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168.00

EIGHTH AMENDMENT TO DECLARATION OF CONDOMINIUM OWNERSHIP BASEMENTS, RESTRICTIONS AND COVENANTS AND BY-LAWS FOR LOST CREEK CONDOMINIUM ASSOCIATION

This Eighth Amendment made and entered into by HARRIS BANK HINSDALE, as Trustee under Trust Agreement dated DECEMBER 11, 1989 and known as Trust L-2480 and not individually (hereinafter referred to as the "Trustee"):

WITNESSETH:

WHEREAS, by the Declaration of Condominium Ownership recorded in the Office of the Recorder of Deeds of Cook County, Illinois, as Document No. 93000342 (the "Declaration"), the Trustee submitted certain real estate to the Condominium Property Act of the State of Illinois (the "Act"), said Condominium being known as Lost Creek Condominium Association (the "Condominium"), and

WHEREAS, the Declaration was amended by the First Amendment to Declaration of Condominium Ownership dated March 9, 1993 ("First Amendment"), which First Amendment was recorded in the Office of the Recorder of Deeds of Cook County, Illinois as Document No. 93174275; and

WHEREAS, the Declaration was amended by the Second Amendment to Declaration of Condominium Ownership dated April 23, 1993 ("Second Amendment"), which Second Amendment was recorded in the Office of the Recorder of Deeds of Cook County, Illinois as Document No. 93301393; and

WHEREAS, the Declaration was amended by the Third Amendment to Declaration of Condominium Ownership dated July 9, 1993 ("Third Amendment"), which Third Amendment was recorded in the Office of the Recorder of Deeds of Cook County, Illinois as Document No. 93526462; and

WHEREAS, the Declaration was amended by the Fourth Amendment to Declaration of Condominium Ownership dated August 17, 1993 ("Fourth Amendment"), which Fourth Amendment was recorded in the Office of the Recorder of Deeds of Cook County, Illinois as Document No. 93670661; and

WHEREAS, the Declaration was amended by the Fifth Amendment to Declaration of Condominium Ownership dated October 12, 1993 ("Fifth Amendment"), which Fifth Amendment was recorded in the Office of the Recorder of Deeds of Cook County, Illinois as Document No. 93815803; and

PREPARED BY:
Peter J. Brennan
1603 16th St.
Oak Brook, IL 60521

PLAT WITH THIS DOCUMENT

RETURN TO:
Peter J. Brennan
1603 16th St.
Oak Brook, IL 60521

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WILL CALL

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WHEREAS, the Declaration was amended by the Sixth Amendment to Declaration of Condominium Ownership dated October 18, 1993 ("Sixth Amendment"), which Sixth Amendment was recorded in the Office of the Recorder of Deeds of Cook County, Illinois as Document No. 93834515; and

WHEREAS, the Declaration was amended by the Seventh Amendment to Declaration of Condominium Ownership dated November 15, 1993 ("Seventh Amendment"), which Seventh Amendment was recorded in the Office of the Recorder of Deeds of Cook County, Illinois as Document No. 93927075; and

WHEREAS, under the Declaration the right is reserved in the Trustee to annex and add certain real property to the Parcel and Property described in the Declaration and thereby add to the Condominium and to correct clerical errors in the Declaration; and

WHEREAS, the Trustee is the legal title holder of and wishes to so annex and add to said Parcel and Property and thereby submit to the Act as a part of the Condominium the following real property (the "Additional Property"):

Building 22, 23, 24 and 12 in Lost Creek, a subdivision recorded as Document No. 92611672 on August 18, 1992, in the Southwest Quarter of Section 15 and the Northwest Quarter of Section 22 all in Township 41 North, Range 11 East of the Third Principal Meridian, Cook County, Illinois.

WHEREAS, the Additional Property is now improved with Four (4) building containing Nineteen (19) units.

NOW THEREFORE, the Trustee, as legal title holder of the Additional Property, and for the purpose set forth above, hereby declares that the Declaration be and hereby is amended as follows:

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

2. Exhibit "A" attached to the Declaration showing the boundaries of the parcels and delineating and describing the Units is hereby amended by adding the attached As-built surveys to Exhibit "A".

3. The legal description of the Parcel and Property as shown on Exhibit "B" of the Declaration is amended to read as follows:

See attached "Revised Exhibit B".

4. Exhibit "C" is amended to read as follows:

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EXHIBIT "C"

PERCENTAGE OF OWNERSHIP IN THE COMMON ELEMENTS

UNIT

Building 8

8-2660-B	0.6715
8-2654-A	0.6276
8-2650-A	0.6276
8-2646-A	0.6276
8-2642-B	0.6715

Building 9

9-2638-B	0.6715
9-2634-A	0.6276
9-2630-A	0.6276
9-2626-A	0.6276
9-2622-B	0.6715

Building 11

11-2601-B	0.6715
11-2605-A	0.6276
11-2600-A	0.6276
11-2615-B	0.6715

Building 13

13-2637-B	0.6715
13-2641-A	0.6276
13-2645-A	0.6276
13-2649-B	0.6715

Building 14

14-2653-B	0.6715
14-2657-A	0.6276
14-2661-A	0.6276
14-2665-A	0.6276
14-2669-B	0.6715

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<u>UNIT</u>	<u>PERCENTAGE OF OWNERSHIP IN THE COMMON ELEMENTS</u>
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Building 12

10-2618-B	0.6715
10-2614-A	0.6276
10-2610-A	0.6276
10-2606-A	0.6276
10-2502-B	0.6715

Building 25

25-2656-A	0.6276
25-2652-A	0.6276
25-2648-A	0.6276
25-2644-A	0.6276

Building 26

26-2640-A	0.6276
26-2636-A	0.6276
26-2632-A	0.6276
26-2628-A	0.6276

Building 28

28-2627-A	0.6276
28-2631-A	0.6276
28-2635-A	0.6276
28-2639-A	0.6276

Building 29

29-2643-A	0.6276
29-2647-A	0.6276
29-2651-A	0.6276
29-2655-A	0.6276

Building 30

30-2659-B	0.6715
30-2663-A	0.6276
30-2667-A	0.6276
30-2671-A	0.6276
30-2675-B	0.6715

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<u>UNIT</u>	<u>PERCENTAGE OF OWNERSHIP IN THE COMMON ELEMENTS</u>
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Building 4

4-2728-B	0.6715
4-2724-A	0.6276
4-2720-A	0.6276
4-2716-A	0.6276
4-2712-B	0.6715

Building 16

16-2689-B	0.6715
16-2693-A	0.6276
16-2697-A	0.6276
16-2701-A	0.6276
16-2705-A	0.6276
16-2709-B	0.6715

Building 6

6-2688-B	0.6715
6-2684-A	0.6276
6-2682-B	0.6715

Building 5

5-2704-B	0.6715
5-2700-A	0.6276
5-2696-A	0.6276
5-2692-B	0.6715

Building 15

15-2673-B	0.6715
15-2677-A	0.6276
15-2681-A	0.6276
15-2685-B	0.6715

Building 2

2-2764-B	0.6715
2-2760-A	0.6276
2-2756-A	0.6276
2-2752-B	0.6715

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<u>UNIT</u>	<u>PERCENTAGE OF OWNERSHIP IN THE COMMON ELEMENTS</u>
<u>Building 3</u>	
3-2748-B	0.6715
3-2744-A	0.6276
3-2740-A	0.6276
3-2736-A	0.6276
3-2732-B	0.6715
<u>Building 17</u>	
17-2713-B	0.6715
17-2717-A	0.6276
17-2721-A	0.6276
17-2725-A	0.6276
17-2729-B	0.6715
<u>Building 18</u>	
18-2733-B	0.6715
18-2737-A	0.6276
18-2741-A	0.6276
18-2745-A	0.6276
18-2749-B	0.6715
<u>Building 1</u>	
1-2776-B	0.6715
1-2772-A	0.6276
1-2768-B	0.6715
<u>Building 7</u>	
7-2678-B	0.6715
7-2674-A	0.6276
7-2670-A	0.6276
7-2664-B	0.6715
<u>Building 19</u>	
19-2751-B	0.6715
19-2755-A	0.6276
19-2759-A	0.6276
19-2763-B	0.6715

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PERCENTAGE OF OWNERSHIP IN THE COMMON ELEMENTS

UNIT

Building 20

20-2767-B	0.6715
20-2771-A	0.6276
20-2775-A	0.6276
20-2779-B	0.6715

Building 27

27-2607-B	0.6715
27-2611-A	0.6276
27-2615-A	0.6276
27-2619-A	0.6276
27-2623-B	0.6715

Building 21

21-2783-B	0.6715
21-2787-A	0.6276
21-2791-A	0.6276
21-2795-B	0.6715

Building 31

31-2753-B	0.6715
31-2757-A	0.6276
31-2761-A	0.6276
31-2765-A	0.6276
31-2769-B	0.6715

Building 32

32-2773-B	0.6715
32-2777-A	0.6276
32-2781-A	0.6276
32-2785-A	0.6276
32-2789-B	0.6715

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<u>UNIT</u>	<u>PERCENTAGE OF OWNERSHIP IN THE COMMON ELEMENTS</u>
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Building 33

33-2793-B	0.6715
33-2795-A	0.6276
33-2797-A	0.6276
33-2799-B	0.6715

Building 34

34-2805-B	0.6715
34-2809-A	0.6276
34-2815-A	0.6276
34-2819-B	0.6715

Building 35

35-2823-B	0.6715
35-2827-A	0.6276
35-2831-A	0.6276
35-2835-B	0.6715

Building 12

12-2619-B	0.6715
12-2621-A	0.6276
12-2625-A	0.6276
12-2629-A	0.6276
12-2633-B	0.6715

Building 22

22-2798-B	0.6715
22-2796-A	0.6277
22-2794-A	0.6277
22-2790-B	0.6715

Building 23

23-2786-B	0.6715
23-2782-A	0.6276
23-2778-A	0.6276
23-2774-A	0.6276
23-2770-B	0.6715

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<u>UNIT</u>	<u>PERCENTAGE OF OWNERSHIP IN THE COMMON ELEMENTS</u>
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Building 24

24-2766-B	0.6715
24-2762-A	0.6276
24-2758-A	0.6276
24-2754-A	0.6276
24-2750-B	0.6715

100%

5. Exhibit "D" shall remain unaltered.
6. Exhibit "E" is amended to read as follows:

See attached "Revised Exhibit E".

7. The additional common elements added to the Declaration by this Amendment are hereby granted and conveyed to the respective grantees of Units heretofore conveyed, all as set forth in the Declaration.

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

IN WITNESS WHEREOF, HARRIS BANK HINSDALE, as Trustee as aforesaid and not individually, has caused this instrument to be signed and sealed by its duly authorized officers on its behalf, has set its hand and seal all done in Hinsdale, Illinois, this _____ day of _____, 1994.

HARRIS BANK HINSDALE,
as Trustee under Trust
Agreement dated December 11,
1989, and known as Trust No.
L-2480.

SIGNATURES AND EXCULPATORY ATTACHED.

BY: _____
ITS: _____

ATTEST:

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This document is made and executed by Harris Bank Hinsdale, N.A., as Land Trustee, and is accepted upon the express understanding and agreement of the parties hereto that Harris Bank Hinsdale, N.A. enters into the same not personally, but only as such Trustee, and that, anything herein to the contrary notwithstanding, each and all of the indemnities, representations, warranties, covenants, agreements and undertakings herein contained are intended not as the personal indemnities representations, warranties, covenants or undertakings of Harris Bank Hinsdale, N.A., or for the purpose of binding Harris Bank Hinsdale, N.A. personally, but are made and intended for the purpose of binding only that portion of the trust property described herein, and this document is executed and delivered by Harris Bank Hinsdale, N.A. not in its own right, but solely at the direction of the party having power of direction over the trust and in the exercise of the powers conferred upon Harris Bank Hinsdale, N.A. as such Trustee, and that no personal liability is assumed by, nor shall be asserted against, Harris Bank Hinsdale, N.A. or its agents or employees because or on account of its making or executing this document or on account of any indemnity, representation, warranty, covenant, agreement or undertaking herein contained, including, but not limited to any liability for violations of the Comprehensive Environmental Response, Compensation and Liability Act of 1980, 42 U.S.C. Section 9601 et seq, as amended or any other municipal, county, state or federal laws, ordinances, codes or regulations pertaining to the trust property or in the use and occupancy thereof, all such liability, if any being expressly waived and released. It is further understood and agreed that Harris Bank Hinsdale, N.A. individually, or as Trustee shall have no obligation to see to the performance or non-performance of any indemnity, representation, warranty, covenant, agreement or undertaking herein contained, and shall not be liable for any action or non action taken in violation thereof. It is further provided, however, that this paragraph shall not impair the enforceability, or adversely affect the obligations of any other signatories hereto or under any separate instrument of adoption or guarantee nor otherwise impair the validity of any indebtedness evidenced or secured by this document except as expressly set forth.

Harris Bank Hinsdale, N.A. as Trustee under Trust L-2450

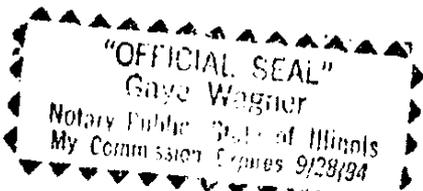
By: Janet Hale
Assistant Vice President & Trust Officer

Attest: [Signature]
Assistant Vice President

State of Illinois
County of DuPage

I, the undersigned, a Notary Public in and for said County, in the State of Illinois, do hereby certify that Janet Hale, who is Assistant Vice President and Trust Officer of Harris Bank Hinsdale, National Association, and WILLIAM R. [Signature] who is Assistant Vice President of the same corporation, personally known to me to be the same persons whose names are subscribed to the foregoing instrument as such Assistant Vice President and Trust Officer and [Signature] respectively, appeared before me this day in person and acknowledged that they signed and delivered the foregoing instrument as their free and voluntary act and as the free and voluntary act of the corporation for the use and purposes therein set forth; and the Assistant Vice President then and there acknowledged that she, as custodian of the corporate seal, affixed the corporate seal to the foregoing instrument as her free and voluntary act and as the free and voluntary act of the corporation for the uses and purposes therein set forth. Given under my hand and seal this 5th day of FEBRUARY 1997

94117995



[Signature]
Notary Public

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8TH AMENDMENT
TO
EXHIBIT 'A'
TO
DECLARATION OF CONDOMINIUM OWNERSHIP
AND BY-LAWS
EASEMENTS, RESTRICTIONS AND COVENANTS
FOR
THE CONDOMINIUM ASSOCIATION OF LOST CREEK

Lots 1, 2, 3, 4, and 5 in Lost Creek, Being a Subdivision in the Southwest Quarter of Section 15 and the Northwest Quarter of Section 22 all in Township 41 North, Range 11 East of the Third Principal Meridian according to the plat thereof recorded August 18, 1992 as Document No. 92611672 in Cook County, Illinois.

08-15-303-003
08-15-303-010
08-15-402-024

Algonquin Rd + Bearwood Dr.
Del Hyatt, IL

K:\E\121-174\32

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8TH AMENDMENT
TO
EXHIBIT "B"
TO
DECLARATION OF CONDOMINIUM OWNERSHIP
AND BY-LAWS
EASEMENTS, RESTRICTIONS AND COVENANTS
FOR
THE CONDOMINIUM ASSOCIATION OF LOST CREEK

All of Lots 1 thru 5, inclusive, in Lost Creek, Being a Subdivision in the Southwest Quarter of Section 15 and the Northwest Quarter of Section 22 all in Township 47 North, Range 11 East of the Third Principal Meridian according to the plat thereof recorded August 18, 1992 as Document No. 92611672 in Cook County, Illinois.

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8TH AMENDMENT
TO
EXHIBIT "D"
TO
DECLARATION OF CONDOMINIUM OWNERSHIP
AND BY-LAWS
EASEMENTS, RESTRICTIONS AND COVENANTS
FOR
THE CONDOMINIUM ASSOCIATION OF LOST CREEK
LEGAL DESCRIPTION OF ADD ON PARCELS

Parcels 2, 12, 13 and 14 of Lot 4 in Lost Creek, Being a Subdivision in the Southwest Quarter of Section 15 and the Northwest Quarter of Section 22 all in Township 41 North, Range 11 East of the Third Principal Meridian according to the plat thereof recorded August 18, 1992 as Document No. 92611672 in Cook County, Illinois.

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8TH AMENDMENT
TO
EXHIBIT "E"
TO
DECLARATION OF CONDOMINIUM OWNERSHIP
AND BY-LAWS
EASEMENTS, RESTRICTIONS AND COVENANTS
FOR
THE CONDOMINIUM ASSOCIATION OF LOST CREEK
LEGAL DESCRIPTION OF REMAINDER PORTION

(No Remainder Portion)

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