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PREPARED BY:  
STEPHEN A. MALATO, ESQ.  
Hinshaw, Culbertson, Moelmann,  
Hoban & Fuller  
69 West Washington Street  
Chicago, Illinois 60602

Address: 1391-93-95, 1392, 1394,  
1396, 1400, 1401-03-05,  
1402 and 1404 Shire  
Circle Drive  
Inverness, IL  
Tax No: 02-28-300-037-0000

**A**

SECOND AMENDMENT TO

DECLARATION OF CONDOMINIUM OWNERSHIP

AND OF

EASEMENTS, RESTRICTIONS AND COVENANTS

FOR

THE SHIRES OF INVERNESS TOWNHOME CONDOMINIUM V

THIS AMENDMENT TO DECLARATION OF CONDOMINIUM OWNERSHIP AND OF EASEMENTS, RESTRICTIONS AND COVENANTS FOR THE SHIRES OF INVERNESS TOWNHOME CONDOMINIUM V, made this 31st day of December, 1986 by LA SALLE NATIONAL BANK, not personally but solely as Trustee pursuant to Trust Agreement dated June 28, 1977 and known as Trust Number 52724 ("Trustee").

R E C I T A L S:

A. Pursuant to the provisions of a certain Declaration of Condominium Ownership and of Easements, Restrictions and Covenants for THE SHIRES OF INVERNESS TOWNHOME CONDOMINIUM V, recorded in the Office of the Recorder of Deeds of Cook County, Illinois as Document Number 85175539 ("Original Declaration"), Trustee:

- (1) submitted certain real estate legally described on Exhibit "A" attached thereto and made a part thereof ("Phase I Parcel") to the Condominium Property Act of the State of Illinois ("Act"), which Phase I Parcel and the improvements situated thereon are commonly known as THE SHIRES OF INVERNESS TOWNHOME CONDOMINIUM V and are herein collectively referred to as "Condominium"; and

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- (2) reserved the right, from time to time, within a period of seven (7) years following the date of recording of Original Declaration, to add on and annex to Condominium all or any part of "Additional Condominium Area" (as such term is defined in Original Declaration), which Additional Condominium Area is legally described on Exhibit "E" attached thereto and made a part thereof, by recording an "Amended Condominium Declaration" (as such term is defined in Original Declaration).

B. Original Declaration was amended by the terms and provisions of Amended Condominium Declaration recorded in the Office of the Recorder of Deeds of Cook County, Illinois as Document Number 86438078 ("Amendment"), which provides, among other things, that the land legally described on Exhibit "B" attached thereto and made a part thereof (comprising a part of Additional Condominium Area) be annexed and added to Phase I Parcel and the same, together with "Units" (as such term is defined in Amendment) be submitted to the provisions of Act as a part of Condominium.

C. Trustee is the owner of legal title to the real estate legally described on Amended Exhibit "B" attached hereto and made a part hereof ("Land"), which Land comprises Additional Condominium Area remaining to be submitted to the provisions of Act and is improved with four (4) single-family attached buildings ("Additional Units").

D. Trustee desires to annex and add Land to Phase I Parcel and thereby submit Land and Additional Units to the provisions of Act as a part of Condominium.

NOW, THEREFORE, Trustee, as the owner of legal title to Land and for the purposes hereinabove set forth, hereby declares that Original Declaration, as amended by Amendment, be, and the same hereby is, further amended as follows:

1. Recital E of Original Declaration is amended to include Land.
2. Land is hereby annexed and added to Phase I Parcel and:
  - a). Land and Additional Units are hereby submitted to Act as a part of Condominium, in accordance with the terms and provisions of Original Declaration, as amended by Amendment and as further amended hereby, which shall govern Land and Additional Units;
  - b). Exhibit "B" attached to and made a part of Original Declaration, as amended by Amended Exhibit



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"B" attached to and made a part of Amendment, is further amended by substituting therefor Amended Exhibit "B" attached hereto and made a part hereof;

- c). the delineation of "Units" (as such term is defined and more fully set forth in Original Declaration) is hereby amended to annex and add thereto Additional Units delineated on plat of survey attached hereto and made a part hereof as Amended Exhibit "C", which Amended Exhibit "C" amends Exhibit "C" attached to and made a part of Original Declaration, as amended by Amended Exhibit "C" attached to and made a part of Amendment;
- d). "Common Elements" (as such term is defined in Original Declaration) situated in and upon Land are hereby granted and conveyed to the grantees of Units heretofore conveyed, all as more fully set forth in Original Declaration, as amended by Amendment;
- e). the percentage of ownership in Common Elements (including Common Elements situated in and upon Additional Condominium Area) allocable to each Unit (including Units previously submitted to Act pursuant to Original Declaration, as amended by Amendment, and Additional Units, is as set forth on Amended Exhibit "D" attached hereto and made a part hereof, which Amended Exhibit "D" amends Exhibit "D" attached to and made a part of Original Declaration, as amended by Amendment, and "Unit Owners" (as such term is defined in Original Declaration) are, pursuant to Original Declaration, as amended by Amendment and as further amended hereby, entitled to their respective amended percentages of ownership in Common Elements.

2. Trustee, pursuant to the provisions of Original Declaration, and particularly Article Fourteen thereof, hereby submits this Amended Condominium Declaration and Original Declaration, as amended by Amendment and as further amended hereby, shall be and remain in full force and effect, in accordance with its terms.

This Amended Condominium Declaration is executed by LA SALLE NATIONAL BANK, not personally but solely as Trustee aforesaid, in the exercise of the power and authority conferred upon and vested in it, as Trustee (and Trustee hereby represents 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 an interest pursuant to this instrument that Trustee has

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executed this instrument solely for the purpose of subjecting the title holding interest and the trust estate under said Trust No. 52724 to the terms of this instrument; that no personal liability or personal responsibility is assumed by nor shall, at any time, be asserted or enforceable against LA SALLE NATIONAL BANK, personally, or any of the beneficiaries of said Trustee, on account of this instrument or on account of any representation, obligation, duty, covenant or agreement contained herein, either express or implied; all such personal liability, if any, being expressly waived and released; and further, that no duty shall rest upon LA SALLE NATIONAL BANK, either personally or as 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 pursuant to the terms of this instrument, except where acting pursuant to direction, as provided by the terms of the Trust Agreement aforesaid, and after being first supplied with funds required for such purpose. In the event of any conflict between the terms of this paragraph and the remainder of this instrument, or in the event of any question of apparent liability or obligation resting upon LA SALLE NATIONAL BANK, the exculpatory provisions hereof shall be controlling.

IN WITNESS WHEREOF, Trustee has caused this Amended Condominium Declaration to be executed on its behalf by its respective duly authorized officers, as of the day and year first above written.

LA SALLE NATIONAL BANK, not personally, but solely as Trustee pursuant to Trust Agreement dated June 28, 1977 and known as Trust Number 52724

By [Signature]  
 Title: ASSISTANT VICE PRESIDENT

ATTEST:  
[Signature]  
 Title: ASSISTANT SECRETARY FOR RECORDS  
 COOK COUNTY, ILLINOIS

STATE OF ILLINOIS ) 1987 JAN 23 PM 1:01  
 ) SS.  
 COUNTY OF COOK )

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The undersigned, a Notary Public in and for said County, in the State aforesaid, DOES HEREBY CERTIFY that JAMES A. CLARK, personally known to me to be the ASSISTANT VICE PRESIDENT of LA SALLE NATIONAL BANK and Rita Slamm Nelson, personally known to me to be the ASSISTANT SECRETARY thereof, and personally known to me to be the same persons whose names are subscribed to the foregoing instrument

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IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the Court at Chicago, Illinois, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Clerk of the Court

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EXHIBIT

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AMENDED EXHIBIT "B"

TO

DECLARATION OF CONDOMINIUM OWNERSHIP

AND OF

EASEMENTS, RESTRICTIONS AND COVENANTS

FOR

THE SHIRES OF INVERNESS TOWNHOME CONDOMINIUM V

Lots 19 and 20 in THE SHIRES OF INVERNESS UNIT SEVEN, being a subdivision of part of the Northwest one-quarter of the Southwest one-quarter of Section 28, Township 42 North, Range 10, East of the Third Principal Meridian, in Cook County, Illinois

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INVESTIGATION REPORT

BY

SA [Name] / SA [Name]

DATE: [Date]

RE: [Subject]

[Faded text block containing the main body of the report, including a summary of findings and conclusions.]

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AMENDED EXHIBIT "C"

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TO

DECLARATION OF CONDOMINIUM OWNERSHIP

AND OF

EASEMENTS, RESTRICTIONS AND COVENANTS

FOR

THE SHIRES OF INVERNESS TOWNHOME CONDOMINIUM V

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## AMENDED EXHIBIT "D"

TO

DECLARATION OF CONDOMINIUM OWNERSHIP

AND OF

EASEMENTS, RESTRICTIONS AND COVENANTS

FOR

THE SHIRES OF INVERNESS TOWNHOME CONDOMINIUM V

<u>Unit No.</u>	<u>Previous Percentage</u>	<u>New Percentage</u>
1	6.32	3.32
2	5.84	3.06
3	6.23	3.27
4	6.47	3.40
5	6.07	3.19
6	6.66	3.50
7	6.62	3.48
8	6.99	3.14
9	6.59	3.51
10	6.47	3.40
11	5.82	3.05
12	7.30	3.82
13		3.88
14		3.11
15		3.34
16		3.42
17		3.00
18		2.38
19		3.75
20		3.15
21		3.33
22		3.60
23		3.72
24		3.06
25		3.24
26		3.52
27	5.99	3.15
28	5.82	3.06
29	5.65	2.97
30	6.06	3.18

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