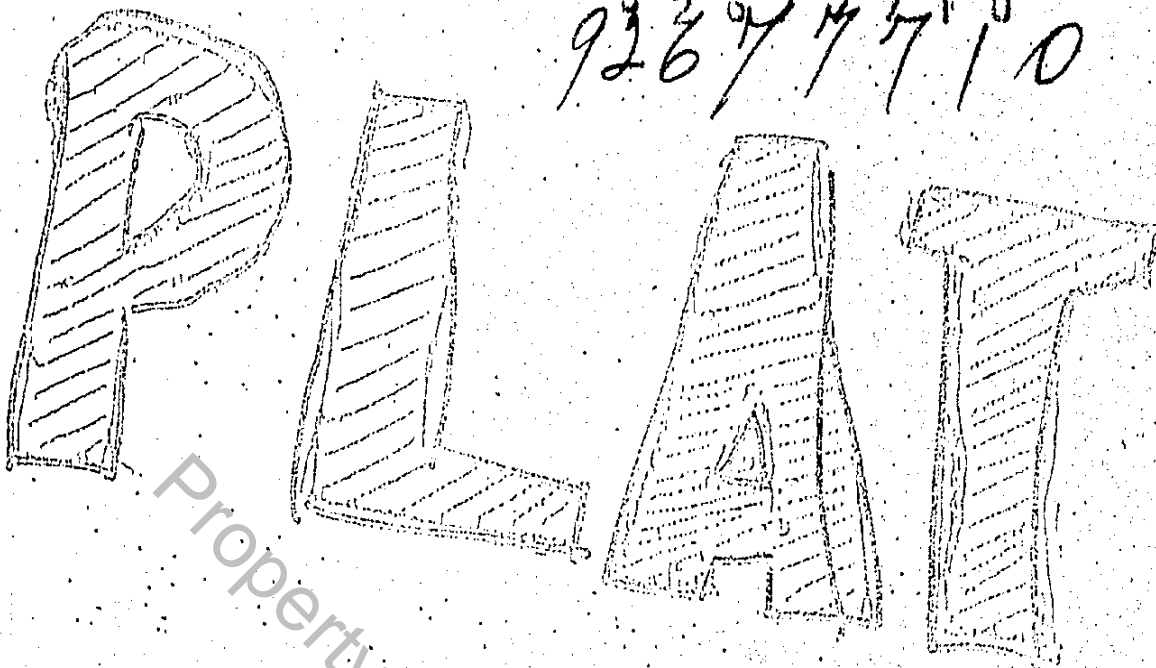


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FIRST AMENDMENT TO DECLARATION OF
CONDOMINIUM OWNERSHIP FOR
SHIBUI SOUTH PHASE II CONDOMINIUM

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9/14/92

THIS FIRST AMENDMENT ("First Amendment") dated this 20th day of August, 1992 and amending that certain Declaration of Condominium Ownership and of Easements, Restrictions, Covenants and By-Laws for Shibui South Phase II Condominium dated June 29, 1992 and recorded with the Recorder of Cook County, Illinois on August 6, 1992 as Document No. 92582934, as amended from time to time (said Declaration and any amendments thereto are hereinafter referred to as the "Declaration"), is executed by American National Bank & Trust Company of Chicago, as Trustee, and not personally, under a Trust Agreement dated January 1, 1984 and known as Trust Number 61991 (hereinafter referred to as "Declarant").

D-1 73-10-823

W I T N E S S E T H:

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

WHEREAS, pursuant to the Act and pursuant to Article XII of the Declaration, the Declarant reserved the right from time to time to annex and add to the Submitted Parcel and thereby add to the plan of condominium ownership created by the Declaration; and

WHEREAS, the Declarant, pursuant to Article XII of the Declaration, desires to annex and add the real estate described on Exhibit "A-1" attached hereto ("Additional Parcel"), to the Submitted Parcel and thereby add to the plan of condominium ownership created by the Declaration and submit the Additional Parcel to the Act; and

WHEREAS, the Additional Parcel is a portion of the Future Development Parcel in the Declaration as described in Exhibit "C" therein; and

WHEREAS, the Declarant desires to amend the Declaration as it relates to the Plat of Survey (Exhibit "A" thereto) and to the percentage of ownership interest in the common elements for condominium units (Exhibit "B" thereto) and

WHEREAS, under Article XII of the Declaration, a power coupled with an interest is granted to the Declarant acting by and through its duly authorized officers as attorney-in-fact to shift the percentage of ownership in the common elements appurtenant to each condominium unit to the percentages set forth in each Amendment to Declaration.

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

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1. The Additional Parcel is hereby annexed to the Submitted Parcel and, together with all improvements and structures now or hereafter erected, constructed or contained thereon or therein, is submitted to the Act.

2. Exhibit "A" of the Declaration, "Plat of Survey", is hereby amended by adding the Additional Parcel Plat of Survey attached hereto as part of Exhibit "A-1".

3. Exhibit "B" of the Declaration, "Percentage of Ownership Interest in the Common Elements", is deleted and an amended Exhibit "B" attached hereto is substituted therefor.

4. All the unit owners and mortgage holders, by the Declarant, hereby consent to this First Amendment pursuant to the powers set forth in Article XII of the Declaration.

5. It is expressly understood and agreed, 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 Declarant, while in form purporting to be the representations, covenants, undertakings, warranties, and agreements of said Declarant, are nevertheless each and every one of them made and intended not as personal representations, covenants, undertakings, warranties, and agreements by the Declarant, or for the purpose or with the intention of binding said Declarant 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 Declarant not in its own right, but solely in the exercise of the powers conferred upon it as such Declarant, and that no personal liability or personal responsibility is assumed by nor shall at any time be asserted or enforceable against Declarant, or any of the beneficiaries under said Trust Agreement for Trust No. 61991, on account of this instrument or on account of any representations, covenants, undertakings, warranties, or agreements of the said Declarant in this instrument contained, either expressed or implied, all such personal liability, if any, being expressly waived and released. The Declarant makes no personal representations as to nor shall it be responsible for the existence, location or maintenance of the chattels herein described, if any.

6. Except as herein specifically amended, the Declaration is ratified and confirmed. In the event of any inconsistency between this First Amendment and the Declaration, this First Amendment shall control.

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The Board of Supervisors of Cook County, Illinois, do hereby certify that the following is a true and correct copy of the original as the same appears on the records of the Board of Supervisors of Cook County, Illinois.

Witness my hand and the seal of the Board of Supervisors of Cook County, Illinois, at Chicago, Illinois, this _____ day of _____, 19____.

Chairman of the Board of Supervisors of Cook County, Illinois

Clerk of the Board of Supervisors of Cook County, Illinois

Secretary of the Board of Supervisors of Cook County, Illinois

Assistant Secretary of the Board of Supervisors of Cook County, Illinois

Treasurer of the Board of Supervisors of Cook County, Illinois

Comptroller of the Board of Supervisors of Cook County, Illinois

Recorder of the Board of Supervisors of Cook County, Illinois

Auditor of the Board of Supervisors of Cook County, Illinois

Assessor of the Board of Supervisors of Cook County, Illinois

Sergeant of the Board of Supervisors of Cook County, Illinois

Deputy Sergeant of the Board of Supervisors of Cook County, Illinois

Chief of Police of the Board of Supervisors of Cook County, Illinois

Deputy Chief of Police of the Board of Supervisors of Cook County, Illinois

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IN WITNESS WHEREOF, Declarant has caused this instrument to be executed by its respective officers duly authorized as of the day and year first above written.

AMERICAN NATIONAL BANK & TRUST
COMPANY OF CHICAGO, as Trustee
as aforesaid and not individually

ATTEST

By:  Gregory S. Kasprzyk
Its: ASSISTANT SECRETARY

By:  MICHAEL WHELAN
Its: _____

This instrument was prepared by
and should be mailed to:

Edward S. Goldman, Esq.
Rudnick & Wolfe
203 North LaSalle Street
Suite 1700
Chicago, Illinois 60601



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STATE OF ILLINOIS
COUNTY OF COOK

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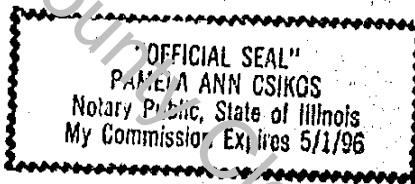
STATE OF ILLINOIS)
)
COUNTY OF COOK) SS

I, Pamela A. Czikos, a Notary Public in and for the County and State aforesaid, do hereby certify that J. MICHAEL WEPLAN, as VICE PRESIDENT of American National Bank & Trust Company of Chicago and Gregory S. Kasprzyk as ASSISTANT SECRETARY thereof, personally known to me to be the same persons whose names are subscribed to the foregoing instrument as such VICE PRESIDENT and ASSISTANT SECRETARY, respectively, appeared before me this 28 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, for the uses and purposes therein set forth; and the said ASSISTANT SECRETARY did also then and there acknowledge that he/she, as custodian of the Corporate Seal of said Bank, did affix the said Corporate Seal of said Bank to said instrument as his/her own free and voluntary act, and as the free and voluntary act of said Bank, as Trustee, for the uses and purposes therein set forth.

Given under my hand and Notarial Seal this AUG 28 1992 day of _____, 1992.

Pamela Ann Czikos
Notary Public

My Commission Expires: 5-1-96



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EXHIBIT A-1

TO

FIRST AMENDMENT TO
DECLARATION OF CONDOMINIUM OWNERSHIP
AND OF
EASEMENTS, RESTRICTIONS, COVENANTS
AND BY-LAWS FOR
SHIBUI SOUTH PHASE II CONDOMINIUM

LEGAL DESCRIPTION OF ADDITIONAL
PARCEL HEREBY SUBMITTED

THAT PART OF LOT 4 IN OAK VIEW SUBDIVISION, A SUBDIVISION OF THE WEST THREE-QUARTERS OF THE WEST HALF OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 17, TOWNSHIP 36 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT RECORDED MARCH 21, 1978 AS DOCUMENT NO. 24371221, IN COOK COUNTY, ILLINOIS DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID LOT 4; THENCE SOUTH 684.96 FEET ON THE WEST LINE OF LOT 4 TO THE POINT OF BEGINNING; THENCE EAST AT RIGHT ANGLES TO SAID WEST LINE, 46.50 FEET; THENCE SOUTH PARALLEL WITH THE WEST LINE OF LOT 4, A DISTANCE OF 87.00 FEET; THENCE EAST AT RIGHT ANGLES TO THE LAST DESCRIBED LINE, 37.00 FEET; THENCE SOUTH PARALLEL WITH SAID WEST LINE OF LOT 4, 84.50 FEET; THENCE WEST AT RIGHT ANGLES TO THE LAST DESCRIBED LINE, 41.93 FEET; THENCE SOUTH PARALLEL WITH THE WEST LINE OF LOT 4, A DISTANCE OF 33.00 FEET; THENCE WEST AT RIGHT ANGLES TO THE LAST DESCRIBED LINE, A DISTANCE OF 41.58 FEET TO THE WEST LINE OF LOT 4; THENCE NORTHERLY ON THE WEST LINE OF SAID LOT 4, A DISTANCE OF 204.50 FEET THE POINT OF BEGINNING.

BIN 28-17-416-001
CKA 15012 Peggy Lane
Oak Forest, IL

SURVEY OF UNIT 3
(Attached)

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EXHIBIT B

TO

**FIRST AMENDMENT TO
DECLARATION OF CONDOMINIUM OWNERSHIP AND OF
EASEMENTS, RESTRICTIONS, COVENANTS AND BY-LAWS
FOR SHIBUI SOUTH PHASE II CONDOMINIUM**

**PERCENTAGE OF OWNERSHIP INTEREST
IN THE COMMON ELEMENTS**

<u>Unit</u>	<u>Percentage of Ownership*</u>	<u>Minimum Percentage**</u>
1	.33333	.11111
2	.33333	.11111
3	.33334	.11111

* This column shows the percentage of ownership interest for each Unit as of the date of recording of this First Amendment.

** This column shows the percentage of ownership interest each Unit would have if seven (7) Units were built on the Future Development Parcel, each having been assigned the highest relative value as contained in the presently contemplated mix of Unit types. Nothing herein shall be construed to limit the right of the Declarant to reduce any Unit Owner's percentage of ownership interest in the Common Elements below the "Minimum Percentage" shown, so long as such reduction is in accordance herewith and with the Act.

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