AMENDMENT TO DECLARATION OF BUILDING RESTRICTIONS

WHEREAS, on December 19, 1979 Exchange National Bank of Chicago, not individually but as trustee under the provisions of a trust agreement dated August 19, 1971 and known as Trust No. 25578 ("Exchange") was the owner of the following described parcel of real estate:

Lot 190 (except the East 1,007 feet thereof and except the South 17 feet thereof) in Frederick H. Bartlett's first addition to Frederick H. Bartlett's 79th Street acres, being a subdivision of the West 1/2 of the Southeast 1/4 of Section 31; the West 1/2 of the Northwest 1/4 of said Section 31; and the West 1/2 of the Southwest 1/4 of said Section 31, all in Township 38 North, Range 13, East of the Third Principal Meridian, also the East 1/2 of the Southeast 1/4 of Section 16, Township 38 North, Range 12, East of the Third Principal Meridian, in Cook County, Illinois.

WHEREAS, on December 19, 1979 Exchange executed an instrument entitled "Declaration of Building Restrictions" which was recorded in the office of the Recorder of Deeds of Cook County as Document No. 25307026;

WHEREAS, said Declaration of Building Restrictions was executed pursuant to the provisions of a Real Estate Sale and Purchase Agreement dated November 3, 1079 and entered into by and between Exchange National Bank of Chicago, not individually but as trustee under the provisions of a trust agreement dated November 26, 1968 and known as Trust No. 22167, as seller, and Frank's Nursery Sales, Inc. ("Frank's"), as purchaser (whose name has since been changed to Frank's Nursery & Craftr, Inc.);

WHEREAS, LaSalle National Bank ("LaSalle"), is become the successor trustee of said Trust No. 22578 which is now known as Trust No. 10-25578-09;

NOW, THEREFORE, with the approval and consent of Frank's and in consideration of the payment of \$1.00 to LaSalle by Frank's, the receipt and sufficiency of which are hereby acknowledged, LaSalle does hereby amend said Declaration of Building Restrictions in the following respects:

- 1. Paragraph 2 is amended to read as follows:
  - "2. Building Location: No building shall be constructed on Parcel 2 in such a manner that the roof height would exceed 18 feet including any signs on top of the building nor shall the building be constructed to contain more than 6,500 square feet."

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2. The legal description at the end of paragraph 3 is amended to read as follows:

"The south 30 feet of the west 30 feet of the east 60 feet of Parcel 2."

Said Declaration of Building Restrictions shall continue in full force and effect as herein amended.

This instrument is executed by LaSalle National Bank, not individually but solely as successor trustee under the provisions of a trust agreement dated August 19, 1971 and known as Trust No. 10-25578-09 in the exercise of the power and authority conferred upon and vested in it as such trustee. All the terms, provisions, stipulations, covenants and conditions to be performed by LaSalle National Bank are undertaken by it solely as trustee, as aforesaid, and not individually and all statements herein made are made on information and belief and are to be construed accordingly, and no personal liability shall be asserted or be enforceable against LaSalle National Bank by reason of any of the terms, provisions, stipulations, covenants and/or statements contained in this instrument.

IN WITNESS WHERFOR, LaSalle National Bank, not individually but as successor to Exchange National Bank of Chicago as trustee under trust agreement known as Trust No. 10-25578-09 has caused its corporate seal to be hereto affixed and has caused its name to be signed to this instrument by its Assistant Vice President and atcested by its Assistant Secretary this Sext day of December, 1986.

LA SALLE MATIONAL BANK, not individually but as successor to Exchange Nacional Bank of Chicago as trusted under trust agreement known as Trust No. 10-25578-09

By:

Its

Medetant Vice Prosident

ATTEST:

Its Assistant Secretary

LABALLE HATIONAL BANK as trusted as aforesaid, and not personally, has executed the foregoing document at the direction of sutherized parties for the sole purpose of binding the trust eather under said trust. No personal liability is unused by or may be apported hereinder against said bank personally. —2—

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This company approves and consents to the foregoing amendment.

FRANK'S NURSERY & CRAFTS, INC.

By: Wice President

ATTEST

Its Assistant Secretary

State of Illinois

County of Cook

APHRODITI, PAPAJOHN

and for said county, in the state aforesaid, do hereby certify that

James A. Clark , Assistant Vice President of

LaSalle National Bank, and Rita from Wolter, Assistant Secretary thereof, personally known to me to be the same persons whose names are subscribed to the foregoing instrument as such Assistant Vice President and Assistant Sicretary respectively, appeared before me this day in person and scknowledged that they signed and delivered said instrument as their own free and voluntary act, and as the free and voluntary act of said bank, for the use and purposes therein set forth; and said Assistant Secretary did also then and there acknowledge that he as custodian of the corporate seal of said bank did affix 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 for the uses and purposes therein set forth.

Given under my hand and notarial seal this 3 off day of December, 1986.

Notary Public

Commission expires

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State of Michigan )
) ss.
County of Wayne )

I, Janet K. Switaj , a notary public in and for said county, in the state aforesaid, do hereby certify Charles P. Hueston , Vice President of John R. Flearro Frank's Nursery & Crafts, Inc., and Assistant Secretary of said corporation, personally known to me to be the same persons whose names are subscribed to the foregoing instrument as such Vice President and Assistant Secretary 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 corporation, for the uses and purposes therein set forth; and the said Assistant Secretary did also then and there acknowledge that he, as custodian of the corporate seal of said corporation, did affix the said corporate seal of said corporation to said instrument as his own free and voluntary act, and as the free and voluntary act of wild corporation for the uses and purposes therein set forth.

Given my hand and notarial seal this 29th day of mber, 1986.

**-0**3 300

Natyty Public - Resident of Macomb County

... Acting in Wayne County

Commission expires July 8

1989

Mailto:>>

This Instrument Prepared By
John M. Betts
8300 Sears Tower
233 South Wacker Drive
Chicago, Illinois 60606
876-3514

1300 MAIL

The real estate described in the foregoing instrument is located at the northeast corner of Oketo Avenue and 87th Street in Bridgeview, Illinois and is covered by Permanent Index Number 18-36-404-016.

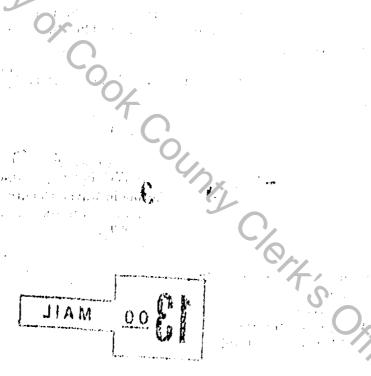
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