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XXENTIETH AMENDMENT TO DECLARATION
OF COVENANTS, CONDITIONS AND
RESTRICTIONS FOR THE HEARTHWOOD
FARMS CONDOMINIUM UMBRELLA ASSOCIATION
ADDING HEARTHWOOD FARMS CONDOMINIUMS, PHASE III

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LAND TITLE AMERICA XL-803375-18 1 of 2 RCC

This instrument was prepared by and is to be returned to:

Irwin E. Leiter, Esq.
FEIWELL, GALPER & LASKY, LTD.
30 N. LaSalle Street
Suite 2400
Chicago, Illinois 60602
312/782-4844



Permanent Tax No. 06-35-400-048

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**TWENTIETH AMENDMENT TO DECLARATION OF COVENANTS,
CONDITIONS AND RESTRICTIONS FOR THE HEARTHWOOD FARMS
CONDOMINIUM UMBRELLA ASSOCIATION
ADDING HEARTHWOOD FARMS CONDOMINIUM, PHASE III**

THIS AMENDMENT to the Declaration of Covenants, Conditions and Restrictions for the Hearthwood Farms Condominium Umbrella Association (hereinafter referred to as the "Amendment") is executed by PARKWAY BANK AND TRUST COMPANY, not individually, but as Trustee under Trust Agreement dated March 3, 1988 and known as Trust No. 8718 (hereinafter referred to as "Declarant").

W I T N E S S E T H:

WHEREAS, U.S. Home Corporation, a Delaware corporation, as Original Declarant, recorded the Declaration of Covenants, Conditions and Restrictions for the Hearthwood Farms Condominium Umbrella Association (hereinafter referred to as the "Umbrella Declaration") on December 11, 1981 in the Office of the Recorder of Deeds of Cook County, Illinois as Document No. 26083806; and

WHEREAS, Declarant has assumed the rights, powers and responsibilities of the Original Declarant under the Umbrella Declaration by agreement between them and pursuant to Article I, Section 8 of the Umbrella Declaration whereby Declarant is to continue development of the Development Area (as defined in the Umbrella Declaration and as further defined hereinbelow); and

WHEREAS, in Article XIII, Section 9 of the Umbrella Declaration, the Declarant reserved the rights and power to annex, add, submit and subject to the provisions of the Umbrella Declaration any part or all of the Development Area, as described in Exhibit "A" to the Umbrella Declaration; and in Exhibit "A" attached hereto; and

WHEREAS, Declarant desires to exercise the rights and powers reserved in Article XIII, Section 9 of the Umbrella Declaration to annex, add, submit and subject certain real estate to the provisions of the Umbrella Declaration; and

WHEREAS, the real estate described in Exhibit "A-1" attached hereto (hereinafter referred to as the "Added

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Premises") is part of said Development Area; and

WHEREAS, the Declarant desires to amend the Umbrella Declaration as it relates to Exhibits "A" and "B" thereof which contains the Properties and Common Area as previously submitted by adding additional Dwelling Units and amending the Community Area, respectively, by adding additional Dwelling Units and Common Areas thereto.

NOW, THEREFORE, the Declarant does hereby declare that the Umbrella Declaration is amended as follows:

1. Terms. All terms used herein shall have the meanings set forth in the Umbrella Declaration.

2. Are Added Premises. The real estate which is legally described in Exhibit "A-1" to this Amendment which is attached hereto and which includes additional Dwelling Units is hereby annexed, added, submitted and made subject to the Umbrella Declaration as "Added Premises".

3. Amendment of Exhibit "B". To reflect the fact that the Added Premises referred to in Section 2 above have been made subject to the Umbrella Declaration, Exhibit "B" to the Umbrella Declaration is hereby amended and restated to add additional Common Areas, all as set forth in Exhibit "B" to the Amendment which is attached hereto.

4. Covenants to Run With Land. The covenants, conditions, restrictions and easements contained in the Umbrella Declaration, as amended by this Twentieth Amendment, shall run with and bind the Premises, including the Added Premises.

5. Continuation. As expressly hereby amended, the Umbrella Declaration shall continue in full force and effect in accordance with its terms and except as herein specifically amended, the Umbrella Declaration is ratified and confirmed. In the event of any inconsistency between this Amendment and the Umbrella Declaration, this Amendment shall control.

6. Title in Trust. In the event title to any Unit Ownership is conveyed to a land holding under the terms of which all powers of management, operation and control of the Unit

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Ownership remain vested in the trust beneficiary or beneficiaries, then the Unit Ownership under such trust and the beneficiaries thereunder from time to time shall be responsible for payment of all obligations, liens or indebtedness and for the performance of all agreements, covenants and undertakings chargeable or created under this Declaration against such Unit Ownership. No claim shall be made against any such title holding trustee personally for payment of any lien or obligation hereunder created and the trustee shall not be obligated to sequester funds or trust property to apply in whole or in part against such lien or obligation. The amount of such lien or obligation shall continue to be charged or liened upon the Unit Ownership and the beneficiaries of such trust, notwithstanding any transfers of the beneficial interest of any such trust or any transfers of title of such Unit Ownership.

7. Signature by Trustee. Anything in this Declaration to the contrary notwithstanding, each and all of the representations, covenants, undertakings and agreements of the Trustee, while in form purporting to be the representations, covenants, undertakings and agreements 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 the Trustee personally, but are made and intended for the purpose of binding only that portion of the trust property specifically described herein. This Declaration is executed and delivered by the Trustee, not in its own right, but solely in the exercise of the powers conferred upon it as such Trustee. No personal liability or personal responsibility is assumed by or shall at any time be asserted or enforceable against the PARKWAY BANK AND TRUST COMPANY, either individually or as Trustee on account of this Declaration or on account of any representation, covenant, undertaking or agreement of the Trustee contained in this Declaration, either expressed or implied, all such personal liability, if any, being expressly

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waived and released by all the Unit Owners and by all persons claiming by, through or under any such Unit Owners.

IN WITNESS WHEREOF, the Declarant has caused this instrument to be signed by its Vice President and its corporate seal to be affixed and attested by its Assistant ~~Secretary~~ ^{Vice President} this

23 day of December, 1988.

PARKWAY BANK AND TRUST COMPANY, as Trustee as aforesaid and not personally

By: B. H. Schreiber
Its: ~~Secretary~~ ^{Sr. Vice President}

ATTEST:

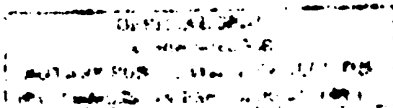
By: Rosanne DuPass
Its: Assistant ~~Secretary~~ ^{Vice President}

89006208

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

I, the undersigned, a Notary Public in and for said County, in the State aforesaid, DO HEREBY CERTIFY that B. H. Schreiber, Sr. Vice President of PARKWAY BANK AND TRUST COMPANY, and Rosanne DuPass, Assistant ~~Secretary~~ ^{Vice President} of said Bank, who are personally known to me to be the same persons whose names are subscribed to the foregoing instrument as such ^{Sr. Vice President} and Assistant ~~Secretary~~ ^{Vice President}, 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~~ ^{Vice President} then and there acknowledged that she, as custodian of the corporate seal of said Bank, did affix the seal of said Bank to said instrument as said Assistant Secretary's 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 23 day of December, 1988.



Maria Wilczek
Notary Public

My Commission Expires:
8/25/91

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18 Mail Copies

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#2323 #A * -89-004208
COOK COUNTY RECORDER

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EXHIBIT "A"

Legal Description

That part of the Southeast Quarter of Section 35, Township 41 North, Range 9, East of the Third Principal Meridian, described as follows: Commencing at the Southwest corner of said Southeast Quarter; thence Easterly along the South line of said Southeast Quarter, a distance of 409.81 feet for the place of beginning; thence Easterly along the South line of said Southeast Quarter, a distance of 1512.4 feet to a point on a line that is 15.0 feet Westerly of (measured at right angles thereto) and parallel with the West line of Lot 1 in Bartlett Industrial Park, a subdivision of part of the Southeast Quarter of Section 35, and part of the Southwest Quarter of Section 36, Township and Range aforesaid; thence Northerly along said parallel line, a distance of 780.29 feet to the Southerly right of way line of the Chicago, Milwaukee, St. Paul and Pacific Railroad; thence Northerly along said Southern right of way line, a distance of 1564.26 feet; thence Southerly, a distance of 1064.14 feet to the place of beginning.

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EXHIBIT "A-1"

Legal Description of Development Area

Lots 26 and 27 in Hearthwood Farms Subdivision Unit 3, being a Planned Unit Development in the Southeast Quarter of Section 35, Township 41 North, Range 9, East of the Third Principal Meridian, in Cook County, Illinois.

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EXHIBIT "B"

Legal Description of Common Areas

The Hearthwood Farms Subdivision Unit 1, being a Planned Unit Development in the Southeast Quarter of Section 35, Township 41 North, Range 9, East of the Third Principal Meridian, in Cook County, Illinois, except for Lots 1, 2, 3, 4, 5, 6, 7, 8, 11, 12, 13 and 14 thereof.

ALSO:

That part of the Southeast Quarter of Section 35, Township 41 North, Range 9, East of the Third Principal Meridian, described as follows: Commencing at the intersection of the South line of said Southeast Quarter with a line 15.0 feet, measured at right angles West of and parallel with the West line of Lot 1 in Bartlett Industrial Park, according to the plat thereof recorded May 13, 1969 as Document No. 20839618; thence South 90° 00' 00" West (being an assumed bearing for this legal description) along the South line of said Southeast Quarter, 649.99 feet to an intersection with a line 1368.33 feet, as measured along said South line, West of and parallel with the East line of said Southeast Quarter; thence North 01° 54' 19" East along said last described parallel line 290.0 feet; thence North 90° 00' 00" East, 120.01 feet; thence North 24° 42' 59" East, 179.11 feet; thence South 78° 40' 13" East, 107.89 feet; thence Northerly along a curved line convex to the East and having a radius of 174.98 feet, an arc distance of 62.42 feet (the chord of said arc bears North 05° 22' 17" East, 62.09 feet); thence North 04° 50' 52" West, 71.88 feet; thence North 85° 09' 08" East, 29.00 feet; thence North 04° 50' 52" West, 25.12 feet to a point of curvature; thence Northwestwardly along a curved line convex to the East, having a radius of 211.16 feet and being tangent to said last described line at said last described point, an arc distance of 20.03 feet (the chord of said arc bears North 07° 33' 55" West, 20.02 feet); thence South 85° 09' 08" West, 188.55 feet; thence South 04° 50' 52" East, 103.29 feet; thence South 78° 40' 13" East, 49.20 feet; thence North 85° 09' 08" East, 113.24 feet to the place of beginning, in Cook County, Illinois.

(Pool facility and area)

AND

The Hearthwood Farms Subdivision Unit 5, being a Planned Unit Development in the Southeast Quarter of Section 35, Township 41 North, Range 9, East of the Third Principal Meridian, according to the plat thereof recorded January 27, 1984 as Document No. 26947257, in Cook County, Illinois, except for Lot 1 thereof. (Buildings 1, 2, 3, 4 and 5 in Lofty Condos)

AND

The Hearthwood Farms Subdivision Unit 2, being a Planned Unit Development in the Southeast Quarter of Section 35, Township 41 North, Range 9, East of the Third Principal Meridian, in Cook County, Illinois, except for Lots 9, 10, 15, 16, 17, 18, 19, 20, 21 and 22 thereof.

AND

The Hearthwood Farms Subdivision Unit 3, being a Planned Unit Development in the Southeast Quarter of Section 35, Township 41 North, Range 9, East of Third Principal Meridian, in Cook County, Illinois, except for Lots 23, 24, 25, 26, 27 and 29 thereof.

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