



Doc#: 1119333048 Fee: \$46.00
Eugene "Gene" Moore RHSP Fee: \$10.00
Cook County Recorder of Deeds
Date: 07/12/2011 12:20 PM Pg: 1 of 6

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**SECOND AMENDMENT TO
MCKINLEY PARK MANOR
DECLARATION OF COVENANTS AND RESTRICTIONS**

THIS SECOND AMENDMENT TO DECLARATION is made as of this ^{23rd} day of June, 2011 by MCN Home SB1, L.L.C., as successor in interest to James McNaughton-Pershing Road, LLC, ("Developer"), the beneficiary of Chicago Title Land Trust Company, as successor trustee to Cole Taylor Bank, as Trustee under Trust Agreement dated July 1, 2003 and known as Trust No. 03-9901 (herein the "Trust" and, as to Chicago Title Land Trust Company, as successor trustee to Cole Taylor Bank, the "Trustee").

RECITALS:

WHEREAS, the Trustee and the Developer recorded the McKinley Park Manor Declaration of Covenants and Restrictions, dated May 3, 2005 (the "Declaration"), on May 5, 2003 in the Office of the Cook County Recorder of Deeds as Document No. 0512503035.

WHEREAS, the Trustee and the Developer recorded that certain First Amendment to the McKinley Park Manor Declaration of Covenants and Restrictions, dated February 11, 2008 (the "First Amendment"), on February 11, 2008 in the Office of the Cook County Recorder of Deeds as Document No. 0804239239.

WHEREAS, said Declaration, as amended by the First Amendment, refers to property described on Exhibit "A" attached hereto;

WHEREAS, Section 14.2 of the Declaration provides that the Developer has the right to amend the Declaration in its sole discretion prior to the turnover to the Members of the Association the authority to appoint the Board.

WHEREAS, Developer desires to exercise the right and power reserved in Section 17.2 of the Declaration to remove the Additional Property, as such term is defined in the First Amendment, and as such property is legally described on Exhibit "B" attached hereto and incorporated herein (the "Deleted Property") from the terms and conditions of the Declaration;

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NOW THEREFORE, the undersigned, as Developer, has executed this Second Amendment to Declaration and hereby declares as follows:

1. Terms. Any capitalized terms used herein and not otherwise defined shall have the meanings ascribed to them in the Declaration, as amended by the First Amendment.
2. Removal of Property. The Declaration, as amended by the First Amendment, is amended by deleting in its entirety the legal description of the Property and the Additional Property (also referred to as the "Deleted Property") and replacing it with the legal description of the Property contained in the attached and incorporated Exhibit "C".
3. Covenants to Run with Land. The covenants, conditions, restrictions and easements contained in the Declaration, as amended by the First Amendment, shall run with and bind the Property.
4. Continuation. As expressly hereby amended, the Declaration shall continue in full force and effect in accordance with its terms.

IN WITNESS WHEREOF, MCN HOME SB1, L.L.C. has caused its name to be signed to this instrument by its Senior Vice President, an authorized signatory, this 21st day of June, 2011.

MCN HOME SB1, L.L.C.

By: 

Name: Richard Spinelli

Its: Senior Vice President

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Exhibit "A"

LEGAL DESCRIPTION OF THE PROPERTY

PARCEL 1:

LOTS 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, and OUTLOT "A" IN MCKINLEY PARK MANOR, BEING A SUBDIVISION IN THE SOUTHEAST QUARTER OF SECTION 31, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED APRIL 14, 2004 AS DOCUMENT 0410539064 IN COOK COUNTY, ILLINOIS.

PARCEL 2:

THAT PART OF LOT 3 IN OWNERS' INDUSTRIAL DIVISION, BEING A SUBDIVISION OF THE EAST HALF (EXCEPT STREETS) OF BLOCK 35 IN CANAL TRUSTEES' SUBDIVISION OF THE EAST HALF OF SECTION 31, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED SEPTEMBER 22, 1943 AS DOCUMENT 13144815 DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID LOT 3; THENCE NORTH 88 DEGREES 40 MINUTES 20 SECONDS EAST ALONG AN ASSUMED BEARING, BEING THE NORTH LINE OF SAID LOT 3 A DISTANCE OF 134.90 FEET TO THE NORTHEAST CORNER THEREOF; THENCE SOUTH 01 DEGREES 24 MINUTES 53 SECONDS EAST ALONG THE EAST LINE OF SAID LOT 3 A DISTANCE OF 377.93 FEET TO THE SOUTHEAST CORNER THEREOF; THENCE NORTH 88 DEGREES 25 MINUTES 07 SECONDS WEST ALONG THE SOUTH LINE OF SAID LOT 3 A DISTANCE OF 15.02 FEET; THENCE NORTH 01 DEGREES 24 MINUTES 53 SECONDS WEST 153.16 FEET; THENCE SOUTH 88 DEGREES 40 MINUTES 20 SECONDS WEST 119.90 FEET TO THE WEST LINE OF LOT 3; THENCE NORTH 01 DEGREES 24 MINUTES 53 SECONDS WEST ALONG THE WEST LINE OF SAID LOT 3 A DISTANCE OF 224.00 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS.

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Hermitage Ave
Chicago

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Exhibit "B"

LEGAL DESCRIPTION OF THE DELETED PROPERTY

PARCEL 2:

THAT PART OF LOT 3 IN OWNERS' INDUSTRIAL DIVISION, BEING A SUBDIVISION OF THE EAST HALF (EXCEPT STREETS) OF BLOCK 35 IN CANAL TRUSTEES' SUBDIVISION OF THE EAST HALF OF SECTION 31, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED SEPTEMBER 22, 1943 AS DOCUMENT 13144815 DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID LOT 3; THENCE NORTH 88 DEGREES 40 MINUTES 20 SECONDS EAST ALONG AN ASSUMED BEARING, BEING THE NORTH LINE OF SAID LOT 3 A DISTANCE OF 134.90 FEET TO THE NORTHEAST CORNER THEREOF; THENCE SOUTH 01 DEGREES 24 MINUTES 53 SECONDS EAST ALONG THE EAST LINE OF SAID LOT 3 A DISTANCE OF 377.93 FEET TO THE SOUTHEAST CORNER THEREOF; THENCE NORTH 88 DEGREES 25 MINUTES 07 SECONDS WEST ALONG THE SOUTH LINE OF SAID LOT 3 A DISTANCE OF 15.02 FEET; THENCE NORTH 01 DEGREES 24 MINUTES 53 SECONDS WEST 153.16 FEET; THENCE SOUTH 88 DEGREES 40 MINUTES 20 SECONDS WEST 119.90 FEET TO THE WEST LINE OF LOT 3; THENCE NORTH 01 DEGREES 24 MINUTES 53 SECONDS WEST ALONG THE WEST LINE OF SAID LOT 3 A DISTANCE OF 224.00 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS.

Cook County Clerk's Office

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Exhibit "C"

LEGAL DESCRIPTION OF THE PROPERTY

PARCEL 1:

LOTS 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, and OUTLOT "A" IN MCKINLEY PARK MANOR, BEING A SUBDIVISION IN THE SOUTHEAST QUARTER OF SECTION 31, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED APRIL 14, 2004 AS DOCUMENT 0410539064 IN COOK COUNTY, ILLINOIS.

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Property of Cook County Clerk's Office