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Doc#: 1512541126 Fee: \$48.00
RHSP Fee: \$9.00 RPRF Fee: \$1.00
Karen A. Yarbrough
Cook County Recorder of Deeds
Date: 05/05/2015 12:45 PM Pg: 1 of 6

AMENDMENT TO DECLARATION OF PARTY WALL RIGHTS, EASEMENTS, COVENANTS AND RESTRICTIONS

This Amendment to Declaration of Party Wall Rights, Easements, Covenants and Restrictions is made and entered into by and between Gregory J. Wilkinson owner of the parcel described below as the Frame Residence and by Randall Curwen, owner of the parcel described below as the Office Building is based upon the following premises:

WHEREAS, Bank of Ravenswood, an Illinois banking corporation, as Trustee under a certain trust agreement dated January 31, 1977, and known as Trust No. 2479, held legal title to three parcels of real estate, as hereinafter more particularly described, which were intended as separate sites, said parcels so mentioned being hereinafter referred to as "building parcels," upon which there have been erected a brick "town house," a brick "office building" which was used as an office building and which was used as 2-flat apartment building and a frame residence which had been used as a 2-flat apartment building. Said town house and said office building are constructed so that they constitute a more or less continuous structure, with a party wall straddling the boundaries between said parcels, all as depicted on a plat attached and identified as Exhibit A hereto and made a part hereof;

WHEREAS, each of the building parcels is legally described as follows:

Parcel 1 - Frame Residence
Commonly known as 930 W. Roscoe, Chicago
PIN: 14-20-413-081-0000

Lots 130 and 131, taken as a tract, in Feinberg's Sheridan Drive Addition, a Subdivision of Lot 3 and the South 49 feet of Lot 2 in Partition of the North three quarters of the East half of the Southeast Quarter of Section 20, Township 40 North, Range 14, East or the Third Principal Meridian, (except from said tract the East 22.0 feet as measured on the north and south lines thereof and except the North 32.15 feet as measured on the east line of said tract) in Cook County, Illinois.

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Parcel 2 - Office Building

Commonly known as 930- Rear W. Roscoe, Chicago, IL

PIN: 14-20-413-083-0000

The North 32.15 feet, as measured on the East line (except the East 22.00 feet as measured on the North and South lines) of Lots 130 and 131, taken as a tract, in Feinberg's Sheridan Drive addition, a Subdivision of Lot 3 and the South 49 feet of Lot 2 in Partition of the North three quarters of the East half of the Southeast Quarter of Section 20, Township 40 North, Range 14, East of the Third Principal Meridian, in Cook County, Illinois.

WHEREAS, a certain DECLARATION OF PARTY WALL RIGHTS, EASEMENTS, COVENANTS AND RESTRICTIONS (the "Declaration") with respect to the foregoing parcels was recorded on or about June 13, 1977 as document number 23966301; and

WHEREAS, Gregory J. Wilkinson ("Wilkinson") the owner of the parcel referred to as the Frame Residence and Randall Curwen, ("Curwen") the owner of the parcel referred to as the Office Building desire to amend the Declaration to provide for the installation and use of separate water lines and water meters for each of their properties and to amend the Declaration accordingly.

NOW, THEREFORE, Wilkinson and Curwen, as holders respectively of titles to the Frame Residence and the Office Building, do hereby declare that the rights, easements, covenants, burdens, uses and privileges set forth in the Declaration shall and continue to exist at all times hereafter among the respective owners and the mortgagees of the said parcels of real estate in this instrument described, in the manner and to the extent therein set forth and as amended hereby, and that the declarations contained herein shall be binding upon and inure to the benefit of each and every grantee or mortgagee of each such parcel in this instrument described:

1. Curwen shall have the right and is hereby granted an easement to install a water pipeline under the sidewalk located between the Frame Residence and the Office Building. Said easement, described as the East three (3) feet (approximately) along East boundary of said Parcel 1, shall be used in common by the, present and future owners, occupants, mortgagees of and all persons now or hereafter acquiring any interest in the respective parcels hereinbefore described.

2. No covenants, restrictions, conditions, obligations, or provisions contained in this Declaration shall be deemed to have been abrogated or waived by reason of any failure to enforce the same, irrespective of the number of violations which may occur. The provisions of this Declaration may be changed, modified, or rescinded by an instrument in writing setting forth such change, modification or rescission, signed and acknowledged by all of the owners. The change, modification or rescission shall be effective upon recordation of such instrument in the Office of the Recorder of Deeds of Cook County, Illinois; provided, however, that no provisions in this Declaration may be changed, modified or rescinded so as to conflict with the provisions of any law, statute or decision. The provisions of the Declaration shall remain in full force and effect except as specifically amended for the water pipeline and meters to be installed pursuant to this Amendment.

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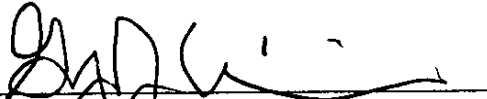
3. The invalidity of any covenant, restriction, condition, limitation or any other provision of this Declaration or any part of the same, shall not impair or affect in any manner the validity, enforceability or effect of the rest of this Amendment or the Declaration.

4. The provisions of this Amendment shall be liberally construed to effectuate its purpose of creating an easement for the installation of a water pipeline so that both the Frame Residence and The Office Building will have their own water pipelines and meters.

5. All easements herein described are easements appurtenant, running with the land; they shall at all times inure to the benefit of and be binding on the undersigned, all of its grantees and their respective heirs, successors, personal representatives or assigns, perpetually in full force and effect.

6. Reference in the respective deeds of conveyance, or any mortgage or trust deed or other evidence of obligation, to the rights, easements, covenants and restrictions herein described shall be sufficient to create and reserve such rights, easements, covenants, and restrictions to the respective grantees, mortgagees or trustees of said parcels as fully and completely as though said rights, easements, covenants and restrictions were fully recited and set forth in their entirety in such document.

IN WITNESS WHEREOF, this **AMENDMENT TO DECLARATION OF PARTY WALL RIGHTS, EASEMENTS, COVENANTS AND RESTRICTIONS** is executed this 8th day of April, 2015 in Chicago, Illinois.


Gregory J. Wilkinson


Randall Curwen

Prepare and mail to:

Roger J. Hymen

14 Bridlewood Rd Ste 200
Northbrook IL 60062

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State of Illinois)
) SS.
County of Cook)

I, D J SHEEHAN, a Notary Public in and for the County and State aforesaid, do hereby certify that Gregory J. Wilkinson, personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that he signed and delivered the said instrument as his own free and voluntary act, for the uses and purposes therein set forth.

GIVEN under my hand and notarial seal this 8th day of April, 2015.

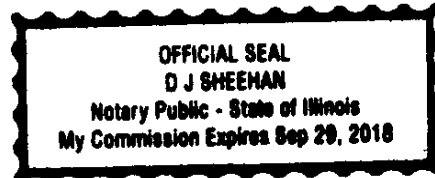


Notary Public

My Commission Expires:

9-29-18

SEAL



State of Illinois)
) SS.
County of Cook)

I, D J SHEEHAN, a Notary Public in and for the County and State aforesaid, do hereby certify that Randall Curwen, personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that he signed and delivered the said instrument as his own free and voluntary act, for the uses and purposes therein set forth.

GIVEN under my hand and notarial seal this 8th day of April, 2015.



Notary Public

My Commission Expires:

9-29-18

SEAL



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20 N. CLARK - SUITE 220, CHICAGO, ILLINOIS 60602

PHONE: (312) 621-5000

FAX: (312) 621-5033

ORDER NUMBER: 2011 053017275 USC
 STREET ADDRESS: 930 W ROSCOE ST

CITY: CHICAGO
 TAX NUMBER: 14-20-413-083-0000

COUNTY: COOK

LEGAL DESCRIPTION:**PARCEL 1:**

THE NORTH 32.15 FEET, AS MEASURED ON THE EAST LINE (EXCEPT THE EAST 22.00 FEET AS MEASURED ON THE NORTH AND SOUTH LINE) OF LOTS 130 AND 131, TAKEN AS A TRACT IN FEINBERG'S SHERIDAN DRIVE ADDITION, A SUBDIVISION OF LOT 3 AND THE SOUTH 49 FEET OF LOT 2 IN PARTITION OF THE NORTH 3/4 OF THE EAST 1/2 OF THE SOUTH EAST 1/4 OF SECTION 20, TOWNSHIP 40 NORTH RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

PARCEL 2:

EASEMENTS APPURTENANT TO AND FOR THE BENEFIT OF THE ABOVE PARCEL AS SET FORTH IN DECLARATION OF EASEMENTS DATED JUNE 9, 1977 AND RECORDED JUNE 13, 1977 AS DOCUMENT NUMBER 23966301 AND CREATED BY DEED FROM BANK OF RAVENSWOOD AS TRUSTEE UNDER TRUST AGREEMENT DATED JANUARY 31, 1977 AND KNOWN AS TRUST NUMBER 2479 TO WILLIAM T. SMITH AND RONNIE J. KELLISON DATED JUNE 1, 1979 AND RECORDED JULY 23, 1979 AS DOCUMENT NO. 25062647 FOR INGRESS AND EGRESS, OVER, UPON AND ACROSS THAT PART OF LOTS 130 AND 131, TAKEN AS A TRACT, IN FEINBERG'S SHERIDAN DRIVE ADDITION, A SUBDIVISION OF LOT 3 AND THE SOUTH 49 FEET OF LOT 2 IN PARTITION OF THE NORTH 3/4 OF THE EAST 1/2 OF THE SOUTHEAST 1/4 OF SECTION 20, TOWNSHIP 40 NORTH RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: BEGINNING AT THE INTERSECTION OF THE SOUTH LINE OF SAID TRACT AND THE WEST LINE OF THE EAST 25.0 FEET (AS MEASURED ON THE NORTH AND SOUTH LINES THEREOF); THENCE NORTH ALONG THE WEST LINE OF THE EAST 25.0 FEET AFORESAID TO ITS INTERSECTION WITH A LINE 80.10 FEET NORTH OF AND PARALLEL WITH THE SOUTH LINE OF TRACT AFORESAID; THENCE WEST ALONG SAID PARALLEL LINE 23.0 FEET; THENCE SOUTH ALONG A LINE PARALLEL WITH THE EAST LINE OF SAID TRACT TO ITS INTERSECTION WITH SOUTH-WESTERLY LINE OF SAID TRACT; THENCE NORTHWESTERLY ALONG SAID SOUTH-WESTERLY LINE OF SAID TRACT TO ITS INTERSECTION WITH THE SOUTH LINE OF THE NORTH 32.15 FEET (AS MEASURED ALONG THE EAST LINE) OF SAID TRACT; THENCE EAST ALONG SAID SOUTH LINE TO ITS INTERSECTION WITH THE WEST LINE THE EAST 22.0 FEET (AS MEASURED ON THE NORTH AND SOUTH LINES THEREOF); THENCE SOUTH ALONG THE WEST LINE OF THE EAST 22.0 FEET AFORESAID 92.85 FEET TO THE SOUTH LINE OF SAID TRACT; THENCE WEST ALONG SAID SOUTH LINE 24.0 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS.

PARCEL 3:

EASEMENTS APPURTENANT TO AND FOR THE BENEFIT OF PARCEL 1 AS SET FORTH IN DECLARATION OF EASEMENTS DATED JUNE 9, 1977 AND RECORDED JUNE 13, 1977 AS DOCUMENT 23966301 AND AS CREATED BY DEED FROM BANK OF RAVENSWOOD AS TRUSTEE UNDER TRUST AGREEMENT DATED JANUARY 31, 1977 AND KNOWN AS TRUST NUMBER 2479 TO WILLIAM T. SMITH AND RONNIE J. KELLISON DATED JUNE 1, 1979 AND RECORDED JULY 23, 1979 AS DOCUMENT NO. 25062647 FOR INGRESS AND EGRESS AT GRADE LEVEL ON THAT PART OF LOTS 130 AND 131, TAKEN AS A TRACT, IN FEINBERG'S SHERIDAN DRIVE ADDITION AFORESAID, DESCRIBED AS FOLLOWS: COMMENCING AT THE INTERSECTION OF THE SOUTH LINE OF SAID TRACT AND THE WEST LINE OF THE EAST 25.0 FEET (AS MEASURED ON THE NORTH AND SOUTH LINES THEREOF); THENCE NORTH ALONG THE WEST LINE OF THE EAST 25.0 FEET AFORESAID TO ITS INTERSECTION WITH A LINE 80.10 FEET NORTH OF AND PARALLEL WITH THE SOUTH LINE OF TRACT AFORESAID; THENCE WEST ALONG SAID PARALLEL LINE 18.50 FEET TO THE POINT OF BEGINNING OF THE EASEMENT BEING HEREIN DESCRIBED; THENCE CONTINUING WEST ON SAID PARALLEL LINE 4.5 FEET; THENCE SOUTH ALONG A LINE PARALLEL WITH THE EAST LINE OF SAID TRACT 6.0 FEET; THENCE EAST PARALLEL WITH THE

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CITY: CHICAGO COUNTY: COOK
TAX NUMBER: 14-20-413-083-0000

LEGAL DESCRIPTION:

SOUTH LINE OF SAID TRACT, 4.5 FEET; THENCE NORTH PARALLEL WITH THE EAST LINE OF SAID TRACT 6.0 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS.

Property of Cook County Clerk's Office