

# UNOFFICIAL COPY

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1998-12-23 11:25:49  
Cook County Recorder 75.00



## FIRST AMENDMENT TO THE DECLARATION OF CONDOMINIUM OWNERSHIP AND OF EASEMENTS, RESTRICTIONS COVENANTS AND BY-LAWS FOR 1613 WEST GRAND AVENUE CONDOMINIUM ASSOCIATION

**PLAT WITH THIS  
DOCUMENT**

**THIS INSTRUMENT PREPARED BY:**

Daniel G. Lauer & Assoc., PC  
1424 West Division Street  
Chicago, IL 60622-3322

**RETURN TO:**

**CTI-BOX #333**

THIS FIRST AMENDMENT TO THE DECLARATION is made and entered by State Bank of Countryside, not individually but solely as Trustee under a Trust Agreement known as Trust Number 93-1368, dated November 12, 1993, (hereinafter referred to as the "Declarant");

**WITNESSETH:**

WHEREAS, the Declarant holds legal title to the parcel of real estate situated in the City of Chicago, Cook County, Illinois (hereinafter called the "Parcel") and legally described, as amended, on Exhibit A attached hereto and by this reference made a part hereof; and,

WHEREAS, the Declarant desires and intends by this First Amendment to the Declaration to correct the legal description and amend the Plat in order to reflect construction of additional improvements on the Common Elements; and,

WHEREAS, pursuant to paragraph 15.01 of the Declaration all rights vested in the Board of Unit Owners shall be vested in the Declarant and/or Developer until the election of the initial Board by the Unit Owners.

WHEREAS, the legal description of the Parcel, common address and PIN are as follows

Amended Legal Description:

Please see Exhibit A

Common Address:

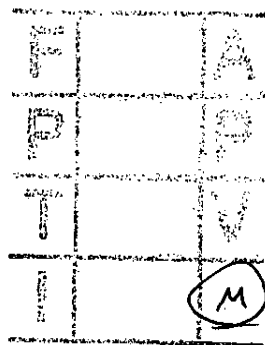
1613 W. Grand Avenue

Chicago, IL 60622

PIN:

17-07-228-018-0000

17-07-228-017



RECORDING FEE \$ 75.00  
DATE 12/23/98 COPIES 6  
OK *[Signature]*

WHEREAS, the Declaration gives Developer and/or Declarant reserves the right and power to record a special amendment ("Special Amendment") to this Declaration at any time and from time to time which amends this Declaration to "...(iv) to correct clerical or typographical errors in this Declaration or any Exhibit hereto or any supplement or amendment thereto. In furtherance of the foregoing, a power coupled with an interest is hereby reserved and granted to the Developer and/or Declarant to vote in favor of, make, or consent to a Special Amendment on behalf of each Unit Owner as proxy or attorney-in-fact, as the case may be. Each deed, mortgage, trust deed, other evidence of obligation, or other instrument affecting a Unit, and the acceptance thereof shall be deemed to be a grant and acknowledgment of, and a consent to the reservation of, the power to the Developer and/or Declarant to vote in favor of, make, execute and record Special Amendments. The right of the Developer and Declarant to act pursuant to rights reserved or granted under this Section shall terminate at such time as the Declarant or Developer no longer holds or controls title to a Unit".

NOW THEREFORE, the Declarant and Developer, pursuant to the rights conferred on it in the Declaration, and for the purposes set forth herein, amend the Declaration and DECLARE AS FOLLOWS:

1. The Declaration is amended to correct the legal description. The corrected legal description is now and hereby attached hereto and made a part hereof as Exhibit A of this Amendment.
2. The Declaration and the Plat attached thereto is amended to reflect that parking spaces P-1, P-2 and P-3 shall be contained within the garage constructed solely upon the Common Elements of the Condominium, and such amended Plat is attached hereto and hereby made a part of the Declaration and this Amendment as Exhibit "B".

IN WITNESS WHEREOF, said State Bank of Countryside, not individually but solely as Trustee under a Trust Agreement known as #93-1368, dated November 12, 1993, has caused its Trust officers to affix their signatures hereunto and caused its name to be signed in these presents, this 15 day of December, 1998.

State Bank of Countryside, not individually but solely as Trustee under Trust #93-1368, dated November 12, 1998

By: Joan Micka  
Joan Micka, Trust Officer

ATTEST: Susan L. Jutz  
Trust Officer  
SUSAN L. JUTZ, Vice Pres.

NOTE: EXONERATION CLAUSE  
This document is signed by State Bank of Countryside not individually but solely as Trustee under Trust Agreement mentioned in said document. Said Trust Agreement is hereby made a part hereof and any claims against said Trustee which may result from the signing of this document shall be payable only out of any Trust property which may be held thereunder, except that no duty shall rest upon the State Bank of Countryside personally or as Trustee to sequester any of the earnings, avails or proceeds of any real estate in said Trust. Said Trustee shall not be personally liable for the performance of any of the terms and conditions of the title of said property or for any agreement with respect thereto. Any and all personal liability of the State Bank of Countryside is hereby expressly waived by the parties hereto and their respective successors and assigns. All warranties, covenants, indemnities and representations of each kind are those of the Trustee's beneficiaries only and shall not in any way be considered the responsibility and liability of the State Bank of Countryside. This Trustee's exculpatory clause shall be controlling in the event of a conflict of terms created by the documents executed by State Bank of Countryside as Trustee.

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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 Joan Micka, Trust Officer of State Bank of Countryside and \_\_\_\_\_ **SUSAN L. JUTZI, Vice Pres.** \_\_\_\_\_, Trust Officer, who are personally known to me to be the persons whose names are subscribed to the foregoing instrument as such Trust Officers, 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 Trust Company, for the uses and purposes therein set forth.

GIVEN under my hand and notarial seal this 15<sup>th</sup> day of December, A.D., 1998.

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

SEAL

My commission Expires:



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EXHIBIT A  
AMENDED  
LEGAL DESCRIPTION  
FOR 1613 WEST GRAND AVENUE CONDOMINIUM,  
CHICAGO, COOK COUNTY, ILLINOIS

UNITS 1, 2 AND 3 IN THE 1613 WEST GRAND CONDOMINIUM AS DELINEATED ON A SURVEY OF THE FOLLOWING DESCRIBED REAL ESTATE: LOT 20 EXCEPT THE EAST 4 INCHES THEREOF AND THE EAST 8 INCHES OF LOT 19 IN FORBE'S SUBDIVISION OF BLOCK 17 IN CANAL TRUSTEE'S SUBDIVISION OF SECTION 7, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN WHICH SURVEY IS ATTACHED AS EXHIBIT "A" TO THE DECLARATION OF CONDOMINIUM RECORDED AS DOCUMENT NUMBER 98996438, TOGETHER WITH ITS UNDIVIDED PERCENTAGE INTEREST IN THE COMMON ELEMENTS, ALL IN COOK COUNTY, ILLINOIS.

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EXHIBIT B  
AMENDED  
PLAT OF SURVEY  
FOR 1613 WEST GRAND AVENUE CONDOMINIUM,  
CHICAGO, COOK COUNTY, ILLINOIS

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