

88354230

SUPPLEMENTARY DECLARATION OF COVENANTS,  
CONDITIONS, RESTRICTIONS AND EASEMENTS FOR GARIBALDI  
SQUARE TOWNHOME HOMEOWNERS' ASSOCIATION

This Supplementary Declaration of Covenants, Conditions, Restrictions and Easements for Garibaldi Square Townhome Homeowners' Association made as of this 30th day of June, 1988 by American National Bank and Trust Company of Chicago, not individually but solely as Trustee under Trust Agreement dated November 4, 1987 and known as Trust No. 103932-05 ("Declarant").

## W I T N E S S E T H

WHEREAS, the Declarant executed and caused to be recorded in the office of the Recorder of Deeds for Cook County, Illinois on February 10, 1988 as Document No. 88065290, a Declaration of Covenants, Conditions, Restrictions and Easements for Garibaldi Square Townhome Homeowners' Association (the "Declaration") whereby the Declarant admitted to the provisions of the Declaration the real estate legally described on Exhibit A attached hereto and defined in the Declaration as the "Parcel"; and

WHEREAS, pursuant to the provisions of Article IX, Section 9.2 of the Declaration the Declarant reserved the right to annex to the Parcel and to submit to the provisions of the Declaration the real estate legally described on Exhibit B attached hereto and defined in the Declaration as the "Additional Land"; and

WHEREAS, the Declarant desires to annex the Additional Land in the manner provided in the Declaration.

NOW, THEREFORE, American National Bank and Trust Company of Chicago, as Trustee as aforesaid and not individually as the legal title holder of the Parcel and the Additional Land hereby annexes the Additional Land to the Parcel and declares that the Additional Land is hereby submitted to the provisions of the Declaration and shall be owned, transferred, held, sold, conveyed and accepted subject to the Declaration, all the provisions of which shall be deemed to be covenants running with the Additional Land and which shall be binding upon and inured to the benefit of the owners, mortgagees and any other persons from time to time having or acquiring any right, title or interest in the Additional Land or any portion thereof.


THIS SUPPLEMENTARY DECLARATION is executed by the undersigned Trustee, not personally, but as Trustee as aforesaid; and it is expressly understood and agreed by the parties hereto, anything to the contrary notwithstanding, that each and all of the covenants, undertakings and agreements herein made are made and intended, not as personal covenants, undertakings and agreements of the Trustee named and referred to in said Declaration for the purpose of binding it personally, but this instrument is executed and delivered by AMERICAN NATIONAL BANK AND TRUST COMPANY OF CHICAGO, as Trustee, solely in the exercise of the powers conferred upon it as such Trustee, and no personal liability or personal responsibility is assumed by, nor shall at any time be asserted or enforced against AMERICAN NATIONAL BANK AND TRUST COMPANY OF CHICAGO, its agents or employees, on account hereof or on account of any covenant, undertaking or agreement herein, either express or implied, all such personal liability, if any, being hereby expressly waived and released by the other parties hereto, and by all persons claiming by or through or under said parties, and by every person now or hereafter claiming any right hereunder.


Anything herein contained to the contrary notwithstanding, it is understood and agreed that AMERICAN NATIONAL BANK AND TRUST COMPANY OF CHICAGO, individually, shall have no obligation to see to the performance or non-performance of any of the covenants herein contained and shall not be personally liable for any action or non-action taken in violation of any of the covenants herein contained.

IN WITNESS WHEREOF, American National Bank and Trust Company of Chicago, not personally but solely as Trustee as aforesaid has caused this instrument to be executed as of the day first hereinabove written.

Attest:

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

  
Assistant Secretary

By:   
Second Vice President

PREPARED BY:

Michael S. Kurtzon  
Miller, Shakman, Nathan & Hamilton  
208 S. LaSalle Street  
Suite 1200  
Chicago, Illinois 60604

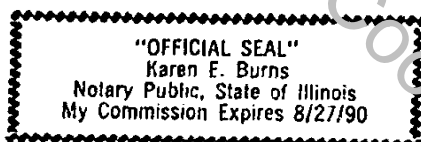
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STATE OF ILLINOIS) )  
COUNTY OF COOK ) SS.

I, \_\_\_\_\_, a Notary Public in and for said County, in the State aforesaid, DO HEREBY CERTIFY that SUZANNE G. BAKER, Vice President of AMERICAN NATIONAL BANK AND TRUST COMPANY OF CHICAGO, a national banking Association, and Peter J. Bohannon, Assistant Secretary of said national banking Association, personally known to me to be the same persons 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 acts, and as the free and voluntary act of said national banking Association, as Trustee, for the uses and purposes therein set forth; and the said Assistant Secretary did also then and there acknowledge that he, as custodian of the corporate seal of said national banking Association to said instrument as his own free and voluntary act, and as the free and voluntary act of said national banking Association, as Trustee, for the uses and purposes therein set forth.

AUG 6 -

GIVEN under my hand and Notarial Seal this 15th day of May, 1987.



  
Notary Public

My Commission Expires: \_\_\_\_\_

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## CONSENT OF MORTGAGEE

The undersigned, Continental Illinois National Bank and Trust Company of Chicago, as mortgagee under mortgage dated November 16, 1987, and recorded December 15, 1987, as Document No. 87660346, hereby consents to the execution and recording of the within Supplementary Declaration of Covenants, Conditions, Restrictions and Easements of Garibaldi Square Townhome Homeowners' Association.

IN WITNESS WHEREOF, the said Continental Illinois National Bank and Trust Company of Chicago has caused this instrument to be signed by its duly authorized officers on its behalf; all done at Chicago, Illinois on this 30th day of June, 1988.

Attest:

CONTINENTAL ILLINOIS NATIONAL  
BANK AND TRUST COMPANY OF  
CHICAGO

John H.O. Mertz  
Assistant Vice President  
Secretary Real Estate Office

By: Barbara L. Spittel  
Vice President

STATE OF ILLINOIS )  
COUNTY OF COOK ) SS.

I, Alicia Alanis, a notary public in and for said county in the state aforesaid, do hereby certify that Barbara L. Spittel, Vice President of Continental Illinois National Bank and Trust Company of Chicago and John H.O. Mertz, Assistant ~~Vice President~~ Secretary ~~President~~ of said company, personally known to me to be the same persons whose names are subscribed to the foregoing instrument as Vice President and Assistant ~~Vice President~~ respectively, appeared before me this day in person and acknowledged that they signed and delivered said instrument as their own free and voluntary act and as the free and voluntary act of said company for the uses and purposes therein set forth and said Assistant Secretary ~~Vice President~~ did also then and there acknowledge that he (or she), as custodian of the corporate seal of said company, did affix the said corporate seal of said company to the said instrument as his (or her) 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 a notarial seal this 5th day of August, 1988.

My Commission expires:

Alicia Alanis  
"OFFICIAL SEAL"  
ALICIA ALANIS  
Notary Public, State of Illinois  
My Commission Expires 4/12/92

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## EXHIBIT A

LOTS 5 THROUGH 8, 10 THROUGH 35, AND LOT 37 IN GARIBALDI SQUARE SUBDIVISION,  
BEING A SUBDIVISION OF PARTS OF BLOCKS 40 AND 41 OF CANAL TRUSTEES' SUBDIVISION  
OF THE WEST 1/2 AND THE WEST 1/2 OF THE NORTH EAST 1/4 OF SECTION 17, TOWNSHIP  
39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

Garibaldi Square  
COMMONLY KNOWN AS: Ashland and Harrison Streets  
Chicago, Illinois

Permanent Index Numbers: Part of 17-17-300-001-006, 010 to 029  
17-17-301-001,002,038,045  
17-17-302-001 to 008,012 & 034

Property of Cook County Clerk's Office

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## EXHIBIT B

LOTS 1, 2, 3, 4, 9 and 38 IN GARIBALDI SQUARE SUBDIVISION, BEING A SUBDIVISION OF PARTS OF BLOCKS 40 AND 41 OF CANAL TRUSTEES' SUBDIVISION OF THE WEST 1/2 AND THE WEST 1/2 OF THE NORTH EAST 1/4 OF SECTION 17, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

COMMONLY KNOWN AS: Garibaldi Square  
Ashland and Harrison Streets  
Chicago, Illinois

Permanent Index Numbers: Part of 17-17-300-001-006, 010 to 029  
17-17-301-001,002,028,045  
17-17-302-001 to 008, 012, 034.

. DEPT-01 RECORDING \$16.25  
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. 41189 # P \* -88-354230  
. COOK COUNTY RECORDER

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Mailed To:

**MILLER SHAKMAN NATHAN & HAMILTON**  
208 S. La Salle Street  
Suite 1200  
Chicago, Illinois 60604

Property of Cook County Clerk's Office

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