

AMENDMENT TO ORCHARD FIELD TOWNHOME DECLARATION

5744 W. Genack Rd.  
Cicero, IL 60650

Box 15

ORCHARD FIELD TOWNHOMES SITUATED IN THE VILLAGE OF MOUNT PROSPECT, COOK COUNTY, ILLINOIS, LEGALLY DESCRIBED AS FOLLOWS:

91409553

SEE LEGAL ATTACHED AND MADE A PART HEREOF

WHEREAS THE NBD TRUST COMPANY OF ILLINOIS, AS TRUSTEE UNDER TRUST AGREEMENT DATED DECEMBER 15, 1987, AND KNOWN AS TRUST NUMBER 66-5848 AND BLUE JAY BUILDING CORPORATION (DEVELOPERS) HAVE APPROVED THIS AMENDMENT TO THE AFORESAID DECLARATION DOCUMENT NO. 91157145 DATED 4th DAY OF APRIL, 1991, AS FOLLOWS:

PAGE ONE, PARAGRAPH 2 OF THE DECLARATION RECITES:

It is contemplated that Orchard Field Townhomes will consist of five (5) buildings containing twenty-four (24) individual single-family dwelling units suited on property described in Exhibit "A" attached hereto.

RECORDING 19.00  
TRAN 1404 08/12/91 14:37:00  
44737 + D \*91-409553  
COOK COUNTY RECORDER

SAID PARAGRAPH IS AMENDED TO RECITE AS FOLLOWS:

It is contemplated that Orchard Field Townhomes will consist of five (5) buildings containing twenty-two (22) individual single-family dwelling units suited on property described in Exhibit "A" attached hereto.

THEREFORE, THE AFOREMENTIONED AMENDMENT IS NOW PART OF THE DECLARATION.

NBD TRUST COMPANY OF ILLINOIS  
as Trustee under Trust Agreement dated  
December 15, 1987, and known as  
Trust Number 66-5848

By: Tracy A. Jensen

ATTEST:

Jean M. Borwick  
CLERK OF COURT

BLUE JAY BUILDING CORPORATION

By: Paul Lomas

DATE: August 2 1991

BOX 15

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TTT #263381  
Box 15  
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RIDER ATTACHED TO AND MADE A PART OF  
AMENDMENT TO ORCHARD FIELD TOWNHOME DECLARATION

DATED August 2, 1991 UNDER TRUST NO. 66-5848

This instrument is executed by NDD TRUST COMPANY OF ILLINOIS, not personally but solely as Trustee as aforesaid, in the exercise of the power and authority conferred upon and vested in it as such Trustee. All of the terms, provisions, stipulations, covenants and conditions to be performed by NDD TRUST COMPANY OF ILLINOIS are undertaken by it solely as Trustee as aforesaid, and not individually, and no personal liability shall be asserted or be enforceable against NDD TRUST COMPANY OF ILLINOIS by reason of anything contained in said instrument, or in any previously executed document, whether or not executed by said NDD TRUST COMPANY OF ILLINOIS, either individually or as Trustee as aforesaid, relating to the subject matter of the attached agreement, all such personal liability, if any, being expressly waived by every person now or hereafter claiming any right or security hereunder. No duty shall rest upon NDD TRUST COMPANY OF ILLINOIS, personally or as said Trustee to sequester the rents, issues and profits arising from the property in said trust estate, or the proceeds arising from the sale or other disposition thereof; but so far as said Trustee and its successors and said NDD TRUST COMPANY OF ILLINOIS personally are concerned, the legal holder or holders of this instrument and the owner or owners of any indebtedness accruing hereunder shall look solely to the mortgaged real estate for the payment thereof, by enforcement of the lien hereof created in the manner provided therefore and as provided in said note or by action to enforce the personal liability of the guarantor, if any.

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It is expressly understood and agreed by every person, firm or corporation claiming any interest under this document that NDD Trust Company of Illinois shall have no liability, contingent or otherwise arising out of, or in any way related to, (i) the presence, disposal, release or threatened release of any hazardous materials on, over, under, from, or affecting the property or the soil, water, vegetation, buildings, personal property, persons or animals thereof; (ii) any personal injury (including wrongful death) or property damage (real or personal) arising out of or related to such hazardous materials; (iii) any lawsuit brought or threatened, settlement reached or government order relating to such hazardous materials, and/or (iv) any violation of laws, orders, regulations, requirements, or demands of government authorities, or any policies or requirements of the Trustee, which are based upon or in any way related to such hazardous materials including without limitation, attorneys and consultants' fees, investigation and laboratory fees, court costs, and litigation expenses.

In the event of any conflict between the provisions of this exculpatory rider and the provisions of the document to which it is attached, the provisions of this Rider shall govern.

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STATE OF ILLINOIS )

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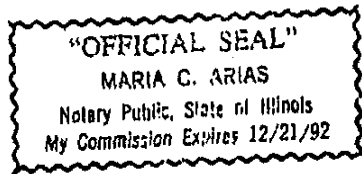
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COUNTY OF COOK )

I, Maria C. Arias, a notary public in and for said County, in the State aforesaid, do hereby certify that NBD TRUST COMPANY OF ILLINOIS, as Trustee under Trust Agreement dated December 15, 1987 and known as Trust Number 66-5848, personally known to me to be the same persons whose names are subscribed to the foregoing Instrument and such <sup>TRUST, VICE PRESIDENT & TRUST OFFICER</sup> ~~President~~ and <sup>TRUST OFFICER</sup> ~~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 corporation and for the uses and purposes set forth, and the said Trust Officer did also then and there acknowledge that <sup>he</sup>, as custodian of the corporate seal of said corporation did affix the said corporate seal of said corporation to said instrument as <sup>her</sup> own free and voluntary act, and as the free and voluntary act of said corporation for the uses and purposes therein set forth.

Given under my hand and notarial seal this 2nd day of August, 1991.



Maria C. Arias  
 Notary Public

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ILLINOIS STATE

NOTARIAL PUBLIC

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NOTARIAL PUBLIC  
STATE OF ILLINOIS  
COMMISSION EXPIRES: 12/31/2024  
NOTARY ID: 123456789



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## EXHIBIT A

### Legal Descriptions for Units on Lot 1

### Legals given from <sup>East</sup>~~West~~ Unit to <sup>West</sup>~~East~~ Unit

That part of Lot 1 in Plat of Correction of Orchard Field Townhomes Subdivision, being a Subdivision of part of the Southeast Quarter of the Northeast Quarter of Section 34, Township 42 North, Range 11 East of the Third Principal Meridian, described as lying Easterly of a line drawn from a point in the North line of said Lot 1, said point being 93.46 feet Easterly of the Northwest corner thereof to a point in the South line of said Lot 1, said point being 22.91 feet Easterly of the Southwest corner thereof, in Cook County, Illinois.

That part of Lot 1 in Plat of Correction of Orchard Field Townhomes Subdivision, being a Subdivision of part of the Southeast Quarter of the Northeast Quarter of Section 34, Township 42 North, Range 11 East of the Third Principal Meridian, described as lying Westerly of a line drawn from a point in the North line of said Lot 1, said point being 93.46 feet Easterly of the Northwest corner of said Lot 1 to a point in the South line of said Lot 1, said point being 92.91 feet Easterly of the Southwest corner of said Lot 1, and which lies Easterly of a line drawn from a point in the North line of said Lot 1, said point being 66.96 feet Easterly of the Northwest corner thereof to a point in the South line of said lot 1, said point being 66.41 feet Easterly of the Southwest corner thereof, in Cook County, Illinois.

That part of Lot 1 in Plat of Correction of Orchard Field Townhomes Subdivision, being a Subdivision of Part of the Southeast Quarter of the Northeast Quarter of Section 34, Township 42 North, Range 11 East of the Third Principal Meridian, described as lying Westerly of a line drawn from a point in the North line of said Lot 1, said Point being 66.96 feet Easterly of the Northwest corner of said Lot 1 to a point in the South line of said Lot 1, said point being 66.41 feet Easterly of the Southwest corner of said Lot 1 and which lies Easterly of a line drawn from a point in the North line of said Lot 1, said point being 40.45 feet East of the Northwest corner thereof to a point in the South line of said Lot 1, said point being 40.20 feet East of the Southwest corner thereof, in Cook County, Illinois.

That part of Lot 1 in Plat of Correction or Orchard Field Townhomes Subdivision, being Subdivision of part of the Southeast Quarter of the Northeast Quarter of Section 34, Township 42 North, Range 11 East of the Third Principal Meridian, described as lying Westerly of line drawn from a

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The Easterly 26.50 feet of the Westerly 93.25 feet of Lot 3 in Plat of Correction of Orchard Field Townhomes Subdivision, being a Subdivision of

The Easterly 26.50 feet of the Westerly 66.75 feet of Lot 3 in Plat of Correction of Orchard Field Townhomes Subdivision, being a Subdivision of part of the Southeast Quarter of the Northeast Quarter of Section 34, Township 42 North, Range 11 East of the Third Principal Meridian, in Cook County, Illinois.

The Easterly 40.25 feet of Lot 3 in Plat of Correction of Orchard Field Townhomes Subdivision, being a Subdivision of part of the Southeast Quarter of the Northeast Quarter of Section 34, Township 42 North, Range 11 East of the Third Principal Meridian, in Cook County, Illinois.

Legals given from West Unit to East Unit

Legal Descriptions for Units on Lot 3

The Easterly 40.25 feet of Lot 1 in Plat of Correction of Orchard Field Townhomes Subdivision, being a Subdivision of part of the Southeast Quarter of the Northeast Quarter of Section 34, Township 42 North, Range 11 East of the Third Principal Meridian, in Cook County, Illinois.

The Easterly 26.50 feet of the Westerly 93.25 feet of Lot 2 in Plat of Correction of Orchard Field Townhomes Subdivision, being a Subdivision of part of the Southeast Quarter of the Northeast Quarter of Section 34, Township 42 North, Range 11 East of the Third Principal Meridian, in Cook County, Illinois.

The Easterly 26.50 feet of the Westerly 66.75 feet of Lot 1 in Plat of Correction of Orchard Field Townhomes Subdivision, being a Subdivision of part of the Southeast Quarter of the Northeast Quarter of Section 34, Township 42 North, Range 11 East of the Third Principal Meridian, in Cook County, Illinois.

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Legal Descriptions for Units in Lot 2 - Legals given from West Unit to East Unit

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part of the Southeast Quarter of the Northeast Quarter of Section 34, Township 42 North, Range 11 East of the Third Principal Meridian, in Cook County, Illinois.

The Easterly 26.50 feet of the Westerly 119.75 feet of Lot 3 in Plat of Correction of Orchard Field Townhomes Subdivision, being a Subdivision of part of the Southeast Quarter of the Northeast Quarter of Section 34, Township 42 North, Range 11 East of the Third Principal Meridian, in Cook County, Illinois.

The Easterly 26.50 feet of the Westerly 146.25 feet of Lot 3 in Plat of Correction of Orchard Field Townhomes Subdivision, being a Subdivision of part of the Southeast Quarter of the Northeast Quarter of Section 34, Township 42 North, Range 11 East of the Third Principal Meridian, in Cook County, Illinois.

The Easterly 40.25 feet of Lot 3 in Plat of Correction of Orchard Field Townhomes Subdivision, being a Subdivision of part of the Southeast Quarter of the Northeast Quarter of Section 34, Township 42 North, Range 11 East of the Third Principal Meridian, in Cook County, Illinois.

Legal Descriptions for Units on Lot 4

Legals given from West Unit to East Unit

The Westerly 40.25 feet of Lot 4 in Plat of Correction of Orchard Field Townhomes Subdivision, being a Subdivision of part of the Southeast Quarter of the Northeast Quarter of Section 34, Township 42 North, Range 11 East of the Third Principal Meridian, in Cook County, Illinois.

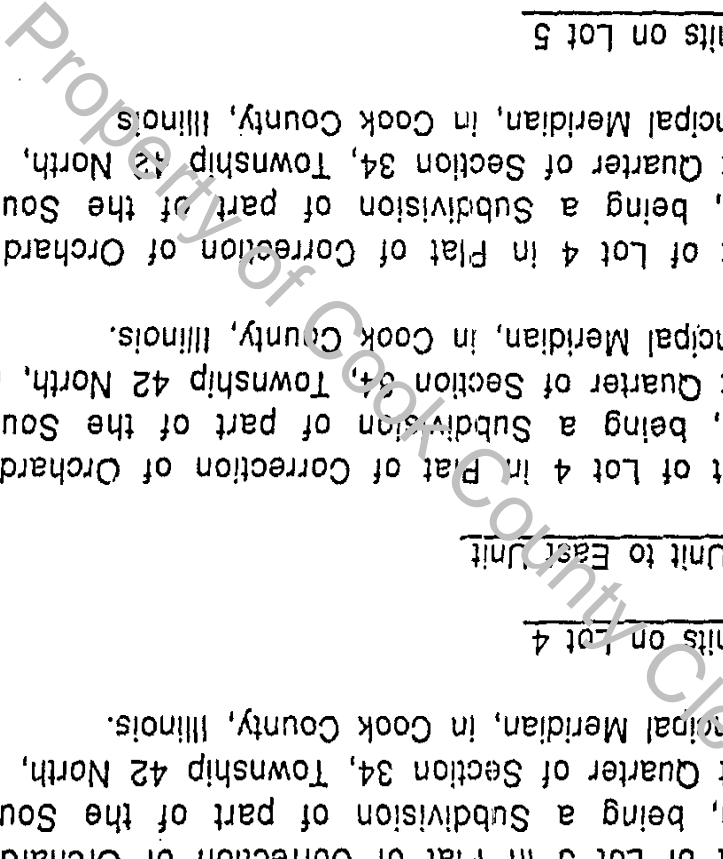
The Easterly 40.25 feet of Lot 4 in Plat of Correction of Orchard Field Townhomes Subdivision, being a Subdivision of part of the Southeast Quarter of the Northeast Quarter of Section 34, Township 42 North, Range 11 East of the Third Principal Meridian, in Cook County, Illinois.

Legal Descriptions for Units on Lot 5

Legals given from West Unit to East Unit

The Westerly 40.25 feet of Lot 5 in Plat of Correction of Orchard Field Townhomes Subdivision, being a Subdivision of part of the Southeast Quarter of the Northeast Quarter of Section 34, Township 42 North, Range 11 East of the Third Principal Meridian, in Cook County, Illinois.

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03-34-207-002

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Property: 400 Round Rd  
Mt. Prospect, IL

Common Area (Association Property) Outlot A in Plat of Correction of Orchard Field Townhomes Subdivision, being a Subdivision of part of the Southeast Quarter of the Northeast Quarter of Section 34, Township 42 North, Range 11 East of the Third Principal Meridian, in Cook County, Illinois.

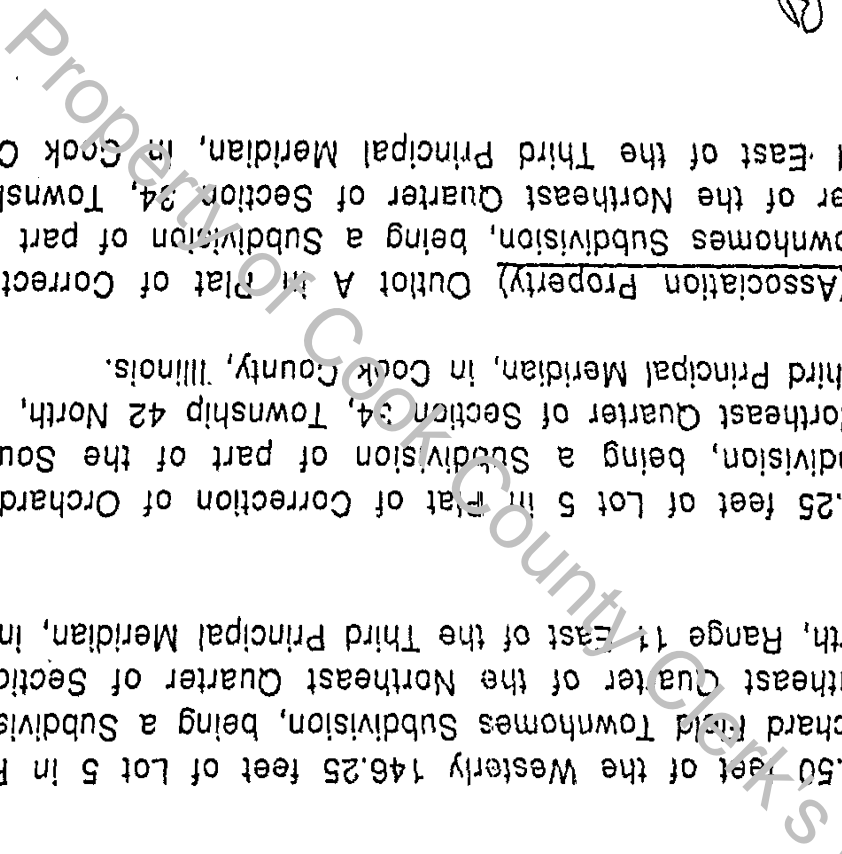
The Easterly 40.25 feet of Lot 5 in Plat of Correction of Orchard Field Townhomes Subdivision, being a Subdivision of part of the Southeast Quarter of the Northeast Quarter of Section 34, Township 42 North, Range 11 East of the Third Principal Meridian, in Cook County, Illinois.

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The Easterly 26.50 feet of the Westerly 66.75 feet of Lot 5 in Plat of Correction of Orchard Field Townhomes Subdivision, being a Subdivision of part of the Southeast Quarter of the Northeast Quarter of Section 34, Township 42 North, Range 11 East of the Third Principal Meridian, in Cook County, Illinois.



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