

# UNOFFICIAL COPY 91279035

## FIRST AMENDMENT TO DECLARATION OF CONDOMINIUM OWNERSHIP AND OF EASEMENTS, RESTRICTIONS, COVENANTS AND BY-LAWS FOR TOWNE PLACE WEST CONDOMINIUM ASSOCIATION

This First Amendment to that certain Declaration of Condominium Ownership and of Easements, Restrictions, Covenants and By-Laws for Towne Place West Condominium Association ("First Amendment") dated May 13, 1991 and recorded with the Recorder of Deeds of Cook County, Illinois on May 16, 1991 as Document No. 91233253 (said Declaration and any Amendments thereto are hereinafter referred to as the "Declaration") is made by American National Bank and Trust Company of Chicago, as Trustee under Trust Agreement dated October 30, 1987 and known as Trust Number 103887-00 (hereinafter referred to as the "Declarant"):

DEPT OF RECORDING \$18.00  
T#2222 TRAN 2028 06/11/91 10:36:00  
#2318 # B \*-91-279035  
COOK COUNTY RECORDER

**91279035 WITNESSETH:**

WHEREAS, the real estate described on Exhibit A of the Declaration, located in the County of Cook and State of Illinois, has been submitted to the Condominium Property Act of the State of Illinois pursuant to the Declaration;

WHEREAS, under Section 14.13 of the Declaration, a power coupled with an interest is granted to the Developer to correct clerical or typographical errors in the Declaration or any Exhibit thereto;

WHEREAS, Declarant pursuant to Section 14.13 of the Declaration desires to amend Exhibit C of the Declaration.

NOW, THEREFORE, Declarant for purposes above set forth hereby declares that the Declaration is amended as follows:

1. The legal description contained in Exhibit C of the Declaration is hereby deleted in its entirety and replaced with Exhibit A attached hereto.
2. Except as herein specifically amended, the Declaration is ratified and confirmed in its entirety.
3. It is expressly understood and agreed by and between the parties hereto, anything herein to the contrary notwithstanding, that each and all of the representations, covenants, undertakings, warranties and agreements herein made on the part of the Trustee while in form purporting to be the representations, covenants, undertakings, warranties, and agreements of the Trustee are nevertheless each and every one of them, made and intended not as personal representations, covenants, undertakings, warranties, 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

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only that portion of the trust property specifically described herein, and this instrument 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; and that no personal liability or personal responsibility is assumed by nor shall at any time be asserted or enforceable against American National Bank and Trust Company of Chicago, or any of the beneficiaries under said Trust Agreement, on account of this instrument or on account of any representation, covenant, undertaking, warranty, or agreement of the Trustee in this instrument contained, either expressed or implied, all such personal liability, if any, being expressly waived and released. The Trustee makes no personal representations as to nor shall it be responsible for the existence, location or maintenance of the chattels herein described, if any.

IN WITNESS WHEREOF, the said American National Bank and Trust Company of Chicago, as Trustee as aforesaid and not individually, has caused its corporate seal to be affixed hereunder and has caused its name to be signed to these presents by its Trust Officer and attested by its Trust Officer this 7th day of June, 1991.

(SEAL)

ATTEST:

AMERICAN NATIONAL BANK AND TRUST COMPANY OF CHICAGO, as Trustee aforesaid and not personally

Its: *[Signature]* By: *[Signature]*  
*ASST Secy* Its: \_\_\_\_\_



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EXHIBIT A  
TO  
FIRST AMENDMENT

TO

EXHIBIT C  
DECLARATION OF CONDOMINIUM OWNERSHIP AND OF  
EASEMENTS, RESTRICTIONS, COVENANTS AND  
BY-LAWS FOR TOWNE PLACE WEST CONDOMINIUM ASSOCIATION

FUTURE DEVELOPMENT PARCEL

THAT PART OF THE EAST HALF OF SECTION 24, TOWNSHIP 41 NORTH, RANGE 9, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE SOUTH LINE OF THE NORTH HALF OF THE SOUTHEAST QUARTER OF SAID SECTION 24, A DISTANCE OF 1339.00 FEET, AS MEASURED ALONG SAID SOUTH LINE, WEST OF THE SOUTHEAST CORNER OF THE NORTH HALF OF THE SOUTHEAST QUARTER OF SAID SECTION 24; THENCE SOUTH  $89^{\circ} 03' 16''$  WEST ALONG THE SOUTH LINE OF THE NORTH HALF OF THE SOUTHEAST QUARTER OF SAID SECTION 24, A DISTANCE OF 359.00 FEET; THENCE NORTH  $00^{\circ} 00' 00''$  EAST, A DISTANCE OF 155.45 FEET; THENCE NORTH  $15^{\circ} 25' 20''$  EAST A DISTANCE OF 176.74 FEET; THENCE NORTH  $00^{\circ} 00' 00''$  EAST, A DISTANCE OF 110.00 FEET; THENCE NORTH  $45^{\circ} 00' 00''$  WEST, A DISTANCE OF 82.02 FEET; THENCE SOUTH  $90^{\circ} 00' 00''$  WEST, A DISTANCE OF 304.22 FEET; THENCE SOUTH  $60' 00' 00''$  WEST, A DISTANCE OF 126.00 FEET; THENCE SOUTH  $90^{\circ} 00' 00''$  WEST, A DISTANCE OF 140.87 FEET; THENCE NORTH  $00^{\circ} 00' 00''$  EAST, A DISTANCE OF 128.70 FEET TO A POINT ON A CURVE, BEING ALSO POINT "A"; THENCE NORTHEASTERLY ALONG A CURVE CONCAVE NORTHERLY AND HAVING A RADIUS OF 230.00 FEET AND A CHORD BEARING OF NORTH  $82^{\circ} 26' 37''$  EAST, AN ARC LENGTH OF 32.04 FEET TO A POINT OF TANGENCY; THENCE NORTH  $77^{\circ} 26' 18''$  EAST, A DISTANCE OF 207.68 FEET TO A POINT OF CURVATURE; THENCE EASTERLY ALONG A CURVE CONCAVE SOUTHERLY AND HAVING A RADIUS OF 447.45 FEET, AN ARC LENGTH OF 103.49 FEET TO A POINT OF TANGENCY; THENCE SOUTH  $89^{\circ} 08' 37''$  EAST, A DISTANCE OF 193.20 FEET TO A POINT OF CURVATURE; THENCE EASTERLY ALONG A CURVE CONCAVE SOUTHERLY AND HAVING A RADIUS OF 197.86 FEET, AN ARC LENGTH OF 51.80 FEET TO A POINT OF TANGENCY; THENCE SOUTH  $74^{\circ} 18' 35''$  EAST, A DISTANCE OF 160.29 FEET TO A POINT OF CURVATURE; THENCE EASTERLY ALONG A CURVE CONCAVE NORTHERLY AND HAVING A RADIUS OF 327.00 FEET, AN ARC LENGTH OF 268.52 FEET TO A POINT OF TANGENCY; THENCE NORTH  $58^{\circ} 38' 29''$  EAST, A DISTANCE OF 75.59 FEET TO A POINT ON A CURVE; THENCE SOUTHEASTERLY ALONG A CURVE CONCAVE NORTHEASTERLY AND HAVING A RADIUS OF 497.00 FEET AND A CHORD BEARING OF SOUTH  $45^{\circ} 49' 47''$  EAST, AN ARC LENGTH OF 100.12 FEET; THENCE SOUTH  $38^{\circ} 23' 56''$  WEST, A DISTANCE OF 326.57 FEET; THENCE SOUTH  $00^{\circ} 56' 44''$  EAST, A DISTANCE OF 305.00 FEET TO THE PLACE OF BEGINNING, IN COOK COUNTY, ILLINOIS.

ALSO:

COMMENCING AT THE HEREINABOVE DESCRIBED POINT "A"; THENCE NORTHWESTERLY ALONG A CURVED LINE CONVEX SOUTHWESTERLY AND HAVING A RADIUS OF 230.00 FEET, AN ARC DISTANCE OF 120.69 FEET TO A POINT 592.60 FEET NORTH AND 244.50 FEET EAST OF THE SOUTHWEST CORNER OF THE NORTH HALF OF THE SOUTHEAST QUARTER OF SAID SECTION 24, AS MEASURED ALONG THE WEST LINE OF THE NORTH HALF OF THE SOUTHEAST QUARTER OF SAID SECTION 24 AND ALONG A LINE AT RIGHT ANGLES THERETO (THE CHORD OF SAID ARC BEARS NORTH  $78^{\circ} 31' 57''$  WEST, A DISTANCE OF 119.31 FEET); THENCE NORTH  $26^{\circ} 30' 00''$  EAST, A DISTANCE OF 60.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING NORTH  $26^{\circ} 30' 00''$  EAST, A DISTANCE OF 280.16 FEET; THENCE NORTH  $80^{\circ} 15' 22''$  EAST, A DISTANCE OF 95.74 FEET; THENCE NORTH  $48^{\circ} 45' 22''$  EAST, A DISTANCE OF 272.92 FEET TO A POINT OF CURVATURE; THENCE NORTHEASTERLY ALONG A CURVED LINE CONVEX SOUTHEASTERLY, HAVING A RADIUS OF 1,000.00 FEET AND BEING TANGENT TO SAID LAST DESCRIBED LINE AT SAID LAST DESCRIBED POINT, AN ARC DISTANCE OF 380.13 FEET TO A POINT OF TANGENCY (THE CHORD OF SAID ARC BEARS

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NORTH 37° 51' 58" EAST, A DISTANCE OF 377.84 FEET); THENCE NORTH 26° 58' 35" EAST ALONG A LINE TANGENT TO SAID LAST DESCRIBED CURVED LINE AT SAID LAST DESCRIBED POINT, A DISTANCE OF 30.79 FEET; THENCE SOUTH 55° 30' 13" EAST, A DISTANCE OF 222.10 FEET; THENCE NORTH 37° 28' 05" EAST, A DISTANCE OF 106.18 FEET TO A POINT ON A CURVE; THENCE SOUTHEASTERLY ALONG A CURVE CONCAVE SOUTHWESTERLY AND HAVING A RADIUS OF 784.59 FEET AND A CHORD BEARING OF SOUTH 51° 35' 51" EAST, AN ARC LENGTH OF 85.60 FEET TO A POINT OF TANGENCY; THENCE SOUTH 48° 28' 19" EAST, A DISTANCE OF 69.70 FEET; THENCE SOUTH 36° 43' 11" WEST, A DISTANCE OF 153.66 FEET; THENCE SOUTH 52° 31' 55" EAST, A DISTANCE OF 5.87 FEET; THENCE SOUTH 36° 47' 22" WEST, A DISTANCE OF 215.60 FEET; THENCE SOUTH 09° 51' 04" EAST, A DISTANCE OF 127.66 FEET; THENCE SOUTH 55° 10' 48" EAST, A DISTANCE OF 125.12 FEET; THENCE SOUTH 70° 25' 15" EAST, A DISTANCE OF 113.05 FEET; THENCE SOUTH 31° 21' 31" EAST, A DISTANCE OF 69.64 FEET; THENCE SOUTH 58° 38' 29" WEST, A DISTANCE OF 40.98 FEET TO A POINT OF CURVATURE; THENCE WESTERLY ALONG A CURVE CONCAVE NORTHERLY AND HAVING A RADIUS OF 267.00 FEET, AN ARC LENGTH OF 219.25 FEET TO A POINT OF TANGENCY; THENCE NORTH 74° 18' 35" WEST, A DISTANCE OF 160.29 FEET TO A POINT OF CURVATURE; THENCE WESTERLY ALONG A CURVE CONCAVE SOUTHERLY AND HAVING A RADIUS OF 257.86 FEET, AN ARC LENGTH OF 67.51 FEET; THENCE NORTH 89° 18' 37" WEST, A DISTANCE OF 193.20 FEET TO A POINT OF CURVATURE; THENCE SOUTHWESTERLY ALONG A CURVE CONCAVE WESTERLY AND HAVING A RADIUS OF 507.45 FEET, AN ARC LENGTH OF 117.36 FEET TO A POINT OF TANGENCY; THENCE SOUTH 77° 26' 18" WEST, A DISTANCE OF 207.11 FEET TO A POINT OF CURVATURE; THENCE WESTERLY ALONG A CURVE CONCAVE NORTHERLY AND HAVING A RADIUS OF 170.00 FEET, A DISTANCE OF 112.40 FEET TO THE POINT OF BEGINNING.

ALSO:

COMMENCING AT THE INTERSECTION OF THE SOUTHERLY LINE OF RELOCATED SCHAUMBURG ROAD AND THE WEST LINE OF THE NORTH EAST 1/4; THENCE SOUTH 46 DEGREES, 55 MINUTES, 40 SECONDS EAST ALONG SAID SOUTHERLY LINE, A DISTANCE OF 1828.81 FEET TO A POINT ON THE NORTHWESTERLY RIGHT OF WAY OF HOLMES WAY (A ROAD DEDICATED PER DOCUMENT NUMBER 90150220, RECORDED APRIL 4, 1990); THENCE SOUTH 43 DEGREES, 03 MINUTES, 20 SECONDS WEST ALONG SAID RIGHT OF WAY, A DISTANCE OF 280.00 FEET; THENCE SOUTH 46 DEGREES, 56 MINUTES, 40 SECONDS EAST ALONG SAID RIGHT OF WAY, A DISTANCE OF 10.00 FEET; THENCE SOUTH 43 DEGREES, 03 MINUTES, 20 SECONDS WEST ALONG SAID RIGHT OF WAY, A DISTANCE OF 100.25 FEET TO A POINT OF CURVATURE TO THE LEFT HAVING A RADIUS OF 560.00 FEET; THENCE SOUTHWESTERLY ALONG SAID RIGHT OF WAY, AN ARC DISTANCE OF 50.59 FEET TO A POINT OF TANGENCY; THENCE SOUTH 38 DEGREES, 03 MINUTES, 30 SECONDS WEST ALONG SAID RIGHT OF WAY A DISTANCE OF 96.00 FEET TO A POINT OF CURVATURE TO THE RIGHT HAVING A RADIUS OF 170.00 FEET; THENCE SOUTHWESTERLY ALONG SAID RIGHT OF WAY AN ARC DISTANCE OF 47.98 FEET; THENCE SOUTH 35 DEGREES, 46 MINUTES, 12 SECONDS EAST RADIAL TO SAID CURVE A DISTANCE OF 60.00 FEET; THENCE SOUTH 26 DEGREES, 58 MINUTES, 35 SECONDS WEST A DISTANCE OF 116.03 FEET TO A POINT OF CURVATURE TO THE RIGHT, HAVING A RADIUS OF 1000.00 FEET; THENCE ALONG THE ARC OF SAID CURVE, A DISTANCE OF 380.13 FEET TO A POINT OF TANGENCY; THENCE SOUTH 48 DEGREES, 45 MINUTES, 22 SECONDS WEST A DISTANCE OF 48.45 FEET; THENCE NORTH 41 DEGREES, 17 MINUTES, 30 SECONDS WEST A DISTANCE OF 252.46 FEET; THENCE NORTH 04 DEGREES, 42 MINUTES, 06 SECONDS EAST A DISTANCE OF 143.57 FEET; THENCE NORTH 54 DEGREES, 10 MINUTES, 14 SECONDS EAST A DISTANCE OF 208.80 FEET; THENCE NORTH 16 DEGREES, 34 MINUTES, 04 SECONDS EAST A DISTANCE OF 359.05 FEET; THENCE NORTH 05 DEGREES, 37 MINUTES, 24 SECONDS EAST A DISTANCE OF 88.15 FEET; THENCE NORTH 46 DEGREES, 39 MINUTES, 37 SECONDS WEST A DISTANCE OF 117.91 FEET; THENCE NORTH 43 DEGREES, 24 MINUTES, 20 SECONDS EAST A DISTANCE OF 89.42 FEET; THENCE NORTH 46 DEGREES, 56 MINUTES, 40 SECONDS WEST A DISTANCE OF 140.84 FEET; THENCE NORTH 36 DEGREES, 48 MINUTES, 00 SECONDS EAST A DISTANCE OF 301.80 FEET TO A POINT ON THE SOUTHERLY LINE OF SCHAUMBURG ROAD; THENCE SOUTH 46 DEGREES, 56 MINUTES, 40 SECONDS EAST ALONG SAID SOUTHERLY LINE, A DISTANCE OF 665.97 FEET TO THE POINT OF BEGINNING, CONTAINING 469.731 SQUARE

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FEET, OR, 10.7835 ACRES, ALL IN THE EAST HALF OF SECTION 24, TOWNSHIP 41 NORTH, RANGE 9 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS

ALSO:

BEGINNING AT THE INTERSECTION OF THE SOUTHERLY LINE OF RELOCATED SCHAUMBURG ROAD AND THE WEST LINE OF THE NORTH EAST 1/4; THENCE SOUTH 46 DEGREES, 56 MINUTES, 40 SECONDS EAST ALONG SAID SOUTHERLY LINE, A DISTANCE OF 1162.84 FEET TO A POINT, SAID POINT BEING 705.97 FEET NORTHWESTERLY OF THE CENTERLINE OF HOLMES WAY (A ROAD DEDICATED PER DOCUMENT NUMBER 901502201 RECORDED APRIL 4, 1990), AS MEASURED ALONG SAID SOUTHERLY LINE; THENCE SOUTH 36 DEGREES, 48 MINUTES, 00 SECONDS WEST A DISTANCE OF 301.80 FEET; THENCE SOUTH 46 DEGREES, 56 MINUTES, 40 SECONDS EAST A DISTANCE OF 140.84 FEET; THENCE SOUTH 43 DEGREES, 24 MINUTES, 20 SECONDS WEST A DISTANCE OF 89.42 FEET; THENCE SOUTH 46 DEGREES, 39 MINUTES, 37 SECONDS EAST A DISTANCE OF 117.91 FEET; THENCE SOUTH 05 DEGREES, 37 MINUTES, 24 SECONDS WEST A DISTANCE OF 88.15 FEET; THENCE SOUTH 16 DEGREES, 34 MINUTES, 04 SECONDS WEST A DISTANCE OF 359.35 FEET; THENCE SOUTH 54 DEGREES, 10 MINUTES, 14 SECONDS WEST A DISTANCE OF 208.00 FEET; THENCE SOUTH 04 DEGREES, 42 MINUTES, 06 SECONDS WEST A DISTANCE OF 143.57 FEET; THENCE SOUTH 41 DEGREES, 17 MINUTES, 30 SECONDS EAST A DISTANCE OF 252.46 FEET; THENCE SOUTH 48 DEGREES, 45 MINUTES, 22 SECONDS WEST A DISTANCE OF 224.47 FEET; THENCE SOUTH 80 DEGREES, 15 MINUTES, 22 SECONDS WEST A DISTANCE OF 95.74 FEET; THENCE SOUTH 26 DEGREES, 30 MINUTES, 00 SECONDS WEST RADIAL TO A CURVE HAVING A RADIUS OF 230.00 FEET, A DISTANCE OF 340.16 FEET; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE BEING CONCAVE NORTHEASTERLY, A DISTANCE OF 161.14 FEET TO A POINT ON A CURVE HAVING A RADIUS OF 460.00 FEET; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE BEING CONCAVE NORTHWESTERLY AND HAVING A CHORD BEARING SOUTH 81 DEGREES, 07 MINUTES, 39 SECONDS WEST A DISTANCE OF 138.55 FEET TO THE WEST LINE OF SAID SOUTH EAST 1/4; THENCE NORTH 00 DEGREES, 14 MINUTES, 38 SECONDS WEST ALONG THE WEST LINE, A DISTANCE OF 2539.74 FEET TO THE POINT OF BEGINNING, CONTAINING 1,441,618 SQUARE FEET, OR, 33.0950 ACRES, ALL IN THE EAST 1/2 OF SECTION 24, TOWNSHIP 41 NORTH, RANGE 9 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS

ALSO:

BEGINNING AT THE INTERSECTION OF THE WEST LINE OF THE NORTH EAST 1/4 AND THE SOUTH LINE OF OLD CHURCH ROAD (FORMERLY SCHAUMBURG ROAD); THENCE NORTH 89 DEGREE, 13 MINUTES, 55 SECONDS EAST A DISTANCE OF 906.63 FEET ALONG SAID SOUTH LINE TO THE INTERSECTION OF THE WEST LINE OF DEBBIE LANE (A ROAD DEDICATED PER DOCUMENT NUMBER 90150222, RECORDED APRIL 4, 1990); THENCE SOUTH 00 DEGREES, 46 MINUTES, 05 SECONDS EAST A DISTANCE OF 95.43 FEET ALONG SAID WEST LINE TO A POINT OF CURVATURE TO THE LEFT HAVING A RADIUS OF 480.00 FEET; THENCE SOUTHEASTERLY ALONG SAID WEST LINE AN ARC DISTANCE OF 359.56 FEET TO A POINT OF TANGENCY; THENCE SOUTH 43 DEGREES, 41 MINUTES, 13 SECONDS EAST ALONG SAID WEST LINE, A DISTANCE OF 40.82 FEET TO THE WESTERLY LINE OF ODLUM DRIVE (A DEDICATED ROAD); THENCE SOUTHWESTERLY ALONG SAID WESTERLY LINE OF ODLUM DRIVE, BEING A CURVE CONCAVE SOUTHEASTERLY HAVING A RADIUS OF 550.00 FEET, A CHORD BEARING SOUTH 41 DEGREES, 38 MINUTES, 16 SECONDS WEST AN ARC DISTANCE OR 29.73 FEET TO A POINT OF TANGENCY, THENCE SOUTH 40 DEGREES, 05 MINUTES, 22 SECONDS WEST A DISTANCE OF 200.00 FEET ALONG SAID WESTERLY LINE TO A POINT OF CURVATURE TO THE RIGHT HAVING A RADIUS OF 470.00 FEET; THENCE SOUTHWESTERLY ALONG SAID WESTERLY LINE AN ARC DISTANCE OF 159.96 FEET TO A POINT OF TANGENCY; THENCE SOUTH 59 DEGREES, 35 MINUTES, 22 SECONDS WEST A DISTANCE OF 200.00 FEET ALONG SAID WESTERLY LINE TO A POINT OF CURVATURE TO THE LEFT HAVING A RADIUS OF 550.00 FEET; THENCE SOUTHWESTERLY ALONG SAID WESTERLY LINE AN ARC DISTANCE OF 158.71 FEET TO A POINT OF TANGENCY; THENCE SOUTH 43 DEGREES, 03 MINUTES, 20 SECONDS WEST A DISTANCE

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OF 100.54 FEET ALONG SAID WESTERLY LINE TO THE INTERSECTION OF THE NORTHERLY LINE OF RELOCATED SCHAUMBURG ROAD; THENCE NORTH 46 DEGREES, 56 MINUTES, 40 SECONDS WEST A DISTANCE OF 590.64 FEET ALONG SAID NORTHERLY LINE TO THE WEST LINE OF THE NORTH EAST 1/4 THENCE NORTH 00 DEGREES, 14 MINUTES, 38 SECONDS WEST A DISTANCE OF 586.09 FEET ALONG SAID WEST LINE TO THE POINT OF BEGINNING, CONTAINING 757.207 SQUARE FEET OR 17.3831 ACRES, ALL IN THE WEST HALF OF THE NORTH EAST 1/4 OF SECTION 24, TOWNSHIP 41 NORTH, RANGE 9 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

ALSO:

LOTS 90, 91, 92, 93, 94, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 138, 139, 140, 141, 142, 143, 144, OUTLOT A, OUTLOT B, OUTLOT C, OUTLOT D, OUTLOT E AND OUTLOT F IN TOWNE PLACE UNIT 6 BEING A SUBDIVISION OF THAT PART OF THE EAST HALF OF SECTION 24, TOWNSHIP 41 NORTH, RANGE 9, EAST OF THE THIRD PRINCIPAL MERIDIAN IN COOK COUNTY, ILLINOIS.

Property of Cook County Clerk's Office

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