

11-14-89

UNOFFICIAL COPY

89540584

FIRST AMENDMENT TO DECLARATION OF CONDOMINIUM OWNERSHIP AND COVENANTS, EASEMENTS AND RESTRICTIONS FOR GARIBALDI SQUARE ON THE PARK CONDOMINIUM ASSOCIATION

THIS FIRST AMENDMENT TO DECLARATION made and entered into 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.

\$49.00

RECITALS:

A. By Declaration of Condominium Ownership and Covenants, Easements and Restrictions for Garibaldi Square On The Park Condominium Association recorded in the Office of the Recorder of Deeds of Cook County, Illinois on August 30, 1989 as document no. 89406373 (the "Declaration") the real estate legally described on Exhibit "A" attached hereto was submitted to the provisions of the Illinois Condominium Property Act.

B. The plats of survey ("Plats") attached to the Declaration delineated projected boundaries for the Garage and the Units in Building 16 ("Projected Units"), the final boundaries of which had not been established as of the date of recording of the Declaration.

C. The final boundaries of the Garage and the Units in Building 16 have now been established so that amended Plats showing the Garage, the Units and Limited Common Elements therein contained can be substituted in lieu of the Plats attached to the Declaration.

NOW THEREFORE, in consideration of the premises, the Declaration is amended as follows:

1. Amended Plats of Survey. Pages 1, 3, 4 and 6 of the Plats of Survey attached to the Declaration as Exhibit "B" are hereby deleted and Pages 1, 3, 4 and 6 of the Plats of Survey attached to this First Amendment to Declaration are hereby substituted in lieu thereof.

2. Non-Modification. Except as expressly hereby amended, the Declaration remains unmodified.

IN WITNESS WHEREOF the undersigned have executed these presents for the purposes herein set forth as the 10th day of November, 1989.

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

ATTEST:

By: [Signature]
Its: TRUST SECRETARY

By: [Signature]
Its: TRUSTEE

PREPARED BY AND RETURN TO:

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

This instrument is executed by the undersigned Land Trustee, not personally but solely as Trustee in the exercise of his powers and authority, and is done to give effect to the terms of such Trust Agreement. It is not intended to constitute an admission of liability or responsibility on the part of the Trustee or the Trust Company, and it is not intended to constitute a representation or warranty of any kind, and it is not intended to constitute a representation or warranty of any kind, and it is not intended to constitute a representation or warranty of any kind, and it is not intended to constitute a representation or warranty of any kind.

BT
89-4683

89540584

UNOFFICIAL COPY

CONSENT OF MORTGAGEE

The undersigned, Continental Bank, N.A., as mortgagee under mortgage dated November 16, 1987, and recorded as Document No. 87660346, as amended, by a First Amendment and Supplement to Mortgage dated April 11, 1988, a Second Amendment and Supplement to Mortgage dated October 28, 1988 and a Third Amendment and Supplement to Mortgage dated December 14, 1988, hereby consents to the execution and recording of the within First Amendment to Declaration of Condominium Ownership and Covenants, Easements and Restrictions, for Garibaldi Square on the Park Condominium Association.

IN WITNESS WHEREOF, Continental Bank, N.A. has caused this instrument to be signed by its duly authorized officers on its behalf; all done at Chicago, Illinois on this 10th day of November, 1989.

ATTEST:

CONTINENTAL BANK, N.A.

By: Rhonda L. Hopp
Its: Real Estate Officer

By: Catherine E. Spittel
Its: Vice President

ACKNOWLEDGEMENT

STATE OF ILLINOIS)
COUNTY OF COOK) SS.

The undersigned, a notary public in and for the County and State aforesaid, do hereby certify that Catherine E. Spittel, Vice President, and Rhonda L. Hopp, Real Estate Officer, of Continental Bank, N.A., and personally known to me to be the same persons whose names are subscribed in such capacity to the foregoing instrument, 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 the Vice President and Real Estate Officer of Continental Bank, N.A. for the uses and purposes therein set forth.

Given under my hand and notarial seal this 10th day of November, 1989.

(NOTARY SEAL)

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

Alicia Alanis
Notary Public

My Commission Expires: 4/12/92

89540584

UNOFFICIAL COPY

EXHIBIT "A"

LEGAL DESCRIPTION

LOT 36 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 NORTHEAST 1/4 OF SECTION 17, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

PERMANENT REAL ESTATE INDEX NO. : 17-17-300-048

STATE OF ILLINOIS }
COUNTY OF COOK } SS.

NOV 13 1989

The foregoing instrument was acknowledged before me this _____ day of _____ by Peter H. [unclear] and J. MICHAEL [unclear] Second Vice President and ASSISTANT SECRETARY respectively, of American National Bank and Trust Company of Chicago, a national banking association, as trustee, as aforesaid, on behalf of said banking association.

[Signature]
Notary Public

"OFFICIAL SEAL"
Karon E. Burns
Notary Public, State of Illinois
My Commission Expires 8/27/90

89540584

*4900
Copies
MLL*
Clerk's Office

COOK COUNTY, ILLINOIS

NOV 14 PM 12:30

89540584