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THIRD AMENDMENT DECLARATION OF COMMUNITY RESTRICTIONS FOR THE PINES MASTER ASSOCIATION OF TINLEY PARK

THIS DECLARATION is made and entered into by HERITAGE TRUST COMPANY, as Trustee under Trust Agreement dated January 18, 1990, and known as Trust No. 90-1882, hereinafter referred to as "Owner"; and The Pines Development Group, Ltd., an Illinois corporation qualified to transact business in Illinois, hereinafter referred to as "Declarant".

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COOK COUNTY RECORDER

WITNESSETH THAT:

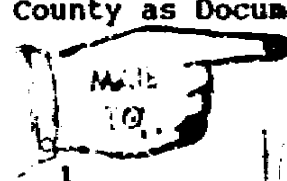
WHEREAS, the Owner is fee simple titleholder of the following described real estate in the Village of Tinley Park, County of Cook, State of Illinois;

LOTS 20 THROUGH 24, INCLUSIVE, AND LOTS 41, 42, 43, IN THE PINES OF TINLEY PARK, UNIT 2B, A PLANNED UNIT DEVELOPMENT, BEING A SUBDIVISION OF PART OF THE EAST ONE HALF OF THE NORTHEAST ONE QUARTER OF SECTION 6, TOWNSHIP 35 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, NORTH OF THE INDIAN BOUNDARY LINE IN COOK COUNTY, ILLINOIS.

WHEREAS, the Owner and the Declarant caused to be recorded in the Office of the Recorder of Deeds of Cook County as Document No. 91115543, a certain Declaration of Community Restrictions for The Pines Master Association of Tinley Park, which by said Declaration provided for the addition of units on certain described lots and the amendment of the provisions of said Declaration and by which said Owner, and Declarant have elected by this Declaration to establish, for the benefit of such Owner and for the mutual benefit of all future unit owners or occupants of the Property, or any part thereof, which shall be known as the Pines Master Association of Tinley Park, or such other name as may be subsequently adopted by the developer or the Board, certain easements and rights in, over and upon said real estate and certain mutually beneficial restrictions and obligations with respect to the proper use, conduct and maintenance thereof; and

WHEREAS, it is the desire and intention of the Owner to subject the above described real estate, together with the buildings, structures, improvements and other permanent fixtures of whatsoever kind now or hereinafter thereon to certain easements and rights in, over and upon said real estate and certain mutually beneficial restrictions and obligations with respect to the proper use, conduct and maintenance thereof, as set forth in the Declaration of Community Restrictions for The Pines Master Association of Tinley Park heretofore recorded in the Office of the Recorder of Deeds of Cook County as Document No. 91115543; and

*Original
6 copies*



*Carl VanDerberg
Tinley Park
TINLEY PARK ILLINOIS*

*51192096
DICK (A...)
710-108-70-15*

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WHEREAS, the Owner is further elected by this Declaration to declare that the several unit owners, occupants, mortgagees and other persons acquiring any interest in the above described real estate shall at all times enjoy the benefits of, and shall at all times hold their interest subject to the rights, easements, privileges, and restrictions hereinafter set forth and set forth in the Declaration of Community Restrictions for The Pines Master Association of Tinley Park, heretofore recorded in the Office of the Recorder of Deeds of Cook County as Document No. 91315543, all of which are declared to be in furtherance of a plan to promote and protect the cooperative aspect of ownership and to facilitate the proper administration of the above described real estate and are established for the purpose of enhancing and perfecting the value, desirability, and attractiveness of the above described real estate; and

WHEREAS, this Declaration is not creating or amending a condominium under the terms and provisions of the Condominium Property Act, Illinois Revised Statute, Chapter 30 P301, et seq.

NOW, THEREFORE, HERITAGE TRUST COMPANY, as Trustee under Trust Agreement dated January 18, 1990, and known as Trust No-3882; and The Pines Development Group, Ltd., an Illinois corporation, (formerly known as R.P.S.V., INC.) as the legal titleholder of the above described real estate and as the Declarants in the aforementioned Declaration, and for the purposes above set forth, declare that the above described real estate shall be hereinafter part of the described Planned Community subject to the covenants, conditions, easements and restrictions of the Declaration of Community Restrictions for The Pines Master Association of Tinley Park as fully set forth in Document No. 91315543 recorded with the Recorder of Deeds for Cook County, Illinois, and that said Declaration be and hereby is amended as follows:

1. Exhibit "A" of said Declaration is hereby amended by deleting said Exhibit "A" and substituting therefore Part I of the Exhibit which is attached hereto.

2. The Additional Property is hereby annexed to the Parcel and Property as defined in the Declaration, and is hereby submitted to the provisions of the Declaration in accordance with and shall be deemed to be governed in all respects by the terms and provisions of the Declaration.

3. Article I, Section 15 of the Declaration is hereby amended to read as follows:

Section 15: "Building Site" shall mean that portion of the real property underlying the physical structure of a townhome or single-family cluster home and upon which the foundation of a townhome or single-family cluster home is constructed.

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4. Article I, Section 16 of the Declaration is hereby amended to read as follows:

Section 16: "Limited Use Area" shall mean that portion of the real property adjacent to a building site and part of a unit or townhome unit reserved for the exclusive use of the unit or townhome unit on which it is located and shall include balconies, terraces, patios, porches, private driveways (being a driveway adjacent to and immediately in front of the garage of any unit or townhome unit) and the like.

5. Article IV of the Declaration entitle "EASEMENTS", is hereby amended to read as follows:

Section 1. Access Tract Easement. Every owner is hereby granted an easement for ingress and egress, over and across those portions of the properties shown as the common areas on the Plat of Subdivision of The Pines of Tinley Park Phase I. Said easement shall be limited to the purpose of ingress and egress and shall not grant to any Owner the right to park upon such easements. The common area easement shall be maintained by the Association at its sole cost and expense.

Section 2. Easement Provisions. Every owner, occupant, resident and the Association is hereby granted an easement for ingress and egress purposes, drainage, public utilities, landscaping, maintenance and common use over, upon and across that portion of any unit or townhome unit which is not a building site or limited use area as defined herein.

Section 3. Common Driveway and Private Roadway Easement. Every owner, occupant, resident, the Association and the public is hereby granted an easement for ingress and egress purposes over, upon and across that portion of any unit or townhome unit which at any time may be used for or upon which is constructed a common driveway or private roadway for the purposes of accessing one or more units or townhome units, provided, however, that said easement shall not be located on any portion of any unit or townhome unit which is a building site as defined herein or occupied by a patio or deck as originally constructed by the Declarant.

Section 4. Public Utility Easements. Easements are hereby declared and granted to Illinois Bell Telephone Company, Commonwealth Edison, Northern Illinois Gas, the Village of Tinley Park and CATV for utility purposes, including the right to install, lay, maintain, repair and replace water mains and pipes, sewer lines, gas mains, telephone wires and equipment, electrical conduits, wires and equipment, and

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cable television wires and equipment over, under, upon and across that portion of any unit or townhome unit which is not a building site as defined herein or occupied by a patio or deck as originally constructed by the Declarant.

6. Article II Section I Paragraph G is hereby deleted and the following shall be inserted in its place.

G. Each Amendment shall include an amended Exhibit "A" which shall amend Exhibit "A" hereto by setting forth the amended legal description of the Property including the additional parcel or parcels amended thereto, as Part I, as well as the separate legal description of the additional units as Part II. All areas delineated as common areas under the duly recorded plat of subdivision shall be Common Elements hereunder.

7. Except as expressly set forth herein, said Declaration shall remain in full force and effect in accordance with its terms.

It is expressly understood and agreed, anything herein to the contrary notwithstanding, that each and all of the representations, covenants, undertakings and agreements herein made on the part of any Trustee while in form purporting to be the representations, covenants and undertakings and agreements of said Trustees are nevertheless each and every one of them, made and intended not as personal representations, covenants, undertakings and agreements by any Trustee or for the purpose of which the intention of binding any 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 Trustees not in their own right, but solely in the exercise of the powers conferred upon them as such Trustees; and that no personal liability or personal responsibility is assumed by nor shall at any time be asserted or enforceable against HERITAGE TRUST COMPANY, or any of the beneficiaries under said Trust Agreements on the account of this instrument or on account of any representation, covenant, undertaking or agreement of the said Trustees in this instrument contained, either express or implied, all such personal liability, if any, being expressly waived and released.

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IN WITNESS WHEREOF,, the aforesaid Trustee Owner, the aforesaid Trustee Declarant, and the aforesaid Declarant have caused this instrument to be signed on their behalf by their fully authorized officers and have caused their corporate seals to be affixed hereto on this 12th day of February, 1992.

21st *ll* May *ll*

HERITAGE TRUST COMPANY,
as Trustee as aforesaid,
and not individually.

THE PINES DEVELOPMENT GROUP,
LTD.

BY: *Linda Lee Lutz*
Linda Lee Lutz

BY: *[Signature]*

ATTEST: *[Signature]*
[Signature]

BY: *[Signature]*

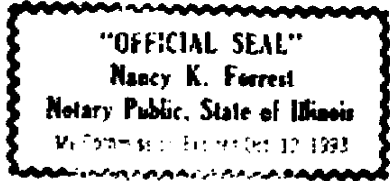
STATE OF ILLINOIS)
) SS.
COUNTY OF COOK)

I, the undersigned, a Notary Public in and for said County and State, do hereby CERTIFY that *Linda Lee Lutz* and

Linda Lee Lutz respectively, of HERITAGE TRUST COMPANY, personally known to me to be the same persons whose names are subscribed to the foregoing instrument as such *Linda Lee Lutz* and *[Signature]*, appeared before me this day in person and acknowledged that they signed, sealed and delivered said instrument as their free and voluntary act, and as the free and voluntary act of said Trust Company, for the uses and purposes therein set forth; and that said *Linda Lee Lutz* did also then and there acknowledge that she, as custodian of the corporate seal of said Trust Company, did affix the said corporate seal of said Trust Company to said instrument as her own free and voluntary act, an as the free and voluntary act of said Trust Company for the uses and purposes therein set forth.

GIVEN under my hand and Notarial Seal this *21st* day of *May*, 1992.

Nancy K. Forrest
Notary Public



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STATE OF ILLINOIS)

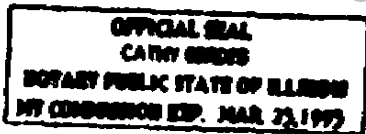
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) SS.

COUNTY OF COOK)

I, the undersigned, a Notary Public in and for said County and State, do hereby CERTIFY that Carl J. Vandenberg and Ronald Paul, respectively, of The Pines Development Group, Ltd., an Illinois corporation, personally known to me to be the same persons whose names are subscribed to the foregoing instrument as such President and Secretary, appeared before me this day in person and acknowledged that they signed, sealed and delivered said instrument as their free and voluntary act, and as the free and voluntary act of said Corporation, for the uses and purposes therein set forth; and that said Secretary did also then and there acknowledge that he, as custodian of the corporate seal of said Corporation, did affix the said corporate seal of said Corporation to said instrument as his 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 22nd day of May, 1992.



Cathy Herdes
Notary Public

COOK County Clerk's Office

60-56726

EXHIBIT A

PART I

Legal Description of Parcel

Lots 1 through 19, both inclusive, in The Pines of Tinley Park, a planned unit development, being a subdivision of part of the East one half of the Northeast one quarter of Section 6, Township 35 North, Range 13, East of the Third Principal Meridian, North of the Indian Boundary Line, in Cook County, Illinois.

Lots 36 through 40, both inclusive, in The Pines of Tinley Park, Unit 2A, a planned unit development, being a subdivision of part of the East one half of the Northeast one quarter of Section 6, Township 35 North, Range 13, East of the Third Principal Meridian, North of the Indian Boundary Line, in Cook County, Illinois.

Lots 20 through 24, both inclusive, and lots 41, 42, 43, in The Pines of Tinley Park, Unit 2B, a planned unit development, being a subdivision of part of the East one half of the northeast one quarter of Section 6, Township 35 North, Range 13, East of the Third Principal Meridian, North of the Indian Boundary Line, in Cook County, Illinois.

Part II

Legal Description of Additional Property Being Submitted to Declaration

Lots 20 through 24, Both inclusive, and lots 41, 42, 43 in The Pines of Tinley Park, Unit 2B, a planned unit development, being a subdivision of part of the East one half of the Northeast one quarter of Section 6, Township 35 North, Range 13, East of the Third Principal Meridian, North of the Indian Boundary line, in Cook County, Illinois.