

71-63-305
D-3

THIS FIRST AMENDMENT TO DECLARATION OF PARTY WALL dated January 16, 1987 and filed with the Cook County, Illinois Recorder of Deeds as Document No. 87066943 ("Declaration of Party Wall") is made this 25TH day of May, 1988 by and among American National Bank and Trust Company of Chicago, not personally but solely as Trustee under Trust Agreement dated August 22, 1979 and known as Trust No. 47489 (hereinafter called "party of the first part") and Michael Stolarski, Kimberly Steinke, Milton J. Steinke and Nancy M. Steinke (herein together called "party of the second part").

W I T N E S S E T H : That

WHEREAS, party of the first part is the owner of record of the Property (herein called "Parcel 1, Lot 3") legally described in Exhibit A attached hereto and made a part hereof; and

WHEREAS, party of the second part is the owner of the property (herein called "Parcel 2, Lot 4") legally described in Exhibit B attached hereto and made a part hereof; and

WHEREAS, a brick residential building is located on Parcel 1, Lot 3 and another brick residential building is located on Parcel 2, Lot 4; and

WHEREAS, the Wall as defined in the Declaration of Party Wall incorrectly referred to the northerly wall of the building located on Parcel 1, Lot 3 as the common wall with the building located on Parcel 2, Lot 4; and

WHEREAS, the parties hereto desire to amend the Declaration of Party Wall by amending the definition of Wall to reflect that the southerly wall of the building located on Parcel 1, Lot 3 constitutes the common wall with the building located on Parcel 2, Lot 4;

NOW, THEREFORE, in consideration of the foregoing and of the mutual covenants and agreements herein contained, it is hereby agreed as follows:

1. The parties hereto agree to amend the Declaration of Party Wall by amending the definition of Wall to delete the reference to the northerly wall of the building located on Parcel 1, Lot 3 constituting the common wall with the building located on Parcel 2, Lot 4 and adding instead the reference to the southerly wall of the building located on Parcel 1, Lot 3 constituting the common wall with the building located on Parcel 2, Lot 4.

UNOFFICIAL COPY

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2. The Declaration of Party Wall as amended hereby is and remains valid, binding and in full force and effect.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement the day and year first above written.

This instrument is executed by AMERICAN NATIONAL BANK AND TRUST COMPANY OF CHICAGO, not personally but solely as Trustee, as aforesaid. All the covenants and conditions to be performed hereunder by AMERICAN NATIONAL BANK AND TRUST COMPANY OF CHICAGO are understood to be solely as trustee, as aforesaid and not factually, and no personal liability shall be incurred or be enforceable against AMERICAN NATIONAL BANK AND TRUST COMPANY OF CHICAGO by reason of any of the covenants, conditions, representations or warranties contained in this instrument.

AMERICAN NATIONAL BANK AND TRUST COMPANY OF CHICAGO, as Trustee aforesaid

By: [Signature]
Assistant Vice President

DATED: _____

ATTEST:

[Signature]
Assistant Secretary

By: _____
MICHAEL STOLARSKI

By: _____
KIMBERLY STEINKE

By: _____
MILTON J. STEINKE

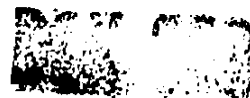
By: _____
NANCY M. STEINKE

THIS INSTRUMENT WAS PREPARED BY:

David T. Brown
Rosenthal and Schanfield
55 East Monroe Street
Suite 4620
Chicago, Illinois 60603

RETURN THE RECORDED INSTRUMENT TO: David T. Brown
at the above address

By 333



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UNOFFICIAL COPY

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2. The Declaration of Party Wall as amended hereby is and remains valid, binding and in full force and effect.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement the day and year first above written.

AMERICAN NATIONAL BANK AND
TRUST COMPANY OF CHICAGO,
as Trustee aforesaid

By: _____
Assistant Vice President

DATED: _____

ATTEST:

Assistant Secretary

By: Michael Stolarski
MICHAEL STOLARSKI

By: Kimberly Steinke
KIMBERLY STEINKE

By: Milton J. Steinke
MILTON J. STEINKE

By: Nancy M. Steinke
NANCY M. STEINKE

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COOK COUNTY, ILLINOIS
FILED FOR RECORD

1988 MAY 27 PM 3:20

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STATE OF ILLINOIS)
) SS
COUNTY OF C O O K)

I, KULA DAVIDSON a Notary Public in and for said County in the State aforesaid, DO HEREBY CERTIFY that P. JOHANSEN, Assistant Vice President of American National Bank and Trust Company of Chicago (herein called the "Bank") who are personally known to me to be the same persons whose names are subscribed to the foregoing instrument as such Assistant 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 Bank, as Trustee as aforesaid, for the uses and purposes therein set forth; and the said Assistant Secretary then and there acknowledged that he, as custodian of 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
____ day of MAY 25 1988, 1988.

Kula Davidson
NOTARY PUBLIC

My Commission Expires:

88229210

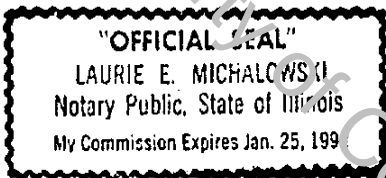
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STATE OF ILLINOIS)
) SS
COUNTY OF C O O K)

I, LAURIE E. MICHALOWSKI, a Notary Public in and for the County and State aforesaid, do hereby certify that Milton J. Steinke, personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that he signed and sealed said instrument as his own free and voluntary act for the uses and purposes therein set forth.

GIVEN under my hand and notarial seal this 25 day of MAY, 1988.



Laurie E. Michalowski
Notary Public

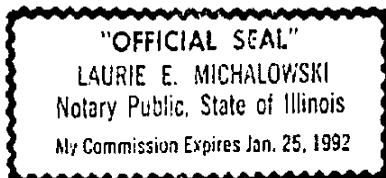
My Commission Expires:

JANUARY 25, 1992

STATE OF ILLINOIS)
) SS
COUNTY OF C O O K)

I, LAURIE E. MICHALOWSKI, a Notary Public in and for the County and State aforesaid, do hereby certify that Nancy M. Steinke, personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that he signed and sealed said instrument as his own free and voluntary act for the uses and purposes therein set forth.

GIVEN under my hand and notarial seal this 25 day of MAY, 1988.



Laurie E. Michalowski
NOTARY PUBLIC

My Commission Expires:

JANUARY 25, 1992

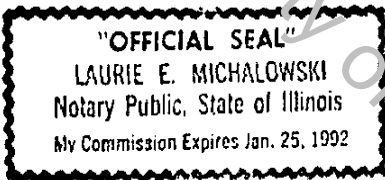
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STATE OF ILLINOIS)
) SS
COUNTY OF C O O K)

I, LAURIE E. MICHALOWSKI, a Notary Public in and for the County and State aforesaid, do hereby certify that Michael Stolarski, personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that he signed and sealed said instrument as his own free and voluntary act for the uses and purposes therein set forth.

GIVEN under my hand and notarial seal this 25 day of MAY, 1988.



Laurie E. Michalowski
Notary Public

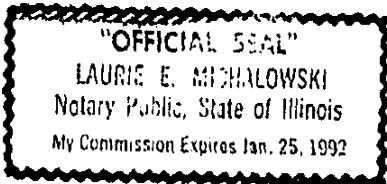
My Commission Expires:

JANUARY 25, 1992

STATE OF ILLINOIS)
) SS
COUNTY OF C O O K)

I, LAURIE E. MICHALOWSKI, a Notary Public in and for the County and State aforesaid, do hereby certify that Kimberly Steinke, personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that he signed and sealed said instrument as his own free and voluntary act for the uses and purposes therein set forth.

GIVEN under my hand and notarial seal this 25 day of MAY, 1988.



Laurie E. Michalowski
NOTARY PUBLIC

My Commission Expires:

JANUARY 25, 1992

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1433-401-036

EXHIBIT A

S1130508

LEGAL DESCRIPTION

PARCEL 1:

Lot 3 in Pumpelly's Resubdivision of Lots 2 to 5 in Armstrong's Subdivision of the North 3 Acres of Block 39 in Canal Trustees Subdivision of the North 1/2 and the North 1/2 of the Southeast 1/4 and the East 1/2 of the Southwest 1/4 of Section 33, Township 40 North, Range 14, East of the Third Principal Meridian, except that part of said Lot 4 lying Westerly of a line 51 feet East of and Parallel with Westerly line of Lots 2 and 3 in Pumpelly's Resubdivision aforesaid, in Cook County, Illinois.

Easement appurtenant to and for the benefit of Parcel 1 as created by deed from Victor Millen to Thamel A. Richardson and Rose F. Richardson, his wife, dated April 12, 1948 and recorded April 28, 1948 as Document No. 14302282 for ingress and egress over the following described land, 2 feet to the East of and 2 feet to the West of a line starting at a point on the Southeasterly line of Lot 4, 51 feet East of the West line of Lot 3, extending North to the building line.

Also

4 feet to the alley in a Northwesterly direction starting on a line beginning from a point 103.95 feet from the Easternmost corner of Lot 4 on the Southeasterly line of said lot extending to said alley.

Also

4 feet to the Southeast of a line starting from a point 56.90 feet from the Northerly corner of Lot 2 along the Northwesterly lot line and extending to the point 15.60 feet in a Southeasterly direction along the present building line, in Cook County, Illinois.

14-33 - 401 - 036

1962 N. LINCOLN

CHICAGO, ILL.

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3 3 2 2 9 2 1 0
EXHIBIT B

S1130508

LEGAL DESCRIPTION

PARCEL 2:

Lot 4 in Pumpelly's Resubdivision of Lots 2 to 5 in Armstrong's Subdivision of the North 3 Acres of Block 39 in Canal Trustees Subdivision of the North 1/2 and the North 1/2 of the Southeast 1/4 and the East 1/2 of the Southwest 1/4 of Section 33, Township 40 North, Range 14, East of the Third Principal Meridian, except that part of said Lot 4 lying Westerly of a line 51 feet East of and Parallel with Westerly line of Lots 2 and 3 in Pumpelly's Resubdivision aforesaid, in Cook County, Illinois.

Easement appurtenant to and for the benefit of Parcel 1 as created by deed from Victor Millen to Tyrel A. Richardson and Rose F. Richardson, his wife, dated April 12, 1948 and recorded April 28, 1948 as Document No. 14302282 for ingress and egress over the following described land, 2 feet to the East of and 2 feet to the West of a line starting at a point on the Southeasterly line of Lot 4, 51 feet East of the West line of Lot 3, extending North to the building line.

Also

4 feet to the alley in a Northwesternly direction starting on a line beginning from a point 103.95 feet from the Easternmost corner of Lot 4 on the Southeasterly line of said lot extending to said alley.

Also

4 feet to the Southeast of a line starting from a point 58.90 feet from the Northerly corner of Lot 2 along the Northwesternly lot line and extending to the point 15.60 feet in a Southeasterly direction along the present building line, in Cook County, Illinois.

1960 N. LINCOLN
CHICAGO, ILL.

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