10/13/88

PLAT WITH THIS DOCUMENT

88470858

Prepared by:
Vincent J. Stout, atty.
4219 W. 95th
Oak Lawn, Il. 60453
(312)425-5020

FOURTH AMENDMENT

TO

DECLARATION OF CONDOMINIUM OWNERSHIP

AND OF EASEMENTS, RESTRICTIONS, AND

COVENANTS FOR WESTBERRY VILLAGE, UNIT NO. 3,

A CONDOMINIUM

THIS DECLARATION made and entered into by STANDARD BANK, Trustee under Trust Agreement dated June 3, 1976, and known as Trust No. 4449, and not individually (the "Trustee"):

$35.00

W I T N E S S E T H:

WHEREAS, by the Declaration of Condominium Ownership recorded in the Office of the Recorder of Deeds of Cook County, Illinois, as Document No. 88148707, (the "Declaration"), and by the First Amendment to said Declaration, recorded in the Office of the Recorder of Deeds of Cook County, Illinois, as Document No. 88225245 on May 26, 1988, and by the Second Amendment to said Declaration, recorded in the Office of the Recorder of Deeds of Cook County, Illinois, as Document No. 88277581 on June 24, 1988, and by the Third Amendment to said Declaration, recorded in the Office of the Recorder of Deeds of Cook County, Illinois, as Document No. 88344461 on August 2, 1988, STANDARD BANK, as Trustee under Trust Agreement dated June 3, 1976, and known as Trust No. 4449, and not individually, submitted certain real estate to the Condominium Property Act of the State of Illinois (the "Act"), said Condominium being known as WESTBERRY VILLAGE UNIT NO. 3, a condominium; and

WHEREAS, under Paragraph 1 of ARTICLE XIX of the Declaration, the right is reserved in the developer, HARTZ CONSTRUCTION COMPANY, to annex and add certain real property to the Parcel and Property

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BOX 333

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described in the Declaration, and thereby add to the Condominium; and

WHEREAS, STANDARD BANK, as Trustee under Trust Agreement dated June 3, 1976, and known as Trust No. 449, is the legal title holder to the property to be annexed and HARTZ CONSTRUCTION COMPANY is the Developer and beneficial owner of said Trust and wishes to so annex and add to said Parcel and Property, and thereby submit to the Act as a part of the Condominium, the following real property ("Additional Property"):

Lot 35 in Westbery Village Unit No. 3, a Subdivision of part of the East 1/2 of the Northwest 1/4 of Section 23, Township 36 North, Range 12, East of the Third Principal Meridian, in Cook County, Illinois

PIN: 27-23-101-017, 23-23-101-022

COMMON ADDRESS: 16010-11 S. 84th Place
16014-15 S. 84th Place
Tinley Park, Illinois 60477

which property is a portion of the Development Area described in said Declaration; and

WHEREAS, the additional property is now improved with one building containing four Units, making a total of four additional Units, as defined in the Declaration.

NOW THEREFORE, STANDARD BANK, as Trustee under Trust Agreement dated June 3, 1976, and known as Trust No. 4449, and not individually, as the legal title holder of the Additional Property and HARTZ CONSTRUCTION COMPANY as the beneficial owner of said Trust, and for the purpose above set forth, hereby declares that the Declaration be and hereby is amended as follows:

1. The Additional Property is hereby annexed to the Parcel and Property as defined in Article I of the Declaration and is hereby submitted to the provisions of the Act as a part of the Condominium in accordance with, and shall be deemed to be governed in all respects by the terms and provisions of the Declaration. The Additional Land as now described is set forth herein as Exhibit "A".

2. The Plat attached to the Declaration as Exhibit "A" showing the boundaries of the Property and delineating and describing the Units contained therein, is hereby amended and supplemented by Exhibit "A" attached hereto showing the boundaries of the annexed Property and describing the additional Units contained in said annexed Property.

3. Exhibit "B" attached to the Declaration setting forth the percentages of the undivided interest in the common elements corresponding to each Unit described in Exhibit "A" prior to this Amendment are hereby reduced to the respective percentage interest in the Common elements as set forth in Exhibit "A" attached hereto. Exhibit "B" attached to the Declaration is amended by the substitution of Exhibit "B" attached hereto.

4. The additional common elements added to the Declaration by this Amendment, are hereby granted and conveyed to the respective grantees of Units heretofore conveyed, all as set forth in the Declaration.

5. It is expressly understood and agreed by and between the parties hereto to the contrary notwithstanding, that each and all of the representations, covenants, undertakings, and agreements herein made on the part of the Trustee while in form purporting to

be representations, covenants, undertakings, and agreements herein made on the part of the Trustee are nevertheless each and every one of them made and intended not as personal representations, covenants, undertakings, and agreements by the Trustee or for the purpose or with the intention of binding said Trustee personally, but are made and intended for the purpose of binding only that portion of the trust property specifically described herein and this instrument is executed and delivered by said Trustee not in its own rights, but solely in the exercise of the powers conferred upon it as such Trustee; and that no personal liability or personal responsibility is assumed by nor shall at any time be asserted or enforceable against the STANDARD BANK, or any of the beneficiaries under said Trust Agreement, on account of this instrument or on account of any representation, covenant, undertaking, or agreement of the said Trustee in this instrument contained, either expressed or implied, all such personal liability, if any, being expressly waived and released. It is understoood and agreed by the parties hereto, anything to the contrary notwithstanding that the Trustee will act only on the direction of the beneficiaries.

6. Except as expressly set forth herein, the Declaration shall remain in full force and effect in accordance with its terms.

IN WITNESS WHEREOF, the said STANDARD BANK, as Trustee as aforesaid and not individually, and HARTZ CONSTRUCTION COMPANY have caused this instrument to be signed and sealed by its duly authorized officers on its behalf; and the Trustee, attorney-in-fact as

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aforesaid, has set its hand and seal, all done in Cook County, Illinois, this 11th day of October, 1988.

STANDARD BANK, As Trustee Under Trust Agreement dated June 3, 1976, known as Trust No. 4449, and not individually

BY: Dennis Radek

Dennis Radek

VICE PRESIDENT

ATTEST:

Linda Sobiski

Linda Sobiski Assistant Secretary

STATE OF ILLINOIS)
) SS
COUNTY OF COOK)

I, Beth Ross, a Notary Public in and for said County, in the State aforesaid, do hereby certify that Dennis Radek, Vice President of STANDARD BANK and Linda Sobiski, Assistant Secretary of said Bank, who 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 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 Vice President 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 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.

Given under my hand and notarial seal this 11th day of October, 1988.

Beth Ross
Notary Public

NOTARY PUBLIC, STATE OF ILLINOIS
MY COMMISSION EXPIRES 7-14-92

My Commission Expires:

_____

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HARTZ CONSTRUCTION COMPANY

BY: _____

ATTEST:

Edward P Kennedy Jr.

STATE OF ILLINOIS)
) SS
COUNTY OF COOK)

I, Alice M. Flannery a Notary Public in and for said County, in the State aforesaid, do hereby certify that DONALD L. HARTZ, President of HARTZ CONSTRUCTION COMPANY, and EDWARD P KENNEDY, Vice President of said Company, who subscribed to the foregoing instrument as such President and Vice President, respectively, appeared before me this day in person and acknowledged that they signed and delivered the said instrument as their free and voluntary act and as the free and voluntary act of saidCompany, for the uses and purposes therein set forth; and the said Vice President then and there acknowledged that he as custodian of the corporate seal of said Company, did affix the corporate seal of said Company to said instrument as his own free and voluntary act and as the free and voluntary act of said Company, for the uses and purposes therein set forth.

Given under my hand and notarial seal, this 11th day of October, 1988.

Alice M. Flannery
Notary Public

"OFFICIAL SEAL"
ALICE M. FLANNERY
Notary Public, State of Illinois
My Commission Expires 4/6/91

My Commission Expires:
4/6/91

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EXHIBIT B

PERCENT INTEREST IN COMMON ELEMENTS

WESTBERRY VILLAGE UNIT NO. 3 CONDOMINIUM

UNIT NO.	PERCENTAGE INTEREST
16055	4.9121
16054	4.7950
16051	5.0292
16050	5.0292
16045	4.7950
16044	4.7950
16041	5.0292
16040	5.0292
16035	5.0292
16034	5.0292
16031	5.0292
16030	5.0292
16025	4.9121
16024	4.7950
16021	5.1466
16020	5.0292
16015	5.1466
16014	5.1466
16011	5.1466
16010	5.1466
	100.0000

EXHIBIT C

ADDITIONAL LAND

Lots 36 through 51, inclusive, in Westberry Village, Unit No. 3, a Subdivision of part of the East 1/2 of the Northeast 1/4 of Section 23, Township 36 North, Range 12, East of the Third Principal Meridian, in Cook County, Illinois.

35.00
6 copies
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