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FIRST AMENDMENT TO WASHINGTON TERRACE TOWNHOMES OF DECLARATION OF PARTY WALL RIGHTS, COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS

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THIS FIRST AMENDMENT TO THE WASHINGTON TERRACE TOWNHOMES DECLARATION OF PARTY WALL RIGHTS, COVENANTS, RESTRICTIONS AND EASEMENTS (hereinafter referred to as the "Declaration") is made and entered into on the date hereinafter set forth by AMERICAN NATIONAL BANK AND TRUST COMPANY, a national banking association, not personally, but solely as Trustee under Trust No. 108658-06 (hereinafter referred to as the "Declarant").

WHEREAS, the Declaration was recorded on March 11, 1991, as Document 91107744 in the Office of the Recorder of Deeds of Cook County, Illinois, and has not previously been amended;

WHEREAS, the Declarant has reserved to itself, in Section 12.01 of the Declaration to amend Exhibit A as referred to in Section 1.03 of the Declaration and Exhibit C as referred to in Section 1.19 of the Declaration to annex the Property described in Exhibit A, all or any portion of the Adjoining Parcel described in Exhibit C;

WHEREAS, the Declarant desires to annex Lot 7 as described in Schedule C to the Property by adding said Lot 7 to the legal description set forth on Exhibit A;

NOW THEREFORE, the Declaration is hereby amended as follows:

1. Exhibit A of the Declaration is amended in the following manner and to the following extent:

Adding Lot 7 thereto so that the Legal Description on Exhibit A to the Washington Terrace Townhomes Declaration of Party Wall Rights, Covenants, Restrictions and Easements shall read as follows:

LOT 1, 4, 7, 8 AND THAT PORTION OF LOT 25 LYING NORTH OF THE NORTH LINE OF LOT 5, AS EXTENDED AND LYING EAST OF THE WEST LINE OF LOT 20, AS EXTENDED, ALL IN WASHINGTON TERRACE TOWNHOMES, BEING A SUBDIVISION IN THE SOUTHWEST QUARTER OF SECTION 30, TOWNSHIP 38 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN IN COOK COUNTY, ILLINOIS PURSUANT TO THE PLAT OF SUBDIVISION RECORDED WITH THE COOK COUNTY RECORDER OF DEEDS AS DOCUMENT 90482369

FILED FOR RECORD

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Property Address: 1133 East 83rd Street, Chicago, Illinois

THIS DECLARATION is executed by American National Bank and Trust Company of Chicago, in the exercise of the power and authority conferred upon and vested in it as such Trustee of such Trust, hereby warrants that it possesses full power and authority to execute this instrument. It is expressly understood and agreed by every person, firm or corporation hereafter claiming any interest under this Declaration that American National Bank and Trust Company of Chicago, as 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. 108658-06 of the terms of this Declaration; that any and all obligations, duties, covenants and agreements of every nature herein set forth by American National Bank and Trust Company of Chicago, as Trustee aforesaid, to be kept and performed, are intended to be kept, performed and discharged by the beneficiaries under said Trust No. 108658-06 or their successors, and not by American National Bank and Trust Company of Chicago, personally; and further, that no duty shall rest upon American National Bank and Trust Company of Chicago, either personally or as such Trustee, to sequester trust assets, rental, avails or proceeds of any kind, or otherwise to see to the fulfillment or discharge of any obligation, express or implied, arising under the

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CONSENT OF MORTGAGEE

American National Bank and Trust Company of Chicago, holder of a mortgage on the Property, dated May 11, 1990 and recorded on May 17, 1990 as Document Number 90228879 hereby consents to the execution and recording of the within Washington Terrace Townhomes Declaration of Party Wall Rights, Covenants, Conditions, Restrictions and Easements and agrees that said mortgage is subordinate and subject to the provisions hereof.

IN WITNESS WHEREOF, American National Bank and Trust Company of Chicago has caused this instrument to be signed by its duly authorized officers on its behalf; all done at Chicago, Illinois, on this 17 day of December, 1993.

AMERICAN NATIONAL BANK AND TRUST COMPANY OF CHICAGO, ~~as Trustee~~ *g/c*
~~under Trust No. 100658-00 and not~~
~~individually~~

By: Jennifer T. Childs
Its: Second Vice President

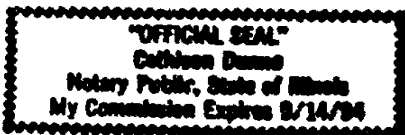
Attest

By: Maqueline A. Cox
Its: COMMERCIAL BANKING OFFICER

STATE OF ILLINOIS)
)SS:
COUNTY OF C O O K)

I, the undersigned, a Notary Public in and for the County and State aforesaid, DO HEREBY CERTIFY, that Jennifer T. Childs of American National Bank and Trust Company of Chicago, a National Banking Association, Second Vice President (title) and Maqueline Cox Officer Secretary of the American National Bank and Trust Company of Chicago, a National Banking Association, personally known to me to be the same persons whose names are subscribed to the foregoing instrument as such 2nd Vice President and Officer Secretary, respectively, appeared before me this day in person and acknowledged that they signed and delivered the same instrument as their own free and voluntary act, and as the free and voluntary act of said Bank, for the uses and purposes therein set forth; and that said Officer Secretary did also then and there acknowledged that said Secretary, as custodian of the corporate seal of the Bank, did affixed the said corporate seal of said Bank to be to said instrument as said Secretary's own free and voluntary act and as the free and voluntary act of said Bank for the uses and purposes therein set forth.

Given under my hand and Notarial Seal this 17 day of December, 1993.



Cathleen Dunne
Notary Public

1.7/89986216, And/11-15-93/16

PREPARED BY + MAIL TO:
HERBERT H. FISHER
205 W. WACKER DRIVE #1000
CHICAGO IL 60606

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EXHIBIT A TO DEED DATED NOVEMBER 23, 1993

Subject to Declaration of Easement and Covenants by grantor dated March 11, 1991 and recorded in the office of the recorder of Deeds, Cook county, Illinois as Document No. 91107747, which is incorporated herein by this reference thereto;

Grantor grants to the grantee(s), grantee(s); heirs and assigns, as easements appurtenant to the premises hereby conveyed the easements created by said Declaration for the benefit of the Owners of the parcels of realty therein described;

Grantor reserves to itself, its successors and assigns, as easements appurtenant to the remaining parcels described in said Declaration, the easements thereby created for the benefit of said remaining parcels described in said Declaration and this conveyance is subject to the said easements and the right of the Grantor to grant said easements in the conveyances and mortgages of said remaining parcels or any of them, and the parties hereto, for themselves, their heirs, successors and assigns, covenant to be bound by the covenants and agreements in said document set forth as covenants running with the land; and

Subject to covenants conditions and restrictions and reservation and grant of easement contained in Documents recorded as document numbers 90384985 and 90482369, respectfully.

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