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7/7/89

Prepared By: Vincent J. Stout
4219 W. 95th Street
Oak Lawn, IL 60453
312 425 5020

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THIRTEENTH 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"):

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 as amended from time to time, 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 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. 4449, 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 certain real property to said Parcel and Property, and thereby submits to the Act as a part of the Condominium the following

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real property ("Additional Property"):

Lot 51 in Westberry 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
P.I.N. 27 23 101 017, 23 23 101 022

COMMON ADDRESS: 16020 and 16022 S. 85th Place and
8531 and 8533 Westberry Lane
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 individu-
ally, 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 described is set forth herein as Exhibit "C".

2. The Plat attached to the Declaration as Exhibit "A" showing
the boundaries of the Property and delineating the describing the

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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 interests in the Common elements as set forth in Exhibit "B" 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

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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 understood 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 aforesaid, has set its hand and seal, all done in Cook County, Illinois, this 16th day of July, 1989.

STANDARD BANK, as Trustee Under
Trust Agreement dated June 3, 1976,
Known as Trust No. 4449, and Not
Individually,

BY: 

VICE PRESIDENT

ATTEST:


Assistant Secretary

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STATE OF ILLINOIS)
COUNTY OF COOK) SS

I, the undersigned, a Notary Public, in and for said County, in the State aforesaid, do hereby certify that DENNIS RADEK Vice President of STANDARD BANK, and PATRICIA BRANKIN, 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 6th day of May, 1989.

Shane M. Nolan
Notary Public

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HARTZ CONSTRUCTION COMPANY

BY: _____

[Handwritten signature]

ATTEST:

[Handwritten signature: Edward P. Kennedy]

STATE OF ILLINOIS }
COUNTY OF COOK } SS

I, *Alice M. Flannery*, a Notary Public, in and for the 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 said Company, 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 of said Company for the uses and purposes there set forth.

Given under my hand the notarial seal, this *6th* day of *July*, 1989.

[Handwritten signature]
NOTARY PUBLIC

"OFFICIAL SEAL"
ALICE M. FLANNERY
Notary Public, State of Illinois
My Commission Expires 4/3/91

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EXHIBIT "B"
PERCENTAGE INTEREST IN COMMON ELEMENTS
WESTBERRY VILLAGE UNIT NO. 3 CONDOMINIUM

<u>UNIT NOS:</u>	<u>% INTERESTS</u>
16055	1.5135
16054	1.4775
16051	1.5495
16050	1.5495
16045	1.4775
16044	1.4775
16041	1.5495
16040	1.5495
16035	1.5495
16034	1.5495
16031	1.5495
16030	1.5495
16025	1.5495
16024	1.5135
16021	1.4775
16020	1.5856
16015	1.5495
16014	1.5856
16011	1.5856
16010	1.5856
8416	1.5856
8414	1.5856
8412	1.5856
8410	1.5856
8420	1.5856
8422	1.5856
8424	1.5856
8426	1.5856
8430	1.5856
8432	1.4775
8434	1.5495
8436	1.5135
8500	1.5856
8502	1.5135
8504	1.5856
8506	1.4775
8510	1.5495
8512	1.5856
8514	1.5495
8516	1.5856
8520	1.5856
8522	1.5856
8524	1.5856
8526	1.5856
8530	1.5856
8532	1.5856
8534	1.5856
8536	1.5856
8540	1.5135
8542	1.5856
8544	1.5856
8546	1.5495
8550	1.5856
8552	1.5856
8554	1.5856
8556	1.5856
8551	1.5856
8553	1.5856
8555	1.5856
8557	1.5856
8531	1.5856
8533	1.5856
16020 (85th Place)	1.5856
16022	1.5856
	<u>1.5856</u>
	100.0000

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EXHIBIT "C"
ADDITIONAL LAND

Lots 46 through 50 inclusive, in Westberry 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.

COOK COUNTY, ILLINOIS
CLERK OF COURTS

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