

# UNOFFICIAL COPY



Doc#: 1225039019 Fee: \$82.00  
Eugene "Gene" Moore RHSP Fee: \$10.00  
Cook County Recorder of Deeds  
Date: 09/06/2012 09:06 AM Pg: 1 of 23

Property of Cook County Clerk's Office

## REMOVAL TO AMENDMENT TO DECLARATION OF COVENANTS FOR THE 6232-6238 NORTH BROADWAY CONDOMINIUM ASSOCIATION

This Court Order invalidates the First Amendment to the Declaration of Condominium Ownership and of Easements, Restrictions, Covenants and By-Laws for the 6232-6238 North Broadway Condominium Association, recorded on April 14, 2009 (document number 0910434060).

This Court Order invalidates the First Amendment to the Declarations of Covenants, Conditions, Restrictions and Easements, recorded on April 14, 2009 (document number 0910434061).

THIS DOCUMENT PREPARED BY:

Ph: 773 262 4016  
Stefania Fatone  
President and Registered Agent  
6232-6238 North Broadway Condominium  
Association  
6236 N Broadway St #3  
Chicago IL 60660

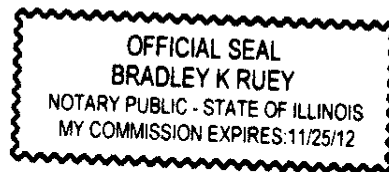
PROPERTY ADDRESS AND P.I.N.:

6232-6238 North Broadway  
Chicago IL 60660  
P.I.N.: 14-05-115-015-0000  
P.I.N.s: 14-05-115-036-1001 through 1009  
P.I.N.: 14-05-115-031-0000

Signature: [Signature]

Date: 8/25/12

RECORDING FEE 82<sup>00</sup>  
DATE 9/06/2012 COPIES 6  
OK BY [Signature]



Bradley K Ruey  
8/25/12

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## THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS COUNTY DEPARTMENT-CHANCERY DIVISION

6232-6238 North Broadway Condominium Association, )  
 )  
 )  
 Plaintiff, )  
 )  
 v. )  
 )  
 )  
 Loretta Purcell and Parkway Bank & Trust Company as Trustee under Trust No. 1410, dated October 2, 1970 )  
 )  
 )  
 Defendant. )

NO. 09 CH 47090

### ORDER

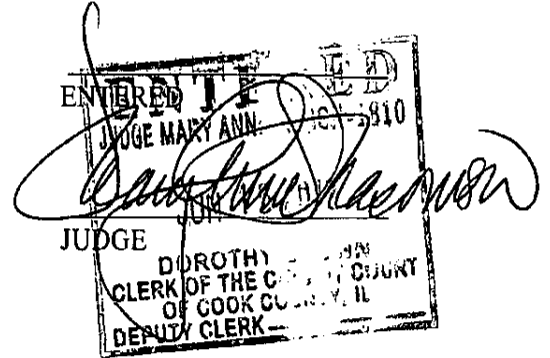
This matter coming to be heard for oral argument Plaintiff's Motion for Partial Judgment against Defendant Loretta Purcell, due notice given and the court fully advised in the premises, IT IS HEREBY ORDERED:

1. Plaintiff's Motion for Partial Judgment of Default against Defendant Loretta Purcell is hereby granted;
2. The First Amendment to the Declaration of Condominium Ownership and of Easements, Restrictions, Covenants and By-Laws for the 6232-6238 North Broadway Condominium Association, recorded on April 14, 2009 (document number 0910434060), is invalid as a matter of law and is to be completely disregarded;
3. The First Amendment to the Declaration of Covenants, Conditions, Restrictions and Easements, recorded on April 14, 2009 (document number 0910434061), is invalid as a matter of law and is to be completely disregarded;
4. Plaintiff is hereby granted immediate possession of the basement furnace room and basement storage units at 6232-6238 N. Broadway, Chicago, IL 60660;
5. This matter is further entered and continued to July 19, 2012 at 10 AM in courtroom 2510 for prove-up on damages caused by Defendant Loretta Purcell as alleged in Plaintiff's Second Amended Verified Complaint; and

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6. Plaintiff shall submit a prove-up affidavit to the Court by or on July 16, 2012.

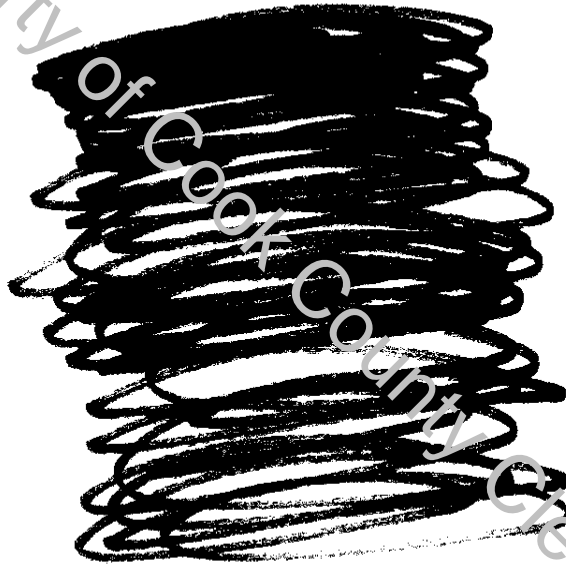
Neal C. Zazove & Associates, P.C.  
19 S. LaSalle Street, Suite 1200  
Chicago, IL 60603  
Phone No: 312-641-5444  
Firm No: 18132



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I hereby certify that the document to which this  
attestation is affixed is a true copy.

*Dorothy Brown*  
Dorothy Brown 7/1/22  
Clerk of the Circuit Court  
of Cook County.



# UNOFFICIAL COPY

**FIRST AMENDMENT TO  
DECLARATION OF  
CONDOMINIUM  
OWNERSHIP AND OF  
EASEMENTS,  
RESTRICTIONS,  
COVENANTS AND BY-  
LAWS  
FOR THE  
6232-6238 NORTH  
BROADWAY  
CONDOMINIUM  
ASSOCIATION**



0910434060

Doc#: 0910434060 Fee: \$84.00  
Eugene "Gene" Moore RHSP Fee: \$10.00  
Cook County Recorder of Deeds  
Date: 04/14/2009 02:12 PM Pg: 1 of 11

This First Amendment to the Declaration of Condominium Ownership and of Easements, Restrictions, Covenants and By-Laws for the 6232-6238 North Broadway Condominium Association dated April 25, 2002 and recorded with the Recorder of Deeds, Cook County, Illinois, on May 13, 2002 as Document No. 002054-952 (said Declaration and any amendments thereto are hereinafter referred to as the "Declaration") is executed by Parkway Bank and Trust Company, as Trustee under Trust Agreement dated October 2, 1970 and known as Trust Number 1410 and not individually (hereinafter referred to as "Declarant").

**WITNESSETH:**

**WHEREAS**, the real estate described on Exhibit A of the Declaration and as the legal description rider attached hereto, located in the City of Chicago, County of Cook and State of Illinois (the "Parcel") has been submitted to the Condominium Property Act of the State of Illinois ("Act") pursuant to the Declaration; and

**WHEREAS**, the Declarant and the Developer, pursuant to Article II and Article XV, desire to record a special amendment (the "Special Amendment") to the Declaration to amend the Plat of Survey, as defined in the Declaration and as attached to the Declaration as Exhibit B, to correct certain Survey errors and to amend the Percentages of Ownership Interest as Exhibit C attached hereto and made a part hereof; and

**WHEREAS**, under Section 15.13 of the Declaration, a power coupled with an interest is granted to the Developer and/or Declarant to make or consent to a Special Amendment

100088975.DOC /1

REC'D  
4/14/09  
94  
GX  
AE

*Handwritten signature*

**EXHIBIT A**

# UNOFFICIAL COPY

0910414060 Page: 2 of 8

as attorney-in-fact to correct survey errors and to reflect "Projected" Units as actual, depicted Units; and

**WHEREAS**, the under Section 2.01 of the Declaration, a power coupled with an interest is granted to the Developer and/or Declarant to amend the Plat of Survey (the "Plat"); and

**WHEREAS**, the Declarant, pursuant to the Declaration and the Act, desires to record this Special Amendment to correct the Plat attached to the Declaration as Exhibit B, to correct the depiction of the Unit located above the garage.

**NOW, THEREFORE**, Declarant hereby declares that the Plat is corrected as follows:

1. Exhibit B to the Declaration, "Plat of Survey", is hereby amended by the attached Plat of Survey to properly depict the Loft Unit in accordance with the first page of the Plat of Survey attached hereto.

2. Exhibit C to the Declaration, "Percentage Interest in Common Elements", is hereby amended by the attached Exhibit C to properly establish the Percentages of Ownership Interest in the Common Elements with the addition of the Loft Unit.

3. Except as herein specifically amended, the Declaration is ratified and confirmed. In the event of any inconsistency between this Special Amendment and the Declaration, this Special Amendment shall control.

*from the direction of its beneficiaries*

**IN WITNESS WHEREOF**, Parkway Bank and Trust Company, as Trustee as aforesaid and not individually, has caused its Corporate Seal to be affixed hereunto and has caused its name to be signed to these presents by its Assistant Trust Officer and attested by its [Signature] this 23<sup>rd</sup> day of February 2009.

**Parkway Bank and Trust Company**, as Trustee under Trust Agreement dated October 2, 1970 and known as Trust No. 1410.  
and not individually

By: [Signature]  
Assistant Trust Officer  
Its: [Signature]  
Assistant Trust Officer

**ATTEST:**  
[Signature]

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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 \_\_\_\_\_ as \_\_\_\_\_ of Parkway Bank and Trust Company, Personally known to me to be the same person whose names are subscribed to the foregoing instrument as such \_\_\_\_\_ appeared before me this day in person and acknowledged that they signed and delivered the said instrument for the uses and purposes therein set forth; and the said \_\_\_\_\_ did also then and there acknowledge that he, as custodian of the Corporate Seal of said Bank, did affix the said Corporate Seal of said Bank to said instrument as his own free and voluntary act, and as the free and voluntary act of said Bank, as Trustee, for the uses and purposes therein set forth. Given under my hand and official seal, this \_\_\_\_ day February 2009.

Notary Public

\_\_\_\_\_  
 My Commission Expires: \_\_\_\_\_

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0910454860 Page: 1 of 8

### CONSENT OF MORTGAGEE

The First Commercial Bank, holder of a mortgage on the Property dated January 17, 2006, and recorded as Document Number 0601903007 (the "Mortgage"), hereby consents to the execution and recording of the within First Amendment to the Declaration of Condominium Ownership and of Easements, Restrictions, Covenants and By-Laws For the 6232-6238 North Broadway Condominium Association (the "Declaration"), and agrees that the Mortgage is subject to the provisions of the Declaration, provided that the undersigned (and its successors and assigns) shall be considered a First Mortgagee under Article XI of the Declaration, and the lien of assessments shall be subordinate to the lien of the Mortgage as described in Section 10.02 (c) of the Declaration.

IN WITNESS WHEREOF, the undersigned has caused this Consent of Mortgagee to be signed by its duly authorized officers on its behalf this 30<sup>th</sup> day of March 2009.

THE FIRST COMMERCIAL BANK

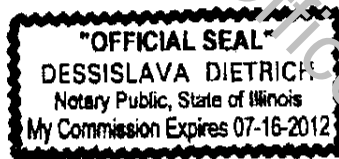
By: [Signature]  
Its: Assistant Vice President

STATE OF ILLINOIS     )  
  ) SS  
COUNTY OF COOK     )

I, DESSISLAVA DIETRICH, a Notary Public in and for said County and State, do hereby certify that JULIO C. BARZIOS, appeared before me this day in person and acknowledged that he signed, sealed and delivered said instrument as        free and voluntary act, and as the free and voluntary act of said Bank, for the uses and purposes therein set forth.

GIVEN under my hand and notarial seal this 30<sup>th</sup> day of March 2009.

[Signature]  
Notary Public





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0910434960 Page: 5 of 8

## EXHIBIT A-LEGAL DESCRIPTION

UNITS 6232-2, 6232-3, 6234-2, 6234-3, 6236-2, 6236-3, 6238-2, 6238-3 and Loft Unit IN THE 6232-6238 NORTH BROADWAY CONDOMINIUM, AS DELINEATED ON A SURVEY OF THE FOLLOWING DESCRIBED REAL ESTATE:

LOT 17 AND THE NORTH 25 FEET OF LOT 18 TAKEN AS A TRACT, IN BLOCK 1 IN BROCKHAUSER AND FISCHER'S FIRST ADDITION TO EDGEWATER BEING A SUBDIVISION OF NORTH 60 RODS OF EAST  $\frac{1}{2}$  OF NORTHWEST  $\frac{1}{4}$  OF SECTION 5, TOWNSHIP 40 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, (EXCEPT FROM SAID TRACT THAT PART OF THE EAST 65.05 FEET THEREOF LYING BELOW A HORIZONTAL PLANE OF 8.62 FEET ABOVE CHICAGO CITY DATUM AND ALSO EXCEPT THAT PART OF THE SOUTH 25.47 FEET (EXCEPT THE EAST 65.05 FEET) OF SAID TRACT LYING BELOW A HORIZONTAL PLANE OF 20.86 FEET ABOVE CHICAGO CITY DATUM AND LYING ABOVE A HORIZONTAL PLANE OF 8.62 FEET ABOVE CHICAGO CITY DATUM) IN COOK COUNTY, ILLINOIS.

ALSO

THAT PART OF THE NORTH 4.50 FEET OF THE SOUTH 22.47 FEET OF THE EAST 15.0 FEET OF THE NORTH 25.0 FEET OF LOT 18 IN BLOCK 1 IN BROCKHAUSEN AND FISCHER'S FIRST ADDITION TO EDGEWATER, BEING A SUBDIVISION OF THE NORTH 60 RODS OF THE EAST  $\frac{1}{2}$  OF THE NORTHWEST  $\frac{1}{4}$  OF SECTION 5, TOWNSHP 40 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, LYING ABOVE A HORIZONTAL PLANE OF 9.12 FEET ON THE EAST AND LYING ABOVE A HORIZONTAL PLANE OF 14.12 FEET ON THE WEST AND ALL LYING BELOW A HORIZONTAL PLANE OF 22.13 FEET, ALL ABOVE CHICAGO CITY DATUM, IN COOK COUNTY, ILLINOIS.

ALSO

THAT PART OF THE SOUTH 4.50 FEET OF THE NORTH 21.0 FEET OF LOT 17 IN BLOCK 1, IN BROCKHAUSEN AND FISCHER'S FIRST ADDITION TO EDGEWATER, BEING A SUBDIVISION OF THE NORTH 60 RODS OF THE EAST  $\frac{1}{2}$  OF THE NORTHWEST  $\frac{1}{4}$  OF SECTION 5, TOWNSHIP 40 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, LYING ABOVE A HORIZONTAL PLANE OF 9.12 FEET ON THE EAST AND LYING ABOVE A HORIZONTAL PLANE OF 14.12 FEET ON THE WEST AND ALL LYING BELOW A HORIZONTAL PLANE OF 22.13 FEET, ALL ABOVE CHICAGO CITY DATUM, IN COOK COUNTY, ILLINOIS.

WHICH SURVEY IS ATTACHED TO THE DECLARATION OF CONDOMINIUM RECORDED AS DOCUMENT 0020544952, TOGETHER WITH AN UNDIVIDED PERCENTAGE INTEREST IN THE COMMON ELEMENTS.

Commonly known as: 6232-6238 North Broadway, Chicago, Illinois.

PINS: 14-05-115-029-1001 through 14-05-115-029-1008;

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0910-34060 Page 6 of 8

**EXHIBIT C  
PERCENTAGE INTEREST IN COMMON ELEMENTS  
6232-6238 NORTH BROADWAY CONDOMINIUM ASSOCIATION**

<b>UNIT</b>	<b>PERCENTAGE OF OWNERSHIP INTEREST</b>
6232-2	9.8146
6232-3	9.8146
6234-2	9.8146
6234-3	9.8146
6236-2	9.8146
6236-3	9.4875
6238-2	9.8146
6238-3	9.8146
<b>LOFT UNIT</b>	<b>21.8103</b>
<b>TOTAL</b>	<b>100%</b>

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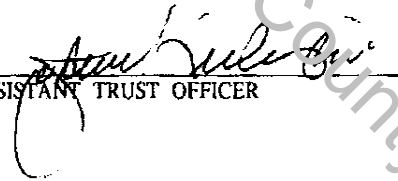
## EXHIBIT "D"

### TRUSTEE SIGNATURE, EXONERATION AND ACKNOWLEDGMENT RIDER FOR FIRST AMENDMENT TO DECLARATION OF CONDOMINIUM OWNERSHIP AND OF EASEMENTS, RESTRICTIONS, COVENANTS AND BY-LAWS

This First Amendment to Declaration of Condominium Ownership and of Easements, Restrictions, Covenants and By-Laws is executed by PARKWAY BANK & TRUST COMPANY, not personally but as Trustee under Trust No. 1410 as aforesaid, in the exercise of power and authority conferred upon and vested in said Trustee as such, and it is expressly understood and agreed that nothing in said document contained shall be construed as creating any liability on said Trustee personally to pay any indebtedness accruing thereunder, or to perform any covenants, either expressed or implied, including but not limited to warranties, indemnifications, and hold harmless presentations in said document (all such liability if any, being expressly waived by the parties hereto and their respective successors and assigns) and that so far as said Trustee is concerned, the owner of any indebtedness or right accruing under said document shall look solely to the premises described therein for the payment or enforcement, thereof, it being understood that said Trustee merely holds legal title to the premises described therein and has no control over the management thereof or the income there from, and has no knowledge respecting any factual matter with respect to said premises, except as represented to it by the beneficiary or beneficiaries of said trust. In event of conflict between the terms of this rider and of the agreement to which it is attached, on any questions of a parent liability or obligation resting upon said trustee, the provisions of this rider shall be controlling.

The Trustee makes no personal representations as to nor shall it be responsible for the existence, location or maintenance of the covenants herein described, if any, or of any environmental conditions, duties or obligations concerning the property whether under any federal, state, or local statute, rule, regulation, or ordinance. The beneficiaries of this Trust, have management and control of the use of the property and as such, have the authority on their own behalf to execute any document as environmental representative but not as agent for or on behalf of the Trustee.

PARKWAY BANK & TRUST COMPANY, As Trustee under Trust No. 1410 as aforesaid and not personally,

By:   
ASSISTANT TRUST OFFICER

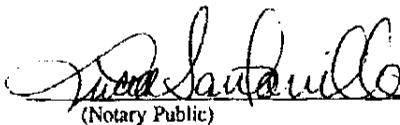


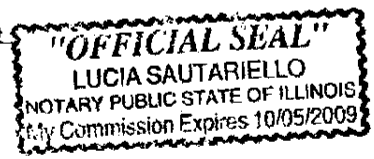
STATE OF ILLINOIS )

COUNTY OF COOK )

I, the undersigned, a Notary Public in and for said County, in the State aforesaid do hereby certify that the above named officers of PARKWAY BANK & TRUST COMPANY, are personally known to me to be the same persons whose names are subscribed to the foregoing instrument in the capacities shown, appeared before me this day in person, and acknowledged signing, sealing and delivering the said instrument as their free and voluntary act, for the uses and purposes therein set forth.

Given under my hand and notarial seal on February 23, 2009.

  
(Notary Public)



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0910434060 Page: 8 of 8

# EXHIBIT

## ATTACHED TO

Doc#: 0910434060 Fee: \$94.00  
Eugene "Gene" Moore RHSP Fee: \$10.00  
Cook County Recorder of Deeds  
Date: 04/14/2008 02:12 PM Pg: 1 of 11

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## DOCUMENT

## SEE PLAT INDEX


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I CERTIFY THAT THIS  
IS A TRUE AND CORRECT COPY  
OF DOCUMENT 0910434060

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CLERK OF COOK COUNTY

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7

**FIRST  
AMENDMENT TO  
DECLARATION  
OF COVENANTS,  
CONDITIONS,  
RESTRICTIONS  
AND EASEMENTS**



Doc#: 0910434061 Fee: \$98.00  
Eugene "Gene" Moore RHSP Fee: \$10.00  
Cook County Recorder of Deeds  
Date: 04/14/2009 02:15 PM Pg: 1 of 12

This First Amendment (the "First Amendment" or "Special Amendment") to the Declaration of Covenants, Conditions, Restrictions and Easements dated April 23, 2002 and recorded with the Recorder of Deeds, Cook County, Illinois, on May 16, 2002 as Document No. 0020563758, (said Declaration and any amendments thereto are hereinafter referred to as the "Declaration") is executed by Parkway Bank and Trust Company, as Trustee under Trust Agreement dated October 2, 1970 and known as Trust Number 1410, ( hereinafter referred to as "Declarant").

is not individually

**WITNESSETH:**

**WHEREAS**, the real estate described on Exhibit A of the Declaration and, located in the City of Chicago, County of Cook and State of Illinois (the "Parcel") has been submitted to the terms of the Declaration; and

**WHEREAS**, the Declaration, pursuant to Section 23.4 (B), may be amended by a Special Amendment (as defined in the Declaration) to this Declaration at any time and from time to time which amends the Declaration to correct clerical or typographical errors in the Declaration, or survey or legal description errors contained in any Exhibits to the Declaration; and

<p><b>THIS INSTRUMENT PREPARED BY:</b> Susan Ghelerter Golan &amp; Christie LLP 70 West Madison, Suite 1500 Chicago, Illinois 60602 (312) 263-2300</p>	<p><b>PROPERTY ADDRESS AND P.I.N.:</b> 6232-6238 North Broadway Chicago, Illinois P.I.N. 14-05-115-031-0000</p>
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DATE 4/14/09 COPIES 6X  
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2/10/2009

**EXHIBIT B**

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**WHEREAS**, the Declarant, pursuant to Sections 23.4 (B) desire to record a Special Amendment to modify the survey and legal description errors contained in Exhibits B, C and D attached to the Declaration, which correct the legal descriptions of the Condominium Parcel and the Commercial Parcel and which adds the Plat which was inadvertently not attached to the Declaration at the time it was recorded (see Exhibit D attached hereto).

**NOW, THEREFORE**, Declarant hereby declares that the Declaration and the Plat are corrected as follows:

1. Exhibits B, C and D are hereby amended by substituting in the place of the previous Exhibits B, C and D with the attached revised and corrected Exhibits B, C and D; and

2. A non-exclusive easement in, to, upon, over, under and through the Commercial Property is hereby granted in favor of the Condominium Property to the basement furnace room and the basement storage units; and

3. Except as herein specifically amended, the Declaration is ratified and confirmed. In the event of any inconsistency between this First Amendment and the Declaration, this First Amendment shall control. All other terms and conditions of the Declaration shall remain the same. All capitalized words contained in this Special Amendment which are not defined shall have the meanings ascribed to them in the Declaration.

*Upon the direction of it's Secretaries*

**IN WITNESS WHEREOF**, Parkway Bank and Trust Company, as Trustee under Trust Agreement dated October 2, 1970 and known as Trust Number 1410, has caused its names to be signed and attested to this 23~~rd~~ day of February, 2009.

**Parkway Bank and Trust Company, as Trustee and not individually**

By: \_\_\_\_\_  
[Illegible signature and stamp]

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0910434061 Page 3 of 9

STATE OF ILLINOIS     )  
   )  
 COUNTY OF COOK        )     SS

I, the undersigned, a Notary Public, in and for the County and State aforesaid, DO HEREBY CERTIFY that \_\_\_\_\_, of Parkway Bank and Trust Company, appeared before me this day in person and acknowledged that he signed and delivered the said instrument for the uses and purposes therein set forth.

Given under my hand and official seal, this \_\_\_\_ day \_\_\_\_\_ 2009.

\_\_\_\_\_  
 Notary Public

My Commission Expires: \_\_\_\_\_

Property of Cook County Clerk's Office



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### CONSENT OF MORTGAGEE

The First Commercial Bank, holder of a mortgage on the Property dated January 17, 2006, and recorded as Document Number 0601903007 (the "Mortgage") and the Secured Property Lender, hereby consents to the execution and recording of the within First Amendment to the Declaration of Covenants, Conditions, Restrictions and Easements (the "Declaration").

IN WITNESS WHEREOF, the undersigned has caused this Consent of Mortgagee to be signed by its duly authorized officers on its behalf, all done at Chicago, Illinois, on this 30<sup>th</sup> day of March, 2009.

#### THE FIRST COMMERCIAL BANK

By: [Signature]  
Printed Name: Jose E. Barros  
Its: Assistant Vice President

STATE OF ILLINOIS        )  
  ) SS  
COUNTY OF COOK        )

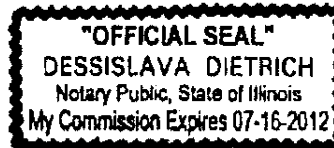
I, the undersigned, a Notary Public in and for said County and State, do hereby certify that JOSE E. BARROS, appeared before me this day in person and acknowledged that he signed, sealed and delivered said instrument as his free and voluntary act, and as the free and voluntary act of said Bank, for the uses and purposes therein set forth.

GIVEN under my hand and notarial seal this 30<sup>th</sup> day of MARCH 2009.

[Signature]  
Notary Public

My Commission Expires:

7/16/2012



**UNOFFICIAL COPY**

0910434061 Page: 5 of 7

**EXHIBIT A - LEGAL DESCRIPTION  
LEGAL DESCRIPTION OF TOTAL PARCEL**

**LOT 17 AND THE NORTH 25 FEET OF LOT 18 IN BLOCK 1 IN BROCKHAUSEN AND FISHER'S FIRST ADDITION TO EDGEWATER BEING A SUBDIVISION OF NORTH 60 RODS OF EAST ½ OF THE NORTHWEST ¼ OF SECTION 5, TOWNSHIP 40 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.**

Property Address: 6232-6238 North Broadway, Chicago, Illinois.

PIN: 14-05-115-015-0000.

Property of Cook County Clerk's Office

**UNOFFICIAL COPY**

09/16/2009 Page: 9 of 9

**EXHIBIT B  
RESIDENTIAL PROPERTY LEGAL DESCRIPTION**

UNITS 6232-2, 6232-3, 6234-2, 6234-3, 6236-2, 6236-3, 6238-2, 6238-3 and Loft Unit IN THE 6232-6238 NORTH BROADWAY CONDOMINIUM, AS DELINEATED ON A SURVEY OF THE FOLLOWING DESCRIBED REAL ESTATE:

LOT 17 AND THE NORTH 25 FEET OF LOT 18 TAKEN AS A TRACT, IN BLOCK 1 IN BROCKHAUSER AND FISCHER'S FIRST ADDITION TO EDGEWATER BEING A SUBDIVISION OF NORTH 60 RODS OF EAST  $\frac{1}{2}$  OF NORTHWEST  $\frac{1}{4}$  OF SECTION 5, TOWNSHIP 40 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, (EXCEPT FROM SAID TRACT THAT PART OF THE EAST 65.05 FEET THEREOF LYING BELOW A HORIZONTAL PLANE OF 8.62 FEET ABOVE CHICAGO CITY DATUM AND ALSO EXCEPT THAT PART OF THE SOUTH 25.47 FEET (EXCEPT THE EAST 65.05 FEET) OF SAID TRACT LYING BELOW A HORIZONTAL PLANE OF 20.86 FEET ABOVE CHICAGO CITY DATUM AND LYING ABOVE A HORIZONTAL PLANE OF 8.62 FEET ABOVE CHICAGO CITY DATUM) IN COOK COUNTY, ILLINOIS.

ALSO

THAT PART OF THE NORTH 4.50 FEET OF THE SOUTH 22.47 FEET OF THE EAST 15.0 FEET OF THE NORTH 25.0 FEET OF LOT 18 IN BLOCK 1 IN BROCKHAUSEN AND FISCHER'S FIRST ADDITION TO EDGEWATER, BEING A SUBDIVISION OF THE NORTH 60 RODS OF THE EAST  $\frac{1}{2}$  OF THE NORTHWEST  $\frac{1}{4}$  OF SECTION 5, TOWNSHP 40 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, LYING ABOVE A HORIZONTAL PLANE OF 9.12 FEET ON THE EAST AND LYING ABOVE A HORIZONTAL PLANE OF 14.12 FEET ON THE WEST AND ALL LYING BELOW A HORIZONTAL PLANE OF 22.13 FEET, ALL ABOVE CHICAGO CITY DATUM, IN COOK COUNTY, ILLINOIS.

ALSO

THAT PART OF THE SOUTH 4.50 FEET OF THE NORTH 21.0 FEET OF LOT 17 IN BLOCK 1, IN BROCKHAUSEN AND FISCHER'S FIRST ADDITION TO EDGEWATER, BEING A SUBDIVISION OF THE NORTH 60 RODS OF THE EAST  $\frac{1}{2}$  OF THE NORTHWEST  $\frac{1}{4}$  OF SECTION 5, TOWNSHIP 40 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, LYING ABOVE A HORIZONTAL PLANE OF 9.12 FEET ON THE EAST AND LYING ABOVE A HORIZONTAL PLANE OF 14.12 FEET ON THE WEST AND ALL LYING BELOW A HORIZONTAL PLANE OF 22.13 FEET, ALL ABOVE CHICAGO CITY DATUM, IN COOK COUNTY, ILLINOIS.

WHICH SURVEY IS ATTACHED TO THE DECLARATION OF CONDOMINIUM RECORDED AS DOCUMENT 0020544952, TOGETHER WITH AN UNDIVIDED PERCENTAGE INTEREST IN THE COMMON ELEMENTS.

Commonly known as: 6232-6238 North Broadway, Chicago, Illinois.  
PINS: 14-05-115-029-1001 through 14-05-115-029-1008;

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0916434061 Page: 7 of 9

**EXHIBIT C****COMMERCIAL LEGAL 6232-38 NORTH BROADWAY**

That part of the East 65.05 feet of Lot 17 together with that part of the East 65.0 feet of the North 25.0 feet of Lot 18 taken as a tract, in Block 1 in Brockhausen & Fischer's First Addition to Edgewater being a Subdivision of the North 60 rods of the East Half of the Northwest Quarter of Section 5, Township 40 North, Range 14, East of the Third Principal Meridian, lying below a horizontal plane of 21.56 feet above Chicago City Datum and lying above a horizontal plane of 8.62 feet above Chicago City Datum (Except therefrom that part of the North 4.50 feet of the South 22.47 feet of the East 15.0 feet of the North 25.0 feet of Lot 18 in Block 1 in Brockhausen & Fischer's First Addition to Edgewater, being a Subdivision of the North 60 Rods of the East Half of the Principal Meridian, lying above a horizontal plane of 9.12 feet on the East and lying above a horizontal plane of 14.12 feet on the West and all lying below a horizontal plane of 22.13 feet, all above Chicago City Datum, in Cook County, Illinois.

And Also Except

That part of the South 4.50 feet of the North 21.0 feet of the Lot 17 in Block 1 in Brockhausen & Fischer's First Addition to Edgewater, being a Subdivision of the North 60 rods of the East Half of the Northwest Quarter of Section 5, Township 40 North, Range 14, East of the Third Principal Meridian, lying above a horizontal plane; of 9.12 feet on the East and lying above a horizontal plane of 14.12 feet on the West and all lying below a horizontal plane of 22.13 feet, all above Chicago City Datum,) in Cook County, Illinois.

Also

The South 25.47 feet of That part of Lot 17 and the North 25.0 feet of Lot 18 taken as a tract in Block 1 in Brockhausen & Fischer's First Addition to Edgewater being a Subdivision of the North 60 rods of the East Half of the Northwest Quarter of Section 5, Township 40 North, Range 14, East of the Third Principal Meridian lying below a horizontal plane of 20.86 feet above Chicago City Datum and lying above a horizontal plane of 8.62 feet above Chicago City Datum and lying above a horizontal plane of 8.62 feet above Chicago City Datum (except therefrom the East 65.05 feet thereof) all in Cook County, Illinois

PIN: 14-05-115-031-0000

Property Address: 6232-6238 North Broadway, Chicago, Illinois

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## EXHIBIT "E"

### TRUSTEE SIGNATURE, EXONERATION AND ACKNOWLEDGMENT RIDER FOR FIRST AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS

This First Amendment to Declaration of Covenants, Conditions, Restrictions and Easements is executed by PARKWAY BANK & TRUST COMPANY, not personally but as Trustee under Trust No. 1410 as aforesaid, in the exercise of power and authority conferred upon and vested in said Trustee as such, and it is expressly understood and agreed that nothing in said document contained shall be construed as creating any liability on said Trustee personally to pay any indebtedness accruing thereunder, or to perform any covenants, either expressed or implied, including but not limited to warranties, indemnifications, and hold harmless presentations in said document (all such liability if any, being expressly waived by the parties hereto and their respective successors and assigns) and that so far as said Trustee is concerned, the owner of any indebtedness or right accruing under said document shall look solely to the premises described therein for the payment or enforcement, thereof, it being understood that said Trustee merely holds legal title to the premises described therein and has no control over the management thereof or the income therefrom, and has no knowledge respecting any factual matter with respect to said premises, except as represented to it by the beneficiary or beneficiaries of said trust. In event of conflict between the terms of this rider and of the agreement to which it is attached, on any questions of apparent liability or obligation resting upon said trustee, the provisions of this rider shall be controlling.

The Trustee makes no personal representations as to nor shall it be responsible for the existence, location or maintenance of the chattels herein described, if any, or of any environmental conditions, duties or obligations concerning the property whether under any federal, state, or local statute, rule, regulation, or ordinance. The beneficiaries of this Trust, have management and control of the use of the property and as such, have the authority on their own behalf to execute any document as environmental representative but not as agent for or on behalf of the Trustee.

PARKWAY BANK & TRUST COMPANY, As Trustee under Trust No.1410 as aforesaid and not personally,

By:   
ASSISTANT TRUST OFFICER



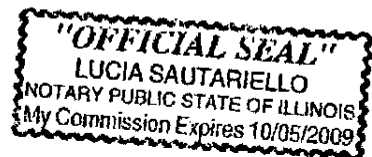
STATE OF ILLINOIS )

COUNTY OF COOK )

I, the undersigned, a Notary Public in and for said County, in the State aforesaid do hereby certify that the above named officers of PARKWAY BANK & TRUST COMPANY, are personally known to me to be the same persons whose names are subscribed to the foregoing instrument in the capacities (now) appeared before me this day in person, and acknowledged signing, sealing and delivering the said instrument as their free and voluntary act, for the uses and purposes therein set forth.

Given under my hand and notarial seal on February 23, 2009.

  
(Notary Public)



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# **EXHIBIT**

## **ATTACHED TO**

Doc#: 0910434061 Fee: \$98.00  
Eugene "Gene" Moore RHSP Fee: \$10.00  
Cook County Recorder of Deeds  
Date: 04/14/2009 02:15 PM Pg: 1 of 12




## **DOCUMENT**

## **SEE PLAT INDEX**

*12 pages*

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I CERTIFY THAT THIS  
IS A TRUE AND CORRECT COPY

OF DOCUMENT #

09 10434061

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CLERK OF COOK COUNTY