

86209183

SUPPLEMENTARY DECLARATION OF COVENANTS, CONDITIONS,  
RESTRICTIONS AND EASEMENTS  
FOR  
THE COURTS OF RUSSETWOOD

THIS SUPPLEMENTARY DECLARATION is made and entered into on the date hereinafter set forth by the Midwest Bank and Trust Company, a National Banking Association, not personally but solely as Trustee under Trust Agreement dated December 22, 1981 and known as Trust No. 81-12-3784, hereinafter referred to as "Declarant".

W I T N E S S T H:

WHEREAS Declarant is the owner and legal title holder of certain real estate in the Village of Arlington Heights, County of Cook and State of Illinois which real estate is legally described in Exhibit "A" hereto attached and made a part hereof by reference, and through mesne conveyances and assignments, is the successor and assignor of the Declarants identified in those certain Declarations heretofore recorded as document nos. 24348061 and 25486664; and

WHEREAS, the beneficiaries of the Declarant, being the same beneficiaries of the previous Declarants, presently intend to construct a planned unit development containing detached single family units together with certain common facilities which will require uniformity and continuing care and maintenance for the privacy, benefit and enjoyment of all persons owning; and residing in the units; and

WHEREAS, the beneficiaries of the Declarant have deemed it desirable for the efficient preservation of the values and amenities of the development to create an agency to which shall be delegated and assigned the powers of maintaining and administering the Common Areas, as defined in the above described previously recorded Declarations and as described in Exhibit "B" attached hereto, and the administering and enforcing of the covenants and restrictions as contained and created in said Declarations; and

WHEREAS, the Declarant desires to establish for its own benefit and the mutual benefit of all future owners, tenants and occupants of the aforesaid development and real estate and any part thereof, certain easements or rights in, over, under, upon and along said development and real estate and certain mutually beneficial restrictions and obligations with respect to the use, conduct and maintenance thereof; and

WHEREAS, the Declarant may from time to time, convey certain portions of the Property, as heretofore defined in the aforesaid Declarations, to the Association, as defined in said Declarations, as well as to various owners;

NOW THEREFORE, the Declarant hereby declares that the real estate described in Exhibit "A" and such additions thereto as may hereafter be made is and shall be transferred, held, sold, conveyed and accepted subject to the Declarations of Covenants,

This document prepared by: Edward A. Weirauch, Jr,  
3233 N. Arlington Hts Rd  
Arlington Heights, Illinois 60004  
(312)259-4277

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Conditions, Restrictions and Easements, heretofore recorded as document nos. 24348061 and 25486664. The Declarant does hereby further declare that the easements, covenants, restrictions, conditions and burdens, uses, privileges, charges and liens shall: (1) exist at all times hereafter amongst all parties having or acquired right, title or interest in any portions of the real estate; (2) be binding upon and inure to the benefit of each Owner as defined in the aforesaid previously recorded Declarations with the land subjected to these Declarations, to be held, sold and conveyed subject thereto.

IN WITNESS WHEREOF, the said Midwest 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) Vice President and attested by its (Assistant) Secretary, this 20th day of May, 1986.

SEE EXCULPATORY RIDER ATTACHED

MIDWEST BANK AND TRUST COMPANY, a national banking association, as Trustee under Trust No. 81-12-3784, and not individually.

By: [Signature]  
(Assistant) Vice President

ATTEST:

[Signature]  
(Assistant) Secretary

STATE OF ILLINOIS )  
COUNTY OF COOK ) SS.

I, the undersigned, a Notary Public in and for the County, in the State aforesaid, do hereby certify that the above named Vice President and (Assistant) Secretary of the Midwest Bank and Trust Company, personally known to me to be the same personas 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 Midwest Bank and Trust Company for the uses and purposes therein set forth; and the said (Assistant) Secretary then and there acknowledged that said (Assistant) Secretary, as custodian of the corporate seal of said bank, caused the corporate seal of said bank to be affixed to said instrument as said (Assistant) Secretary's 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 20th day of May, 1986.

[Signature]  
NOTARY PUBLIC



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Lots 1 to 8, both inclusive, in Block "C" and private street known as Barberry Court, and Lots 1 to 14, both inclusive, in Block "D" and private street known as Bradshire Court, all in The Courts of Russetwood Unit Five; being a subdivision of part of the Southwest Quarter (1/4) of the Northeast Quarter (1/4) of Section 21, Township 42 North, Range 11 East of the Third Principal Meridian, Cook County, Illinois.

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EXHIBIT "A"

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Private Streets known as Barberry Court and Bradshire Court, all in the Courts of Russetwood Unit Five; being a subdivision of part of the Southwest Quarter (1/4) of the Northeast Quarter (1/4) of Section 21, Township 42 North, Range 11, East of the Third Principal Meridian, Cook County, Illinois.

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EXHIBIT "B"

EDWARD A. GRANGE  
CLERK OF COOK COUNTY  
6000 N. LAKE ST.  
CHICAGO, ILL. 60630

MAIL

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THIS RIDER IS ATTACHED TO AND MADE PART OF CERTAIN

Declaration of Covenants, DATED 5/20/86

EXECUTED BY MIDWEST BANK & TRUST COMPANY AS

TRUSTEE U/T/A # \_\_\_\_\_

81-12-3784

It is expressly understood and agreed by and between the parties hereto that each and all of the representations, covenants, undertakings and agreements herein are made on the part of the trustee are made and intended, not as personal representations, covenants, undertakings and agreements of Midwest Bank and Trust Company but are made and intended for the sole purpose of binding the trust property, and this document is executed and delivered by said Midwest Bank and Trust Company, not in it's own right, but, as trustee solely in the exercise of the power that conferred upon it as such trustee and no personal liability or personal responsibility is assumed by, nor shall at any time be asserted or be enforceable against Midwest Bank and Trust Company on account of any representation, covenant, undertaking or agreement therein contained, whether expressed or implied, all such personal liability of any, being expressly waived and released by the parties hereto and by all persons claiming by, through and under them.

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COOK County Clerk's Office

Mail To:

EDWARD A. WEIRAUGH, JR.  
ATTORNEY AT LAW  
2233 N. ARLINGTON HEIGHTS ROAD  
ARLINGTON HEIGHTS, ILL. 60004

