

PLAT WITH THIS DOCUMENT

SIXTH AMENDMENT ADDING ADDITIONAL UNITS AT 8106 W. 168TH PLACE TO THE DECLARATION OF CONDOMINIUM OWNERSHIP AND BYLAWS EASEMENTS, RESTRICTIONS, AND COVENANTS FOR CHERRY CREEK SOUTH CONDOMINIUM III

THIS DECLARATION is made and entered into by BRIDGEVIEW BANK AND TRUST COMPANY, as Trustee, under Trust Agreement #1-0854, dated May 16, 1980, for convenience hereinafter referred to as the "OWNER";

WITNESSETH THAT:

WHEREAS, the Owner is fee simple title holder of the following described real estate in the Village of Tinley Park, County of Cook, State of Illinois:

Lot 77 in Cherry Creek South Subdivision Phase III, being a subdivision of part of the East 1/2 of the Northeast 1/4 of Section 26, Township 36 North, Range 12, East of the Third Principal Meridian, in Cook County, Illinois, commonly known as 8106 W. 168TH PLACE, Tinley Park, Illinois.

WHEREAS, it is the desire and intention of the Owner to enable the Property (as hereinafter defined) which includes, but is not limited to, said real estate together with the building, structure, improvements, and other permanent fixtures of whatsoever kind now or hereinafter thereon, and all rights and privileges belonging or in anyway pertaining thereto to be owned by Owner and by each successor in interest of Owner, under that certain type or method of ownership commonly known as "CONDOMINIUM", and to submit the Property to the provisions of the Condominium Property Act of the State of Illinois, as amended from time to time; and

WHEREAS, the Owner, BRIDGEVIEW BANK AND TRUST COMPANY, as Trustee, under Trust 1-0854 September 9, 1985, caused to be recorded in the Office of the Recorder of Deeds of Cook County as document no. 85179907 a certain declaration of condominium ownership for Cherry Creek South Condominium III, which by said declaration provided for the addition of condominium units on certain described lots and by which said Trustee has elected by this Declaration to establish, for the benefit of such Owner and for the mutual benefit of all future unit owners or occupants of the Property, or any part thereof, which shall be known as CHERRY CREEK SOUTH CONDOMINIUM III or such other name as may be subsequently adopted pursuant to the Act by the developer or the Board, certain easements and rights in, over, and upon said real estate and certain mutually beneficial restrictions and obligations with respect to the proper use, conduct, and maintenance thereof; and

WHEREAS, the Owner has further elected by this Declaration to declare that the several unit owners, occupants, mortgagees, and other persons acquiring any interest in the Property shall at all times enjoy the benefits of, and shall at all times hold their interests subject to the rights, easements, privileges, and restrictions hereinafter set forth, all of which are declared to be in furtherance of a plan to promote and protect the cooperative aspect of ownership and to facilitate the proper administration of such Property and are established for the purpose of enhancing and perfecting the value, desirability, and attractiveness of the Property.

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A	2	7
SA	2	6
BLK	2	0
	3	
PCL	0	1
	1	
UNIT		

PROPERTY INDEX NUMBERS

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NOW THEREFORE, BRIDGEVIEW BANK AND TRUST COMPANY, as Trustee under Trust Agreement No. 1-0854 dated May 16, 1980, as the legal title holder heretofore described, and for the purposes above set forth, declares that the described lot 77 shall be hereinafter part of the described condominium and subject to the declaration, by-laws, condominium property, and Condominium Property Act of the State of Illinois as set forth in said declaration and Act.

ARTICLE II DESCRIPTION OF UNITS

The units located on the property are delineated on the survey, referred to herein and attached hereto as "Exhibit A" and legally described as Units nos. 1-EAST, 2-EAST, 3-EAST, 1-WEST, 2-WEST, AND 3-WEST, AND GARAGE UNITS NOS. P-1 EAST, P-2 EAST, P-3 EAST, P-1 WEST, P-2 WEST, AND P-3 WEST, on the parcel legally described as:

Lot 77 in Cherry Creek South Subdivision Phase III, being a Subdivision of part of the East 1/2 of the Northeast 1/4 of Section 26, Township 36 North, Range 12, East of the Third Principal Meridian, in Cook County, Illinois.

It is understood that each unit consists of the space enclosed or bounded by the horizontal and vertical planes set forth and identified as a unit in the delineation thereof in Exhibit "A". The number or symbol of such unit followed by the legal description of the property, as shown on Exhibit "A". Except as provided by the Act, no unit owner shall, by deed, plat or otherwise, subdivide or in any other manner cause the unit to be separated into any tracts or parcels different from the whole unit as shown on Exhibit "A".

ARTICLE III ADD ON CONDOMINIUM

The Developer and the Declarant have an interest in or otherwise controls the development of additional real estate in the subdivision as described herein and hereby expressly reserve the right for themselves and their agents and assignees the right to add to this condominium declaration following submission to the Act additional property for a ten year period but ending July 30, 1995. By addition of said property from time to time the percentage interests of the unit owners' as set forth herein and as may be set forth in subsequent amended declarations will be reallocated and changed upon setting forth lesser percentage interests in the common elements at the time of recording an amended plat in accordance with the provisions the Act, together with an amendment to the Declaration. Each unit owner irrevocably consents to such amendments as may be required for the Add-On Condominium without any requirement that their approval or the approval of the Board of Managers be first obtained, provided said Add-On complies with the requirements of the Act.

(a) The described premises for the add on may include the following described premises:

Lots 68, 69, 77, 79, 80, 82, 92, 95, and 101 in Cherry Creek South Subdivision Phase III, being a subdivision of part of the East 1/2 of the Northeast 1/4 of Section 26, Township 36 North, Range 12, East of the Third Principal Meridian, in Cook County, Illinois.

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(b) The following examples of changes in percentage interests in given by way of illustration assuming that the condominium consists of the hypothetical number of sixty units, and the percentage interest is thereby reallocated. Voting of the unit owners and allocation of the common expenses wherein percentages apply, will be in accordance with the modified percentages upon completion of each add-on. The Board of Managers in office at the time of the add-ons shall complete their terms until the next scheduled election to be conducted in accordance with the terms of the Declaration, taking into account the total number of unit owners in the development in the election procedure.

(c) **EXAMPLES OF SHIFTS IN PERCENTAGE INTERESTS AFTER REALLOCATIONS:**

<u>NUMBER OF UNITS</u>	<u>6</u>	<u>12</u>	<u>18</u>	<u>24</u>	<u>48</u>	<u>60</u>
<u>PERCENTAGES</u>	13.50	6.750	4.50	3.3750	1.68750	1.350
	14.25	7.125	4.75	3.5625	1.78125	1.425
	16.25	8.125	5.416-5.42	4.0625	2.03125	1.625
<u>GARAGE UNITS</u>						
<u>PERCENTAGES</u>	2.00	1.00	.6669-.66672	.500	.250	.200

(d) The additional land to be added may be added without limitation and its boundaries shall be determined by lot dimensions as described in the plat of Subdivision of Cherry Creek South Subdivision Phase III.

(e) The add on if completed will include as many as ten buildings, each having six condominium units. The architecture and construction is intended to be compatible in style and materials.

(f) That in the event of a resale of a condominium unit the purchaser of a unit from a seller than the developer pursuant to an installment contract for purchase shall during such times as he or she reside in the unit be counted toward a quorum for purposes of election of members of the board of managers at any meeting of the unit owners called for purposes of electing members of the board of managers and to be elected to and serve on the board of managers unless the seller expressly retains in writing any or all of such rights.

ARTICLE IV EXONERATION OF TRUSTEE

This Declaration is executed by the TRUSTEE aforesaid, and not personally, in the exercise of the power and authority conferred upon and vested in it as such Trustee, It is expressly understood and agreed by every person, firm or corporation hereafter claiming any interest under this Declaration that the Trustee as aforesaid, and not personally has joined in the execution of this Declaration for the sole purpose of subjecting the titleholding interest and the trust estate under the said Trust Number to the terms of this Declaration; that any and all obligations, duties, covenants and agreements of every nature herein set forth to be kept or performed and discharged by the beneficiaries under said Trust, or their successors, and not by the TRUSTEE 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 obligations, express or implied, arising under the terms of this agreement, except where said Trustee is acting pursuant to direction as provided by the terms of said Trust Number after the Trustee has first been supplied with funds required for the purpose. In the

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event of conflict between the terms of this paragraph and of the remainder of the Declaration of any question of apparent liability or obligation resting upon said Trustee, the exculpatory provisions hereof shall be controlling.

IN WITNESS WHEREOF, the said as Trustee as aforesaid and not individually, has caused its name to be signed to these presents by its Vice President and attested by its ~~Assistant~~ Trust Officer.

ATTEST

Edwina Gaskin
TITLE Trust Officer

Marie A. Arnold
TITLE Vice-President

DATED June 27 1985.6.

STATE OF ILLINOIS)
) SS
COUNTY OF COOK)

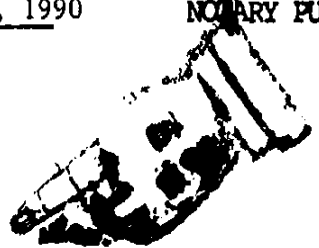
I, THE UNDERSIGNED a Notary Public in and for said County in the State of Illinois, do hereby certify that Marie A. Arnold, Vice President of Bridgeview Bank & Trust Co. and Edwina Gaskin, Trust Officer of said Bank, personally known to me to be the same persons whose names are subscribed to the foregoing instrument as such DULY AUTHORIZED OFFICERS 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 of said Bank for the uses and purposes therein set forth; and UNDERSIGNED OFFICER did also then and there acknowledge that as custodian of the Corporate Seal of said Bank, did affix the said Corporate Seal of said Bank to said instrument 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 27 DAY OF June, ~~1985~~ 1986

Aprilene D. Baskin

Commission Expires: May 29, 1990

NOTARY PUBLIC



THIS INSTRUMENT PREPARED BY:
THOMAS F. COURNEY
THOMAS F. COURNEY, & ASSOCIATES, P.C.
ATTORNEYS AT LAW
7000 WEST 127TH STREET
PALOS HEIGHTS, ILLINOIS 60463
CALL CONCERNING ANY QUESTIONS TO 312-448-6545

THIS DOCUMENT MAY NOT BE USED OR REPRODUCED WITHOUT THE EXPRESSED WRITTEN CONSENT OF THE PREPARER.

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RESTATEMENT OF AMENDED PER-CENTAGE INTERESTS OF UNITS OF RECORD
AND ADD-ON UNIT IN COMMON ELEMENTS
EXHIBIT "B" TO AMENDED DECLARATION OF CONDOMINIUM

<u>UNIT NUMBERS</u>	<u>PERCENTAGE INTEREST</u>
8100 W. 168TH PLACE	
1- WEST	2.250
1- EAST	2.250
2- WEST	2.375
2- EAST	2.375
3- WEST	2.708
3- EAST	2.708
16813 S. 81ST AVE.	
1- SOUTH	2.250
1- NORTH	2.250
2- SOUTH	2.375
2- NORTH	2.375
3- SOUTH	2.708
3- NORTH	2.708
16807 S. 81ST AVE.	
1-SOUTH	2.250
1-NORTH	2.250
2-SOUTH	2.375
2-NORTH	2.375
3-SOUTH	2.708
3-NORTH	2.708
8158 W. 169TH STREET	
1-WEST	2.250
1-EAST	2.250
2-WEST	2.375
2-EAST	2.375
3-WEST	2.708
3-EAST	2.708
16825 S. 81ST AVE.	
1-EAST	2.250
1-WEST	2.250
2-WEST	2.375
2-EAST	2.375
3-EAST	2.708
3-WEST	2.708
8106 W. 168TH PLACE	
1-WEST	2.250
1-EAST	2.250
2-WEST	2.375
2-EAST	2.375
3-WEST	2.708
3-EAST	2.712

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DEPT-01 RECORDING \$30.60

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COOK COUNTY RECORDER

GARAGE UNIT NUMBER
8100 W. 168TH PLACE

P-1 EAST	.333
P-1 WEST	.333
P-2 EAST	.333
P-2 WEST	.333
P-3 EAST	.333
P-3 WEST	.333

16813 S. 81ST AVE.

P-1 NORTH	.333
P-2 NORTH	.333
P-3 NORTH	.333
P-1 SOUTH	.333
P-2 SOUTH	.333
P-3 SOUTH	.333

16807 S. 81ST AVE.

P-1 NORTH	.333
P-2 NORTH	.333
P-3 NORTH	.333
P-1 SOUTH	.333
P-2 SOUTH	.333
P-3 SOUTH	.333

8158 W. 169TH STREET

P-1 WEST	.333
P-2 WEST	.333
P-3 WEST	.333
P-1 EAST	.333
P-2 EAST	.333
P-3 EAST	.333

16825 S. 81ST COURT

P-1 EAST	.333
P-2 EAST	.333
P-3 EAST	.333
P-1 WEST	.333
P-2 WEST	.333
P-3 WEST	.333

8106 W. 168TH PLACE

P-1 EAST	.333
P-2 EAST	.333
P-3 EAST	.333
P-1 WEST	.333
P-2 WEST	.342
P-3 WEST	.342

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