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PLAT

SEE PLAT COPY

FILE DATE

11-18-92

DOCUMENT #

9497934

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9 4 7 9 7 3 8

FIRST AMENDMENT TO DECLARATION OF CONDOMINIUM

94979738

FOR THE ARBOR LANE CONDOMINIUM

This Declaration made and entered into this 17 day of November, 1994, by **PARKWAY BANK AND TRUST COMPANY**, a corporation of Illinois, as Trustee under Trust Agreement dated January 13, 1994, and known as Trust No. 10737 and not individually (the "Trustee");

WITNESSETH:

DEPT-01 RECORDING \$125.00
T#0003 TRAN 9209 11/18/94 11:50:00
#4065 EB *-94-979738
COOK COUNTY RECORDER

WHEREAS, by a Declaration of Condominium (the "Declaration") recorded in the office of the Recorder of Cook County, Illinois, as Document No. 94697480, the Trustee submitted certain real estate to the provisions of the Illinois Condominium Property Act (the "Act"); and

WHEREAS, the Declaration reserves to the Developer (as defined in the Declaration) the right to annex and add to the Parcel and Property (as defined in the Declaration) and thereby add to the condominium created by the Declaration all or any portion of the additional land (as defined in the Declaration); and

WHEREAS, the Trustee at the direction of the Developer now desires to so annex and add to said Parcel and Property and submit to the provisions of the Act and the Declaration certain real estate (the "Additional Property"), described in Exhibit "A (1)" attached hereto, which additional property is a portion of the said additional land; and

WHEREAS, the Declaration reserves to the Developer the right to change or modify the condominium instruments to correct clerical or typographical errors in the Declaration; and

WHEREAS, a typographical error in the Declaration of Condominium occurs at ARTICLE XV, paragraph 2, line 5;

NOW, THEREFORE, the Trustee does hereby amend the Declaration as follows:

1. 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 Act as a part of the Condominium in accordance with and governed in all respects by, the terms and provisions of the Declaration.

WILL CALL

RECORDING FEE 125.00
DATE 11-18-94 COPIES 6
OK [Signature]

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2. Exhibit "A" of the Declaration is hereby amended by adding Exhibit "A(1)" which consists of the Plat of Survey of the additional units and real property submitted to the provisions of the Act. The additional units are located upon the Parcel legally described as follows:

THE NORTH 301.56 FEET (EXCEPT THE WEST 95.00 FEET THEREOF) OF THE FOLLOWING DESCRIBED PROPERTY TAKEN AS A SINGLE TRACT OF LAND: LOTS 136 TO 140, BOTH INCLUSIVE, LOT 158 AND VACATED ALLEY LYING SOUTH OF AND ADJOINING LOT 158 IN OLIVER L. WATSON'S SECOND BELMONT AVENUE ADDITION, IN SECTION 19, TOWNSHIP 40 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, ALSO, THAT PART OF THE RIGHT OF WAY, 66 FEET WIDE, (CONVEYED TO CHICAGO SUBURBAN RAILWAY COMPANY BY DEED RECORDED IN THE RECORDER'S OFFICE OF COOK COUNTY, ILLINOIS ON SEPTEMBER 21, 1882 AS DOCUMENT NO. 421103), WHICH LIES SOUTH OF THE SOUTH LINE PRODUCED WEST, OF W. SCHOOL STREET, SAID LINE BEING ALSO THE NORTH LINE PRODUCED WEST, OF LOT 158 IN OLIVER L. WATSON'S SECOND BELMONT AVENUE ADDITION, IN SECTION 19, TOWNSHIP 40 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, AND WHICH LIES NORTH OF THE NORTH LINE OF W. BELMONT AVENUE, SAID NORTH LINE BEING THE SOUTH LINE, PRODUCED WEST, OF LOTS 131 TO 140, BOTH INCLUSIVE IN OLIVER L. WATSON'S SECOND BELMONT AVENUE ADDITION, AFORESAID, ALL IN COOK COUNTY, ILLINOIS.

3. Exhibit "B" of the Declaration is hereby amended by substituting therefor the Exhibit "B" which is attached hereto: The percentage of ownership in the common elements appurtenant to each unit is hereby shifted to the percentages set forth in the Exhibit "B" which is attached hereto.

4. The additional common elements annexed by this instrument are hereby granted and conveyed to the Grantees of all units, including the Grantees of units heretofore conveyed, all as set forth in the Declaration.

5. Article XV, paragraph 2 shall be amended by deleting the words "seventy (70)" in line 5 and in their place inserting the words "ninety (90)". This amendment corrects a typographical error only in the original Declaration.

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

7. Trustee Exculpation. This Declaration is executed by PARKWAY BANK AND TRUST COMPANY as Trustee aforesaid, in the exercise of power and authority conferred upon and vested in it as such Trustee (and said Trustee hereby warrants that it possessed full power and authority to execute this instrument). It is expressly understood and agreed by every person,

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firm or corporation hereafter claiming any interest under this Declaration that said Trustee as aforesaid, and not personally, has joined in the execution of this Declaration for the sole purpose of subjecting the title-holding interest and the trust estate under said Trust No. 10136 to the terms of this Declaration; that any and all obligations, duties, covenants and agreements of every nature herein set forth by said Trustee, as aforesaid, to be kept or performed, are intended to be kept, performed and discharged by the beneficiaries under said trust or their successor, and not the said Trustee personally, and further, that no duty shall rest upon PARKWAY BANK AND TRUST COMPANY, either personally or as such Trustee, to sequester trust assets, rentals, avails, or proceeds of any kind, or otherwise to see to the fulfillment or discharge of any obligation, express or implied, arising under the terms of this Declaration, except where said Trustee is acting pursuant to direction as provided by the terms of said trust, and after the Trustee has first been supplied with funds required for the purpose. In the event of a conflict between the terms of this paragraph and of the remainder of the Declaration on any question of apparent liability or obligation resting upon said Trustee, the exculpatory provisions hereof shall be controlling.

IN WITNESS WHEREOF, the said PARKWAY BANK AND TRUST COMPANY, as Trustee as aforesaid and not individually, has caused its corporate seal to be affixed hereunto and caused its name to be signed in these presents by its Assistant Vice President and attested by its Assistant Trust Officer this 17 day of November, 1994.

PARKWAY BANK AND TRUST COMPANY
as Trustee aforesaid, and not
individually.

By: _____

[Signature]
ASSISTANT VICE PRESIDENT

ATTEST:

[Signature]
ASSISTANT TRUST OFFICER

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STATE OF ILLINOIS)
) ss
COUNTY OF COOK)

I, the undersigned, a Notary Public in and for said County in the State aforesaid do hereby certify that Diane Y. Penzynski Vice President of PARKWAY BANK AND TRUST COMPANY and Jo Ann Kublinski of said Bank, who are personally know to me to be the same persons whose names are subscribed to the foregoing instrument as such Vice President and Assistant Trust Officer, signed and delivered the said instrument as their own free and voluntary act and the free and voluntary act of said Bank, as Trustee as aforesaid, for the uses and purposes therein set forth; and the said Assistant Trust Officer 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 aforesaid, for the uses and purposes therein set forth.

GIVEN under my hand and notarial seal this 17 day of November, 19 94.

Gloria Wielgos
NOTARY PUBLIC

My commission expires:

8/25/95



This Instrument prepared by and after recording should be returned to:

Patrick W. Pontarelli
Attorney at Law
4353 W. Lawrence Ave.
Chicago IL 60630
312-794-3100

P.I.N. #: 13-19-431-001
13-19-431-017
13-19-431-018
13-19-431-019
13-19-431-020
13-19-431-021
13-19-431-028

arbdec2

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CONSENT OF MORTGAGEE

PARKWAY BANK AND TRUST COMPANY, holder of a Mortgages and Assignments of Rents dated January 14, 1994, May 2, 1994, June 17, 1994, and August 25, 1994, and ^{November 3, 1994} and recorded February 24, 1994, June 6, 1994, July 1, 1994, and September 1, 1994, ^{and November 4, 1994} Documents 94178647 , 94178648 , 94499098 , 94499097 and 94944928 Documents 94579486 , 94579487 , 94774228 , 94774229 AND 94944929 respectively, on the premises described in the Declaration hereby consents to the execution and recording of the above and foregoing Declaration, and hereby submits said Mortgages and Assignments of Rents to the provisions of the above and foregoing Declaration and the Condominium Property Act.

IN WITNESS WHEREOF, the said PARKWAY BANK AND TRUST COMPANY has caused this instrument to be signed by its duly authorized officers on its behalf; all done at Harwood Heights, Illinois on this 17th day of November , 1994.

PARKWAY BANK AND TRUST COMPANY

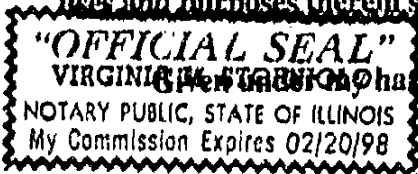
by: Marianne G. Wagner
A.V.P.

ATTEST:

Laura Spizziri

STATE OF ILLINOIS)
) SS
COUNTY OF COOK)

I, the undersigned , a Notary Public, in and for the said County and State do hereby certify that Marianne L. Wagner and Laura Spizziri respectively, of PARKWAY BANK AND TRUST COMPANY, personally known to me to be the same persons whose names are subscribed to the foregoing instrument as such Asst. Vice President and Loan Officer 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 Notarial Seal this 17 day of November , 1994.

Virginia M. Sternick
NOTARY PUBLIC

My commission expires:

2/20/98

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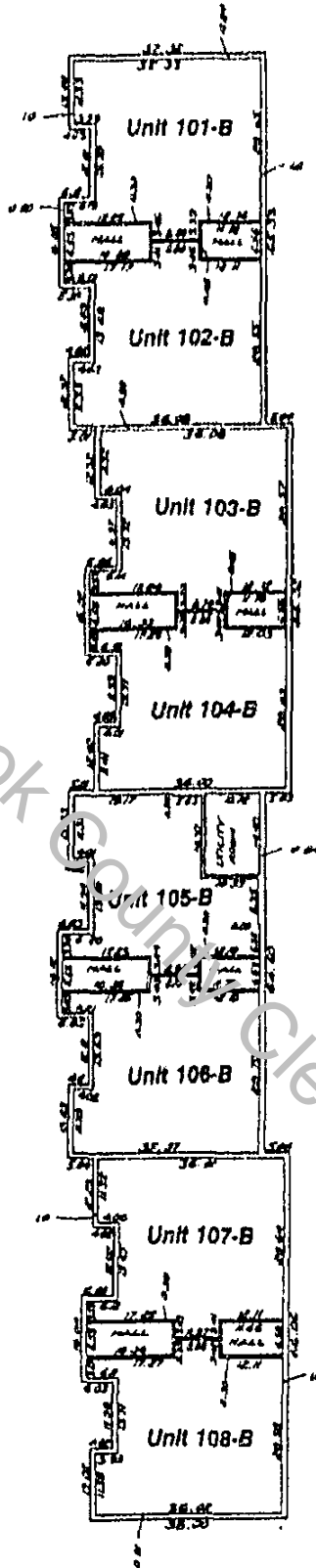
Property of Cook County Clerk's Office

UNOFFICIAL Certified Survey Co.

Phone 175-7155 5140 N. Elston Ave. Chicago, Illinois 60646 Fax 775-2855

Plat of Survey

GRAPHIC SCALE IN FEET



UPPER ELEVATION = + 70.34 ON THIS PAGE ONLY
LOWER ELEVATION = + 65.21 ON THIS PAGE ONLY.

1st FLOOR



94979738

HORIZONTAL PLANS SHOWN HEREON ARE MEASURED ON THE TOP OF FINISHED FLOOR AND TO THE BOTTOM OF FINISHED CEILING.
VERTICAL PLANS SHOWN HEREON ARE MEASURED TO THE INTERIOR FACE OF WALL ON EXTERIOR WALLS AND TO THE INTERIOR FACE OF WALL ON INTERIOR WALLS.
ELEVATIONS SHOWN HEREON ARE IN RELATION TO:
CHICAGO STANDARD BENCHMARK NO. 128
NEWCASTLE AND SCHUBERT
LOCATED 162 FEET EAST OF THE WEST LINE OF N. NEWCASTLE AVENUE AND 162 FEET NORTH OF THE SOUTH LINE OF W. SCHUBERT AVENUE.
ELEVATION = 88.011

STATE OF ILLINOIS 13
COUNTY OF COOK

I, DAVID A. KOSTICH, A REGISTERED ILLINOIS LAND SURVEYOR DO HEREBY CERTIFY THAT I HAVE SUPERVISED THE ABOVE DESCRIBED LAND, PROPERTY AND SPACE AND THAT IT CORRECTLY SHOWS THE RELATIONSHIP OF THE BUILDING TO THE PROPERTY LINES OF THE LAND INDICATED HEREON, THAT THE WALLS OF SAID BUILDING ARE PLUMB AND THAT THERE ARE NO ENCROACHMENTS OF SAID ADJOINING BUILDINGS OR STRUCTURES ONTO SAID LAND NOR OVERLAP OF BUILDINGS OR STRUCTURES FROM SAID LAND, EXCEPT AS SHOWN. DIMENSIONS ARE SHOWN IN FEET AND DECIMAL PARTS THEREOF.
DATED THIS 20th DAY OF DECEMBER, A.D. 1984

ORDER NO. 9436
EXHIBIT A1
PAGE 2 OF 4

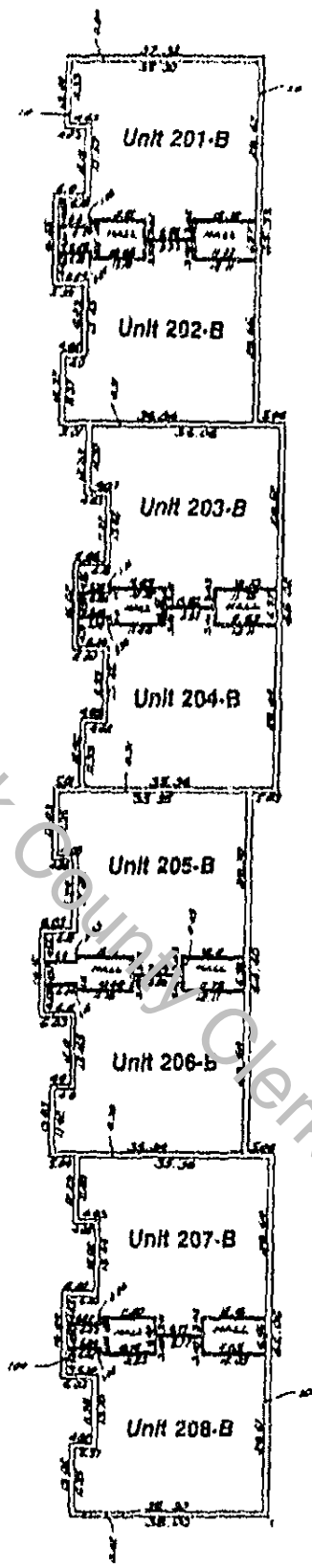
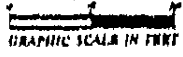
David A. Kostich
REGISTERED ILLINOIS LAND SURVEYOR #2777

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Property of Cook County Clerk's Office

UNOFFICIAL COPY

Certified Survey Co.
570 North La Salle Ave., Chicago, Ill. 60646 Fax 775-2833
Plat of Survey 4 7 3 8



2nd FLOOR

UPPER ELEVATION = + 542.22 ON THIS PAGE ONLY
LOWER ELEVATION = + 421.26 ON THIS PAGE ONLY



94979738

HORIZONTAL PLANES SHOWN HEREON ARE MEASURED ON THE TOP OF FINISHED FLOOR AND TO THE BOTTOM OF FINISHED CEILING. VERTICAL PLANES SHOWN HEREON ARE MEASURED TO THE INTERIOR FACE OF WALL ON EXTERIOR WALLS AND TO THE INTERIOR FACE OF WALL ON INTERIOR WALLS. ELEVATIONS SHOWN HEREON ARE IN RELATION TO CHICAGO STANDARD BENCHMARK NO. 222 NEWCASTLE AND SCARBURY LOCATED 168 FEET EAST OF THE WEST LINE OF N NEWCASTLE AVENUE AND 183 FEET NORTH OF THE SOUTHWEST CORNER OF SCARBURY AVENUE.

STATE OF ILLINOIS)
COUNTY OF COOK)
I, DAVID A. KOSTICH, A REGISTERED ILLINOIS LAND SURVEYOR, DO HEREBY CERTIFY THAT I HAVE SURVEYED THE ABOVE DESCRIBED LAND, PROPERTY AND SPACE AND THAT IT CORRECTLY SHOWS THE RELATION OF THE BUILDING TO THE PROPERTY LINES OF THE LAND INDICATED HEREON; THAT THE WALLS OF SAID BUILDING ARE PLUMB AND THAT THERE ARE NO ENCROACHMENTS OF SAID BUILDING OR STRUCTURES ONTO SAID LAND NOR OVERLAP OF BUILDINGS OR STRUCTURES FROM SAID LAND, EXCEPT AS SHOWN THEREON; AND SHOWN IN FEET AND DECIMAL PARTS THEREOF.
DATED THIS 26TH DAY OF MAY, A.D. 1984
David A. Kostich
REGISTERED ILLINOIS LAND SURVEYOR #2777

ORDER NO. 9436
EXHIBIT A1
PAGE 3 OF 4

ELEVATION = 44.018

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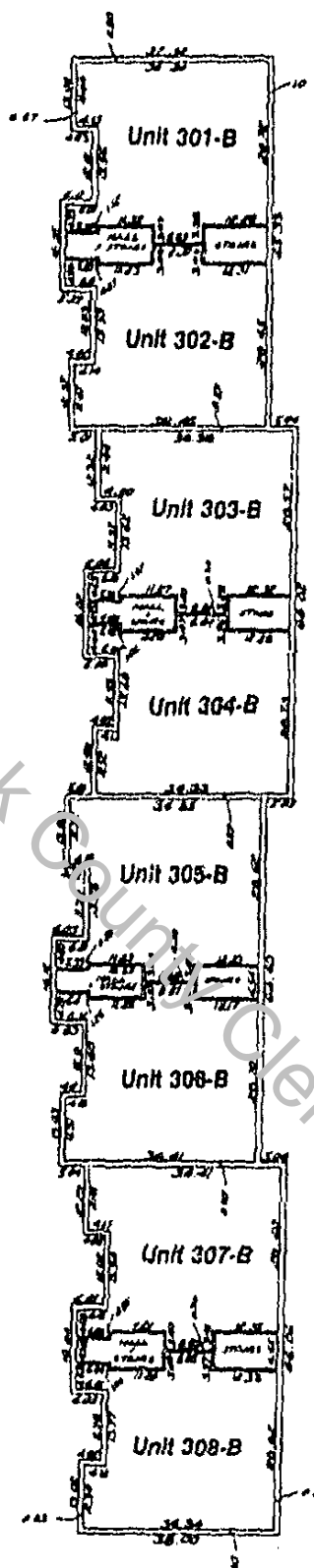
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UNOFFICIAL Certified Survey Co.

Phone 773-7733 5740 N. State Ave. Chicago, Illinois 60646 Fax 773-2855

Plot of Survey 9 7 3 8



UPPER ELEVATION = + 31.15 ON THE INSIDE WALL
 LOWER ELEVATION = + 33.27 ON THE INSIDE WALL

3rd FLOOR

Property of Cook County Clerk's Office

94979738



ORDER NO. 9436
 EXHIBIT A1
 PAGE 4 OF 4

HORIZONTAL PLACES SHOWN HEREON ARE MEASURED ON THE TOP OF FINISHED FLOOR AND TO THE BOTTOM OF FINISHED CEILING
 VERTICAL PLACES SHOWN HEREON ARE MEASURED TO THE INTERIOR FACE OF WALL ON EXTERIOR WALLS AND TO THE INTERIOR FACE OF WALL ON INTERIOR WALLS
 ELEVATIONS SHOWN HEREON ARE IN RELATION TO CHICAGO STANDARD BENCHMARK NO. 229
 NEWCASTLE AND SCHUBERT LOCATED 188 FEET EAST OF THE WEST LINE OF W. NEWCASTLE AVENUE AND 108 FEET NORTH OF THE SOUTH LINE OF W. SCHUBERT AVENUE
 ELEVATION = 85.878

STATE OF ILLINOIS)
 COUNTY OF COOK)
 I, DAVID A. KOSTICH, A REGISTERED ILLINOIS LAND SURVEYOR DO HEREBY CERTIFY THAT I HAVE SURVEYED THE ABOVE DESCRIBED LAND, PROPERTY AND SPACE AND THAT IT CORRECTLY SHOWS THE RELATION OF THE BUILDING TO THE PROPERTY LINES OF THE LAND ADDRESSED HEREON. THAT THE WALLS OF SAID BUILDING ARE PLUMB AND THAT THERE ARE NO ENCROACHMENTS OF SAID ADJACENT BUILDINGS OR STRUCTURES ONTO SAID LAND EXCEPT AS SHOWN. DIMENSIONS AND SPACING IN FEET AND DECIMAL PARTS THEREOF.
 DATED THIS 26TH DAY OF SEPT. A.D. 1994
 David A. Kostich
 REGISTERED LAND SURVEYOR

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AMENDED
EXHIBIT B
ARBOR LANE CONDOMINIUM
SCHEDULE OF THE PERCENTAGE OWNERSHIP INTEREST
IN THE COMMON ELEMENTS

6550 W. BELMONT

<u>Unit Number</u>	<u>% INTEREST</u>	<u>PARKING</u>
101	2.05	P-101
201	2.11	P-201
301	2.11	P-301
102	2.05	P-102
202	2.11	P-202
302	2.11	P-302
103	2.05	P-103
203	2.11	P-203
303	2.11	P-303
104	1.89	P-104
204	2.11	P-204
304	2.11	P-304
105	2.05	P-105
205	2.11	P-205
305	2.11	P-305
106	2.05	P-106
206	2.11	P-206
306	2.11	P-306
107	2.05	P-107
207	2.11	P-207
307	2.11	P-307
108	2.05	P-108
208	2.11	P-208
308	2.11	P-308

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AMENDED
EXHIBIT B
ARBOR LANE CONDOMINIUM
SCHEDULE OF THE PERCENTAGE OWNERSHIP INTEREST
IN THE COMMON ELEMENTS

6551 W. SCHOOL

<u>Unit Number</u>	<u>% INTEREST</u>	<u>PARKING</u>
101B	2.05	P-101B
201B	2.11	P-201B
301B	2.11	P-301B
102B	2.05	P-102B
202B	2.11	P-202B
302B	2.11	P-302B
103B	2.05	P-103B
203B	2.11	P-203B
303B	2.11	P-303B
104B	1.89	P-104B
204B	2.11	P-204B
304B	2.11	P-304B
105B	2.05	P-105B
205B	2.11	P-205B
305B	2.11	P-305B
106B	2.05	P-106B
206B	2.11	P-206B
306B	2.11	P-306B
107B	2.05	P-107B
207B	2.11	P-207B
307B	2.11	P-307B
108B	2.05	P-108B
208B	2.11	P-208B
308B	2.11	P-308B

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