Lakes by Ann Marie Johnston, executed on December 8, 2004 and recorded on April 15, 2005 as Document Number 0510549308 in the office of the Recorder of Deeds, Cook County, Illinois.

IN WITNESS WHEREOF, the said ALLISON STRAUSS and MARK STRAUSS have caused this instrument to be signed, all done at Palatine, Illinois, on this 24 day of October, 2005.

  
Allison Strauss

  
Mark Strauss

# UNOFFICIAL COPY

STATE OF ILLINOIS       )  
  )  
COUNTY OF COOK       )       SS.

I, Cynthia L. Chaille, a Notary Public in and for said County, in the state aforesaid, DO HEREBY CERTIFY that ALLISON STRAUSS and MARK STRAUSS, personally known to me to be the same person(s) whose name(s) subscribed to the foregoing instrument, appeared before me this day in person, and acknowledged that they signed, sealed and delivered the said instrument as their free and voluntary act, for the uses and purposes therein set forth.

Given under my hand and official seal this 24<sup>th</sup> day of October, 2005.



Cynthia L. Chaille  
NOTARY PUBLIC

My commission expires: 6/11/07

Property of Cook County Clerk's Office

UNOFFICIAL COPY

# EXHIBIT

ATTACHED TO

8  
 1  


---

 Total - 9

PROPERTY OF COBY COUNTY CLERK'S OFFICE

# DOCUMENT

# SEE PLAT INDEX