**DECLARATION OF WITHDRAWAL FROM**
**PROVISIONS OF CONDOMINIUM PROPERTY ACT**

This Declaration made this 11th day of November, 19 86, by MIDWEST BANK & TRUST COMPANY, as Trustee under Trust Agreement dated March 29, 1978, and known as Trust Number 79-03-2923, and not individually, for convenience hereinafter referred to as the "Trustee":

**W I T N E S S E T H:**

WHEREAS, on the 8th day of May, 1980, the Trustee executed Declaration of Condominium Ownership which was recorded on the 8th day of May, 1980, in the office of the Recorder of Deeds of Cook County, Illinois, as a Declaration of Condominium Ownership and By-Laws, Easements, Restrictions and Covenants for the River Forest Courts Condominiums II, as document number 25451077, pursuant to the provisions of the Illinois Condominium Property Act as pertains to the premises specified therein as:

> The North 1/2 of the East 108 Feet of Following Described Parcel: The North 20 Feet 11 Inches of Lot 30 and all of Lots 31 and 32 (except the West 8 Feet dedicated for Public Alley) in Block 1 in Rossell's Bonnie Brae Addition to River Forest being a Subdivision of the North 1/2 of the East 1/2 of the North East 1/4 of Section 1, Township 39 North, Range 12, East of the Third Principal Meridian, (except therefrom the West 33 Feet and the South 33 Feet dedicated to Village of River Forest for street purposes) in Cook County, Illinois;

and to which Declaration there was attached as Exhibit "A": a Plat of Survey of the above described parcel and all of the units in the property, designated on said Plat as:

Units 1-W, 1-E, 2-W, 2-E, 3-W and 3-E, in the River Forest Courts Condominium II, Inc., as delineated on the survey of the following described parcel of real estate:

The North 1/2 of the East 108 Feet of Following Described Parcel: The North 20 Feet 11 Inches of Lot 30 and all of Lots 31 and 32 (except the West 8 Feet dedicated for Public Alley) in Block 1 in Rossell's Bonnie Brae Addition to River Forest being a Subdivision of the North 1/2 of the East 1/2 of the North East 1/4 of Section 1, Township 39 North, Range 12, East of the Third Principal Meridian, (except therefrom the West 33 Feet and the South 33 Feet dedicated to Village of River Forest for street purposes) in Cook County, Illinois;

the Permanent Real Estate Index numbers being:

Unit 1-W - No. 15-01-205-062-1001
Unit 1-E - No. 15-01-205-062-1002
Unit 2-W - No. 15-01-205-062-1003
Unit 2-E - No. 15-01-205-062-1004
Unit 3-W - No. 15-01-205-062-1005
Unit 3-E - No. 15-01-205-062-1006;

WHEREAS, the aforesaid Trustee is the owner of Units 1-W, 1-E, 2-W, 2-E, 3-W and 3-E of the aforesaid real estate and said party constitutes all of the percentages of ownership of said real estate and of the common elements pertaining thereto, subject to a Mortgage and Note held by Irving Federal Savings and Loan dated July 26, 19 82, and recorded on August 3, 19 82, as document number 26309699, and an Assignment of Rents dated July 26, 19 82, and recorded on August 3, 19 82, as document number 26309700, and that there are no other parties who have any interest, whether legal or equitable, in said real estate, and the Trustee now desires to remove said property from the provisions of the Illinois Condominium Property Act as provided therein and to abrogate the aforesaid Declaration and exhibits attached thereto, and that said Mortgagee, having notice of same, acknowledges and consents to said removal:

NOW, THEREFORE, the Trustee, for the uses and purposes set forth hereinabove, and pursuant to the provisions of the Illinois Condominium Property Act, declares as follows:

1. The above described real estate is hereby removed from the provisions of the Declaration of Condominium Ownership and By-Laws, Easements, Restrictions and Covenants for River Forest Courts Condominiums II, recorded as document number 25451077, and from the provisions of the Illinois Condominium Property Act.

2. All the rights, easements, privileges, options and restrictions granted, created, reserved or declared in said Declaration are hereby abrogated and forever held for naught.

3. Trustee Exculpation. This Declaration of Withdrawal is executed by the MIDWEST BANK & TRUST COMPANY, not individually, but solely as Trustee as aforesaid, in the exercise of power and authority conferred upon and vested in it as such Trustee (and said Trustee hereby warrants that it possesses full power and authority to execute this instrument). It is expressly understood and agreed by every person, firm or corporation hereafter claiming any interest under this Declaration that said Trustee as aforesaid, and not personally, has joined in the execution of this Declaration for the sole purpose of subjecting the title-holding interest in the trust estate under said Trust Number 79-03-2923 to the terms of this Declaration; that any and all obligations, duties, covenants and agreements of every nature herein set forth by said Trustee as aforesaid, to be kept or performed, are intended to be kept, performed and discharged by the beneficiaries under said Trust or their successor, and not by said Trustee personally, and further, that no duty shall rest upon either

personally or as such Trustee to sequester trust assets, rentals, avails or proceeds of any kind, or otherwise to see to the fulfillment or discharge of any obligation, express or implied, arising under the terms of this Declaration, except where said Trustee is acting pursuant to direction as provided by the terms of said Trust, and after the Trustee has first been supplied with the funds required for the purpose. In event of conflict between the terms of this paragraph and of the remainder of the Declaration on any question of apparent liability or obligation resting upon said Trustee, the exculpatory provisions hereof shall be controlling.

IN WITNESS WHEREOF, the MIDWEST BANK & TRUST COMPANY, as Trustee, and not individually, has caused its corporate seal to be affixed hereto and caused its name to be signed in these presents by its Vice President and attested by its Trust Officer, on this 14th day of November, 19 86.

MIDWEST BANK & TRUST COMPANY,
as Trustee, as aforesaid, and
not Individually

By: [signature]

Attest:

[signature]
Trust Officer

IRVING FEDERAL SAVINGS AND LOAN,
as Mortgagee

By: [signature]
Gaspar Erdelyi, President

Attest:

[signature]
Loan Officer



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STATE OF ILLINOIS )
) SS:
COUNTY OF C O O K )

I, Shirley Palazzo, a Notary Public in and for said County, in the State aforesaid, DO HEREBY CERTIFY that Barbara Low, Vice President of the MIDWEST TANK & TRUST COMPANY, and Diane M. Costa Asst. Trust Officer of said Bank, who are personally known to me to be the same persons whose names are subscribed to the foregoing instrument as such Vice President and Trust Officer, respectively, 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 Bank, as Trustee as aforesaid, for the uses and purposes therein set forth; and the said Trust Officer then and there acknowledged that he, as custodian of the corporate seal of said Bank, did affix the corporate seal of said Bank to said instrument as his free and voluntary act and as the free and voluntary act of said Bank, as Trustee as aforesaid, for the uses and purposes therein set forth.

GIVEN under my hand and notarial seal this 14th day of Nov., 19 86.

"OFFICIAL SEAL"
Shirley A. Palazzo
Notary Public, State of Illinois
My Commission Expires April 17, 1989

Shirley A. Palazzo
Notary Public

My Commission Expires: April 17, 1989



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STATE OF ILLINOIS )
) SS:
COUNTY OF C O O K )

I, Phyllis Stayart, a Notary Public in and for said County, in the State aforesaid, DO HEREBY CERTIFY that Gaspar Erdelyi, XXXXX President of the IRVING FEDERAL SAVINGS AND LOAN, and Evelyn M. Rutkowski, Loan Officer of said Bank, who are personally known to me to be the same persons whose names are subscribed to the foregoing instrument as such Vice President and Loan Officer, respectively, 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 Bank, as Trustee as aforesaid, for the uses and purposes therein set forth; and the said Loan Officer then and there acknowledged that he, as custodian of the corporate seal of said Bank, did affix the corporate seal of said Bank to said instrument as his free and voluntary act and as the free and voluntary act of said Bank, as Trustee as aforesaid, for the uses and purposes therein set forth.

GIVEN under my hand and notarial seal this 11th day of November, 19 86.

Phyllis Stayart
Notary Public

My Commission Expires: MY COMMISSION EXPIRES MAR. 19, 1988

DEPT-01 RECORDING $15.30
T#3333 TRAN 3118 11/17/86 16:02:00
#5861 # A *-86-545635
COOK COUNTY RECORDER

This instrument prepared by:

JOSEPH R. CURCIO, LTD.
Suite 2925
180 North LaSalle Street
Chicago, Illinois 60601
(312) 726-0114

15-00 6 copies

JOSEPH R. CURCIO, LTD.
180 NORTH LA SALLE STREET
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