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THIS INSTRUMENT PREPARED BY
AND MAIL TO:

GRIFFIN & GALLAGHER, LLC
10001 S. Roberts Road
Palos Hills, Illinois 60465
(708) 598-6800



Doc#: 1105346057 Fee: \$48.00
Eugene "Gene" Moore RHSP Fee: \$10.00
Cook County Recorder of Deeds
Date: 02/22/2011 02:44 PM Pg: 1 of 7

ABROGATION AND RESCISSION OF DECLARATION OF CONDOMINIUM FOR 1345 SOUTH KILDARE CONDOMINIUM

This Abrogation and Rescission of Declaration of Condominium for 1345 South Kildare Condominium (this "Abrogation"), as legally described on Exhibit A attached hereto, is made and entered into this 7th day of February, 2010 by State Bank of Countryside, not personally but as Trustee Under Trust Agreement dated December 13, 2007 and known as Trust Number 07-3000, as the Declarant and Unit Owner(s) (hereinafter collectively "Declarant" or "Unit Owners") and by State Bank of Countryside, as the First Mortgagee (hereinafter collectively "First Mortgagee" or "Mortgagee" or "Lender"). Capitalized terms used herein shall have the same meanings ascribed to them in the Declaration (hereinafter defined).

WITNESSETH:

WHEREAS, the Declaration of Condominium for 1345 South Kildare Condominium dated April 23rd, 2008, which was recorded in the Office of the Cook County Recorder of Deeds on May 9, 2008 as Document Number 0813022080 ("Declaration"); and

WHEREAS, State Bank of Countryside, not personally but as Trustee Under Trust Agreement dated December 13, 2007 and known as Trust Number 07-3000 is the Unit Owner title holder of record to the Property ("Unit Owner"); and

WHEREAS, State Bank of Countryside is the First Mortgage holder to the Property pursuant to the terms of that certain Mortgage and Assignment of Rents dated January 22, 2008 and recorded February 7, 2008 as Document Number(s) 0803842042 and 0803842043, respectively ("First Mortgagee"); and

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WHEREAS, the Declaration was inadvertently executed by and recorded with the incorrect Land Trust information and that the Declaration is hereby amended to delete "Trust Number 07-2999" wherever found and to insert in its stead "Trust Number 07-3000"; and

WHEREAS, pursuant to Section 16 of the Illinois Condominium Property Act, the right is reserved in the Unit Owners to abrogate and rescind the Declaration, provided that the holders of all liens affecting any of the units consent thereto that their liens be transferred to the undivided interest of the Unit Owners; and

WHEREAS, pursuant to Section 16 of the Illinois Condominium Property Act, the Unit Owners now desire to abrogate, rescind and remove the Property from the provisions of the Condominium Property Act and the First Mortgagee herewith consents to same provided that their lien be transferred to the undivided interest of the Unit Owners; and

WHEREAS, the Unit Owners and First Mortgagee have consented to and feel it is in their best interests to remove the Property from the provisions of the Condominium Property Act and to transfer their lien to the undivided interest of the Unit Owners.

NOW THEREFORE, the parties hereto, in consideration of the mutual covenants and for the purposes above set forth, hereby agree as follows:

1. The recitals set forth above are incorporated herein by reference.
2. After withdrawal of the Property from the provisions of the Condominium Property Act, the Property shall be owned by all Unit Owners as Tenants in Common with each Unit Owner having the same percentage interest as previously owned by such Unit Owner in the common elements in the 1345 South Kildare Condominium Association.
3. After withdrawal of the Property from the provisions of the Condominium Property Act, the lien(s) recorded as document numbers 0803842042 and 0803842043 shall be transferred to the undivided interest of each Unit Owner and the Property shall be subject as to the lien of First Mortgagee.
4. This abrogation shall be effective from and after the date of its recording with the Recorder of Deeds of Cook County, Illinois.

IN WITNESS WHEREOF, the parties hereto have affixed their hands and seals on the date above written.

(Signature pages to follow)

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EXHIBIT A

PARCEL 1:

UNITS 1, 2 AND 3 IN 1345 SOUTH KILDARE CONDOMINIUM AS DELINEATED ON A SURVEY OF THE FOLLOWING DESCRIBED REAL ESTATE: LOT 31 IN BLOCK 3 IN FRANCIS P. CASEY'S SUBDIVISION OF BLOCKS 1, 2, 3 AND 4 IN L.C. PAINE FREER (RECEIVER) SUBDIVISION OF THE WEST ½ OF THE NORTH EAST ¼ OF SECTION 22, TOWNSHIP 39 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN IN COOK COUNTY, ILLINOIS WHICH SURVEY IS ATTACHED AS AN EXHIBIT TO THE DECLARATION OF CONDOMINIUM RECORDED AS DOCUMENT NUMBER 0813022080, AS AMENDED, TOGETHER WITH ITS UNDIVIDED PERCENTAGE INTEREST IN THE COMMON ELEMENTS.

PARCEL 2:

THE EXCLUSIVE RIGHT TO THE USE OF P-1, P-2 AND P-3, LIMITED COMMON ELEMENTS, AS DELINEATED ON THE SURVEY ATTACHED TO THE DECLARATION AFORESAID RECORDED AS DOCUMENT NUMBER 0813022080.

PIN: 16-22-210-051-1001; 16-22-210-051-1002; 16-22-228-051-1003

PROPERTY ADDRESS: 1345 SOUTH KILDARE, UNITS 1, 2, & 3, CHICAGO, IL 60623

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CONSENT OF UNIT OWNER'S AND DECLARANT

Trustee Exculpation. It is expressly understood and agreed, anything herein to the contrary notwithstanding, that each and all of the representations, covenants, undertakings and agreements of said Declarant are nevertheless, each and every one of them, made and intended not as personal representations, covenants, undertakings and agreements by the Declarant personally, but are made and intended for the purpose of binding only that portion of the trust property specifically described herein, and this instrument is executed and delivered by said Declarant not in its own right, but solely in the exercise of the powers conferred upon it as Trustee, as aforesaid, and that no personal liability or personal responsibility is assumed by nor shall at any time be asserted or enforceable against State Bank of Countryside or any of the beneficiaries under the Trust Agreement, on account of this instrument or on account of any representation, covenant, undertaking or agreement of said Declarant in this instrument contained, either expressed or implied, all such personal liability, if any, being expressly waived and released. It is understood and agreed by the parties hereto, anything to the contrary notwithstanding, that the Declarant will act only on the direction of the beneficiaries.

In witness whereof, the undersigned Unit Owner and Declarant has executed this Abrogation and Rescission of Declaration Of Condominium for 1345 South Kildare Condominium.

STATE BANK OF COUNTRYSIDE, NOT
PERSONALLY BUT AS TRUSTEE
UNDER TRUST AGREEMENT DATED
DECEMBER 13, 2007 AND KNOWN AS
TRUST NUMBER 07-3000

BY: *Jan Micka*

NAME: Jan Micka, Vice Pres.

TITLE: _____

ATTEST:

BY: *[Signature]*

NAME: Steven L. Jaffe, Sr. VP.


TITLE: _____

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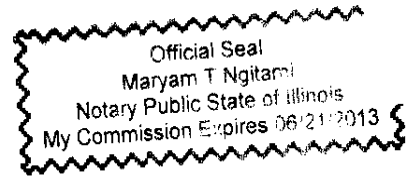
STATE OF ILLINOIS)
)SS.
COUNTY OF COOK)

I, the undersigned, a Notary Public in and for the County and State aforesaid Do Hereby
Certify that Joan Misha, Vice Pres, _____ and
_____, _____, respectively, of
State Bank of Countryside, personally known to me to be the same persons whose names are
subscribed to the foregoing instrument as such _____ and
_____, appeared before me this day in person and acknowledged
that they signed, sealed and delivered said instrument as their free and voluntary act, and as the
free and voluntary act of said corporation, for the uses and purposes therein set forth.

Given under my hand and Notarial Seal this 11 day of Feb, 2011.


NOTARY PUBLIC

MY COMMISSION EXPIRES: 06/21/2013



Property of Cook County Clerk's Office

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CONSENT OF FIRST MORTGAGEE

State Bank of Countryside, holder of Mortgage and Assignment of Rents and Leases on the property dated January 22, 2008 and recorded February 7, 2008 as Document Numbers 0803842042 and 0803842043, respectively, hereby consents to the execution and recording of the within Abrogation and Rescission of Declaration of Condominium for 1345 South Kildare Condominium and agrees that said Mortgage and Assignment of Rents and Leases shall be transferred to the undivided interest of the Unit Owner(s) subject to the provisions of the aforesaid instrument.

IN WITNESS WHEREOF, the said State Bank of Countryside has caused this instrument to be signed by its duly authorized officers on its behalf, all done at Countryside, Illinois on this 10th day of FEBRUARY, 2011.

BY: 

SERVICE PRESIDENT

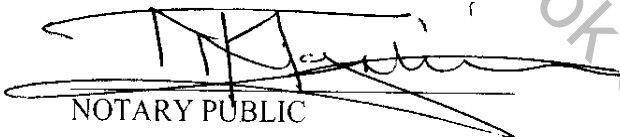
ATTEST: 

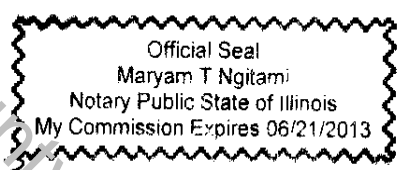
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STATE OF ILLINOIS)
) SS.
COUNTY OF COOK)

I, the undersigned, a Notary Public in and for the County and State aforesaid Do Hereby
Certify that _____ and
_____, respectively, of
State Bank of Countryside, personally known to me to be the same persons whose names are
subscribed to the foregoing instrument as such officers appeared before me this day in person
and acknowledged that they signed, sealed and delivered said instrument as their free and
voluntary act, and as the free and voluntary act of said corporation, for the uses and purposes
therein set forth.

Given under my hand and Notarial Seal this 11 day of Feb. 2011.


NOTARY PUBLIC



MY COMMISSION EXPIRES: 06/21/2013