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95450465

PLAT

7-12-95

SEE PLAT BOOKS

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45045

95450465

FOURTH AMENDMENT

TO

DECLARATION OF CONDOMINIUM OWNERSHIP

FOR

BRIARGATE CONDOMINIUM

- . DEPT-01 RECORDING \$141.00
- . T00012 TRAN 5144 07/12/95 11:10:00
- . \$4537 \$.JM *-95-450465
- . COOK COUNTY RECORDER

74-77-507 of

Property of Cook County Clerk's Office

PLAT WITH THIS DOCUMENT

95450465

This instrument was prepared by and after recording return to:

Irwin E. Leiter, Esq.
Law Offices of Irwin E. Leiter
1301 W. 22nd Street
Suite 210
Oak Brook, Illinois 60521
708/571-7767

RECORDING FEE \$ 141.00
DATE 7-12-95 COPIES 6
OK [Signature]

6/95

Box 333

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20 102-55-44

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PROPERTY OF COOK COUNTY CLERK'S OFFICE

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WHEREAS, Prairie Bank and Trust Company, not individually, but as Trustee under Trust Agreement dated August 19, 1994 and known as Trust No. 94-014 received title to the property in Exhibit "B", sheet 1, subsequent to the recording of the Declaration and its signature is therefore required to this Amendment; and

WHEREAS, Marquette National Bank, not individually, but as Trustee under Trust Agreement dated September 24, 1990 and known as Trust No. 12413 received title to the property in Exhibit "A-2", subsequent to the recording of the Declaration and its signature is therefore required to this Amendment; and

WHEREAS, Marquette National Bank, not individually, but as Trustee under Trust Agreement dated August 27, 1993 and known as Trust No. 12982 received title to the property in Exhibit "A-1", subsequent to the recording of the Declaration and its signature is therefore required to this Amendment; and

WHEREAS, Declarant recorded the Declaration on October 18, 1993 in the Office of the Recorder of Deeds of Cook County, Illinois as Document No. 93836170, as amended, for the property legally described in Exhibit "A" appended hereto and made a part hereof (hereinafter referred to as the "Subdivided Parcel"); and

THIS FOURTH AMENDMENT to the Declaration of Condominium Ownership for Briargate Condominiums (hereinafter referred to respectively as the "Amendment" and the "Declaration") is executed by the State Bank of CountrySide, not individually, but as Trustee under Trust Agreement dated February 21, 1990 and known as Trust No. 90-007, the State Bank of CountrySide, not individually, but as Trustee under Trust Agreement dated April 28, 1994 and known as Trust No. 94-1434, Marquette National Bank, not individually, but as Trustee under Trust Agreement dated August 27, 1993 and known as Trust No. 12982, Marquette National Bank, not individually, but as Trustee under Trust Agreement dated September 24, 1990 and known as Trust No. 12413 and Prairie Bank and Trust Company, not individually, but as Trustee under Trust Agreement dated August 19, 1994 and known as Trust No. 94-014 (collectively hereinafter referred to as "Declarant" or "Developer").

FOURTH AMENDMENT TO
DECLARATION FOR CONDOMINIUM
OWNERSHIP FOR BRIARGATE
CONDOMINIUMS

WITNESSETH:

THIS AMENDMENT IS FILED

IN THE OFFICE OF THE RECORDER OF DEEDS
OF COOK COUNTY, ILLINOIS
ON OCTOBER 18, 1993

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4. The common elements contained in the Additional Parcel are hereby granted and conveyed to the Unit Owners subject to the provisions of the Act and the Declaration.

3. Exhibit "C" of the Declaration, "Schedule of Percentage of Interest in Common Elements", is hereby deleted and an amended Exhibit "C" attached hereto as Exhibit "C" is substituted therefore.

2. Exhibit "B" of the Declaration, the "Plan of Condominium Survey", is hereby amended by adding the Additional Parcel as described and delineated in the Plat of Survey attached hereto as Exhibit "B", sheet 1, together with the Units depicted on sheets 2, 3, and 4.

1. The Additional Parcel is hereby annexed to and made a part of the real estate described in the Declaration and in Exhibit "A", "A-1" and "A-2" as attached hereto, and, together with all improvements and structures now or hereafter erected, constructed or contained thereon or therein, is submitted to the Declaration and the Act.

NOW, THEREFORE, Declarant does hereby declare that the Declaration is amended as follows:

WHEREAS, Declarant desires to amend the Declaration as it relates to the Plat of Condominium Survey (Exhibit "B" of the Declaration) and to the percentage of ownership interest in the common elements for the condominium units (Exhibit "C" of the Declaration), by changing the percentage ownership due to the addition of the development area described in Exhibit "B", sheet 1.

WHEREAS, the Additional Parcel is now improved with one (1) building for a total of twelve (12) residential units; and

WHEREAS, Declarant, pursuant to Article Twelve of the Declaration, desires to annex, add, submit and subject a portion of the development area described in Exhibit "B", sheet 1 attached hereto (hereinafter referred to as the "Additional Parcel") to the Declaration and the Act and add to the plan of condominium ownership; and

WHEREAS, pursuant to the Act, as amended, under Article Twelve of the Declaration, as amended by a special amendment recorded July 20, 1994 as document No. 94634954 concerning the addition of such property, declarant reserved the rights and powers to annex, add, submit and subject to the provisions of the Act and the Declaration any part or all of the future development area, as described in Exhibit "B" of the Declaration, to the submitted parcel in Exhibit "A" and thereby add to the plan of condominium ownership created by the Declaration; and

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5. The covenants, conditions, restrictions and easements contained in the Declaration, as amended by this instrument, shall run with and bind the condominium property, including the additional parcel.

6. As expressly hereby amended, the Declaration shall continue in full force and effect in accordance with its terms and, except as herein specifically amended, the Declaration is ratified and confirmed. In the event of any inconsistency between this Amendment and the Declaration, this Amendment shall control.

7. Signature by Trustees. Anything in this Amendment to the contrary notwithstanding, each and all of the representatives, covenants, undertakings and agreements of the Trustees or Declarant, while in form purporting to be the representations, covenants, undertakings and agreements of the Trustees, are nevertheless, each and every one of them, made and intended not as personal representations, covenants, undertakings and agreements of the Trustees, but solely in the exercise of the powers conferred upon them as such Trustees. No personal liability or personal responsibility is assumed by or shall at any time be asserted or enforceable against the Trustees either individually or as Trustees on account of this amendment or on account of any representation, covenant, undertaking or agreement of the Trustees contained in this Amendment, either expressed or implied, as such personal liability, if any being expressly waived and released by all parties having an interest in the premises and by all persons claiming by, through or under any such parties.

IN WITNESS WHEREOF, the Declarant has caused this instrument to be executed this 3 day of July, 1995.

STATE BANK OF COUNTRYSIDE
as Trustee under Trust No. 90-640 and not
personally

BY: Mark W. ...
Trust Officer

ATTEST: Thomas ...
BY: Assistant Secretary

Faint, illegible text in the upper left quadrant of the page.

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OFFICIAL SEAL
LINDA J. DILLON
NOTARY PUBLIC STATE OF ILLINOIS
COMMISSION EXPIRES APR 21 1997

OFFICIAL SEAL
LINDA J. DILLON
NOTARY PUBLIC STATE OF ILLINOIS
COMMISSION EXPIRES APR 21 1997

Linda J. Dillon
Notary Public

GIVEN under my hand and Notarial Seal this 30 day of July, 1995.

My Commission Expires: 4-21-97

I, JOHN C. READEN, Assistant Secretary, a Notary Public in and for said County, in the State aforesaid, DO HEREBY CERTIFY that JOHN C. READEN, Assistant Secretary, Vice-President of THE STATE BANK OF COUNTRYSIDE, an Illinois Banking Association and THOMAS H. BOYLE, Vice Pres. be the same persons whose names are subscribed to the foregoing instrument as such Vice-President and Assistant Secretary, respectively, appeared before me this day in person and acknowledged that they signed and delivered said instrument as their own free and voluntary act and as the free and voluntary act of said association for the uses and purposes therein set forth.

STATE OF ILLINOIS)
COUNTY OF Cook)
SS.)

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My Commission Expires: 4/21/97

Notary Public
Linda Dillon

GIVEN under my hand and Notarial Seal this 2nd day of July, 1995

I, Thomas P. Boyle, a Notary Public in and for said county, in the State aforesaid, DO HEREBY CERTIFY that Thomas P. Boyle, Vice-President of The State Bank of Country Club, Illinois, Banking Association and Thomas P. Boyle, Sr. Vice Pres. 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 day in person and acknowledged that they signed and delivered said instrument as their own free and voluntary act and as the free and voluntary act of said association for the uses and purposes therein set forth.

STATE OF ILLINOIS
COUNTY OF Cook

SS.

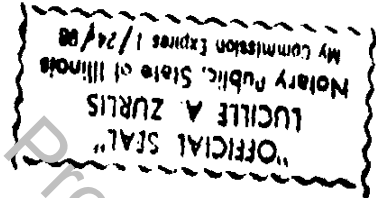
ATTEST:
Thomas P. Boyle
BY: Assistant Secretary

STATE BANK OF COUNTRYSIDE
as Trustee under Trust No. 94-1434 and not personally
BY: *Thomas P. Boyle*
ITM: ASST. Trust Officer

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My Commission Expires: 1-24-88

Notary Public

Lucille A. Zurulis

GIVEN under my hand and Notarial Seal this 10th day of January, 1995.

I, Lucille A. Zurulis, a Notary Public in and for said county, in the state aforesaid, DO HEREBY CERTIFY that Donald B. Marquette, Vice-President of NATIONAL BANK, a National Banking Association and 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 day in person and acknowledged that they signed and delivered said 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.

STATE OF ILLINOIS)
COUNTY OF Cook)
SS.

Assistant Secretary

BY: *William H. ...*

ATTEST:

MARQUETTE NATIONAL BANK
as Trustee under Trust No. 12982 and not personally
BY: *Donald B. Marquette* Trust Officer
ITS: *Donald B. Marquette*

The instrument is deemed by the Marquette National Bank not personally, but only as Trustee, and no personal liability is assumed by or shall be enforced against said Marquette National Bank because of or on account of the making of this instrument.

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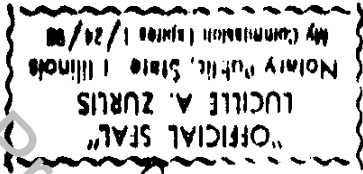
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COOK COUNTY CLERK'S OFFICE
111 N. LAUREL ST. CHICAGO, IL 60602
TEL: 312.603.4000 FAX: 312.603.4001
WWW.COOKCOUNTYCLERK.COM

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TEL: 312.603.4000 FAX: 312.603.4001
WWW.COOKCOUNTYCLERK.COM

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Notary Public
Lucille A. Zurlic

My Commission Expires: *1-24-98*

GIVEN under my hand and Notarial Seal this *6th* day of *July*, 1995.

I, *Lucille A. Zurlic*, a Notary Public in and for said County, in the State aforesaid, DO HEREBY CERTIFY that *Donald B. ...* Vice-President of MARQUETTE NATIONAL BANK, a National Banking Association and *Donald B. ...* 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 day in person and acknowledged that they signed and delivered said 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.

STATE OF ILLINOIS)
COUNTY OF *Cook*)
SS.

ATTEST:
By: *Richard ...*
Assistant Secretary

MARQUETTE NATIONAL BANK
as Trustee under Trust No. 12413
and not personally
By: *Richard ...*
Trust Officer

This instrument, prepared by the Marquette National Bank, not personally, but only as Trustee, and no personal liability is assumed by or shall be enforced against said Marquette National Bank because of or on account of the making of this instrument.
This instrument, prepared by the Marquette National Bank, not personally, but only as Trustee, and no personal liability is assumed by or shall be enforced against said Marquette National Bank because of or on account of the making of this instrument.

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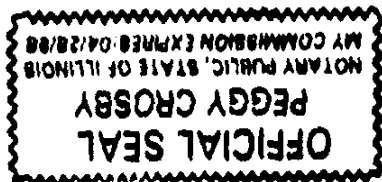
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PRAIRIE BANK AND TRUST COMPANY

8

59005

It is expressly understood and agreed by and between the parties hereto... My commission expires:



4-28-98

My commission expires:

EXCERPTS BY CLAUDE

Notary Public

GIVEN under my hand and Notarial Seal this 6th day of July, 1995.

I, the undersigned, a Notary Public in and for said county, in the state aforesaid, do hereby certify that... TRUST COMPANY, a National Banking Association and Edward C. Salk...

STATE OF ILLINOIS) COUNTY OF Cook) SS.

By: Assistant Secretary Trust Officer

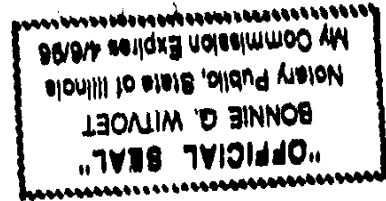
By: Vice Pres & Trust Officer

PRAIRIE BANK AND TRUST COMPANY as Trustee under Trust No. 94-014 dtd 8/19/94 and not personally

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Notary Public

Bonnie G. Witvoet

GIVEN under my hand and notarial seal this _____ day of _____, 1995.

uses and purposes therein set forth. act and as the free and voluntary act of said association for the sealed and delivered said instrument as their free and voluntary before me this day in person and acknowledged that they signed, whose names are subscribed to the foregoing instrument, appeared, personally known to me to be the same persons OF SOUTH HOLLAND, respectively, of FIRST SAVINGS AND LOAN ASSOCIATION

MARGENE J. DE YOUNG, VICE PRESIDENT and ASSISTANT SECRETARY and the State aforesaid, DO HEREBY CERTIFY that GLORIA M. KASBOSSEN and I, the undersigned, a Notary Public in and for said County, in

STATE OF ILLINOIS)
COUNTY OF COOK)
SS.)

By: *Margene J. De Young*
MARGENE J. DE YOUNG, ASSISTANT SECRETARY

By: *Gloria M. KasbosSEN*
GLORIA M. KASBOSSEN, VICE PRESIDENT

FIRST SAVINGS AND LOAN ASSOCIATION OF SOUTH HOLLAND (S N A L)

DATE: this _____ day of JULY, 1995.

caused this instrument to be signed by its duly authorized officers on its behalf.

IN WITNESS WHEREOF, FIRST SAVINGS AND LOAN ASSOCIATION OF SOUTH HOLLAND has caused this instrument to be signed by its duly authorized officers on its behalf. provisions of the Declaration. Declaration and agrees that its lien shall be subject to the the execution and recording of the within Amendment to the Association, holder of a mortgage encumbering the property dated AUGUST 22, 1994 and recorded on AUGUST 31, 1994 as Document No. 94 768 972, hereby consents to the within Amendment to the Declaration and agrees that its lien shall be subject to the provisions of the Declaration.

FIRST SAVINGS AND LOAN ASSOCIATION OF SOUTH HOLLAND

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CONSENT OF MORTGAGOR

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No property in question

24-18-216-691

LOT 3 (EXCEPT THE EAST 17 FEET AS TAKEN FOR ROAD PURPOSES) IN
BRIDGE APARTMENTS, A SUBDIVISION OF PART OF LOT 4 IN
TOBEY'S SUBDIVISION IN THE NORTH HALF OF SECTION 18, TOWNSHIP
17 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN
COOK COUNTY, ILLINOIS.

Property Intelligently subject to the Condominium Declaration

EXHIBIT "A"

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24-18-216-088

LOT 2 (EXCEPT THE EAST 17 FEET AS TAKEN FOR ROAD PURPOSES) IN
BRIARGATE APARTMENTS, A SUBDIVISION OF PART OF LOT 4 IN
LOREY'S SUBDIVISION IN THE NORTH HALF OF SECTION 18, TOWNSHIP
37 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN
COOK COUNTY, ILLINOIS.

the condominium Declaration

Property Added by Second Amendment to

EXHIBIT "A-1"

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Property of Cook County Clerk's Office

NOT PROPERTY IN QUESTION

24-18-216-087

LOT 1 IN BRIGATE APARTMENTS, A SUBDIVISION OF PART OF LOT 4
IN WALES TOBEY'S SUBDIVISION IN THE NORTH HALF OF SECTION 18,
TOWNSHIP 37 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL
MERIDIAN, IN COOK COUNTY, ILLINOIS.

the Condominium Declaration

Property Added by Third Amendment to

EXHIBIT "A-2"

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I, **STEPHEN J. BAKER**, an Illinois Registered Land Surveyor, hereby certify that I have surveyed the property described above and the plat herein drawn is a correct representation of said survey.

(Dimensions are in feet and decimals) parts thereof and are not forced to a compass or of degree Fahrenheit.

Stephen J. Baker
 Illinois Registered Land Surveyor No. 1113



Scale 1 inch = 20 feet
 Order No. 211279 A
 (ordered by: Austin Highland)

Please check legal description with deed and report any discrepancy immediately.
 Surveyed June 1, 1995
 Building located June 1, 1995

STATE OF ILLINOIS
 COUNTY OF COOK

Sheet 1 of 4
 Exhibit (1)

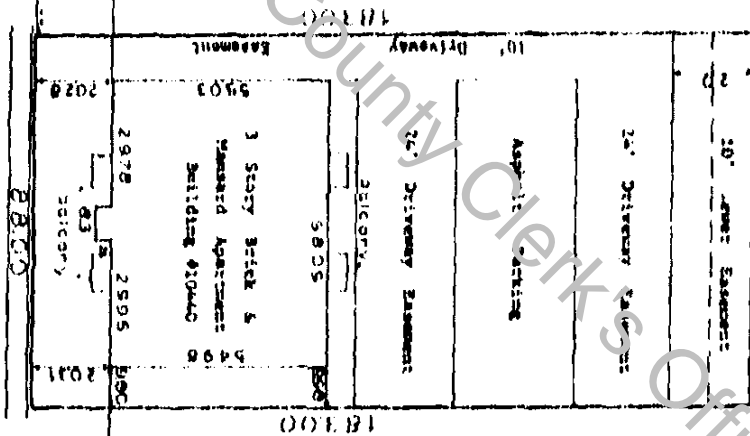
North Line of Pamela Lane

Original of Building line prior to 17' street dedication

Elevation 597.02 (1995 Datum)

Locations shown herein are referenced to Bench Mark 1111 of Flood Insurance Rate Map (Community Panel Number 170071-011), described as it appears on the map of the West End of Norfolk and Western Railway Bridge over the River (East West).

Distances and angles on pages 2, 3 and 4 are limited common elements.



BRIARGATE CONDOMINIUMS FOURTH AMENDMENT

Lot 2 (except the East 17 feet taken for road purposes) in Briargate Addition, a subdivision of the North 179.60 feet (except the West 100 feet thereof) of part of Lot 4 in Tudy's subdivision of the North Half of Section 18, Township 17 North, Range 13, East of the Third Principal Meridian, in Cook County, Illinois.

Plat of Survey

KARAL ENGINEERING COMPANY
 Land Surveying and Civil Engineering
 2411 Hawthorne Avenue
 Des Plaines, Illinois 60018
 708 297 2072

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Property of Cook County Clerk's Office

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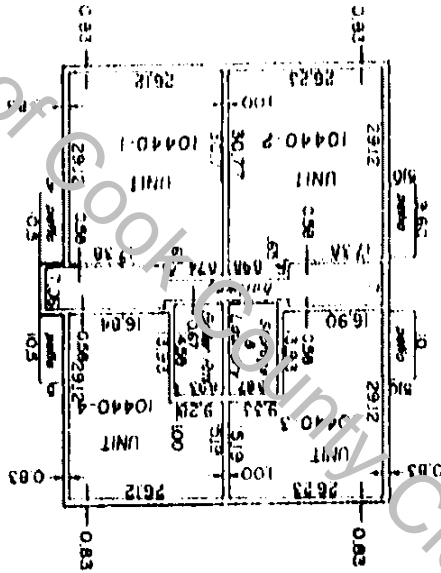


Map 1 inch = 111.33 A
Order No. 11133 A
Order by Austin Higgins

I, STEVEN J. BALKE, an Illinois Registered Land Surveyor, hereby certify that I have surveyed the property described above and the plat hereon drawn is a correct representation of said survey.
Dimensions are in feet and decimal parts thereof and are measured to a temperature of 63 degrees Fahrenheit.
Illinois Registered Land Surveyor No. 1112

Please check legal description with deed and report any discrepancy immediately.
Surveyed June 1, 19 95
Building located June 1, 19 95

Vertical boundaries of units are formed by the interior finished surface of the ceilings and floors.
Horizontal boundaries of units are formed by the finished surface of interior walls and finished interior face of exterior walls.
Elevations shown are referred to datum described on sheet 1 of the survey.



UPPER ELEVATION = 606.30
LOWER ELEVATION = 590.40

BRIARGATE CONDOMINIUMS
FOURTH AMENDMENT

Plat of Survey

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Property of Cook County Clerk's Office

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STATE OF ILLINOIS
 COUNTY OF COOK

I, ARTHUR J. BARKER, an Illinois Registered Land Surveyor, hereby certify that I have surveyed the property described above and the plat hereon drawn is a correct representation of said survey.

Dimensions are in feet and decimal parts thereof and are measured to a temperature of 62 degrees Fahrenheit.

Illinois Registered Land Surveyor No. 1118
 Arthur J. Barker

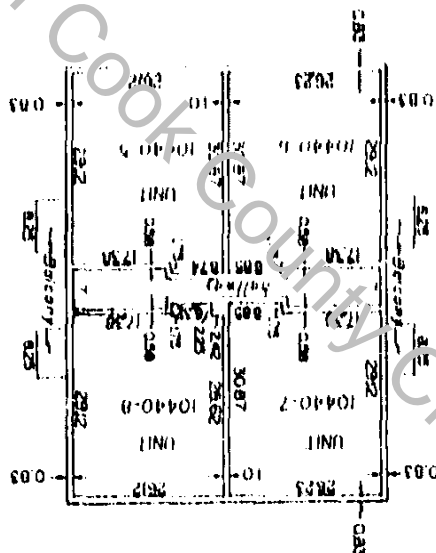


Order No. 111759 A
 Date 10/10/25

Building Located: June 1, 1925
 Surveyed: June 1, 1925

Please check legal description with deed and report any discrepancy immediately.

Vertical boundaries of units are formed by the interior finished surface of the ceilings and floors. Horizontal boundaries of units are formed by the interior surface of interior walls and finished interior face of exterior walls. Elevations shown are referred to datum described in that of the survey.



BRIARGATE CONDOMINIUMS
 FOURTH AMENDMENT

Plat of Survey

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1. BIRPHIN J. MAJAK, an Illinois Registered Land Surveyor,
 hereby certifies that I have surveyed the property described above
 and the plat hereon drawn is a correct representation of said
 survey.
 (Dimensions are in feet and decimal parts thereof and are not
 based on a comparison of old deeded plat thereto.)
 Illinois Registered Land Surveyor No. 1113
 1/18/77

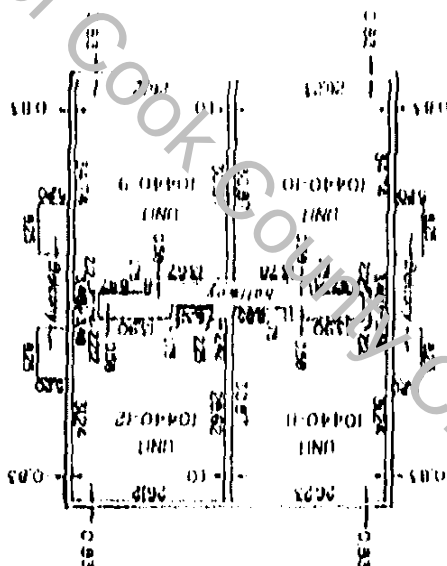


Book: 1 inch - 20
 Index No. 1113
 Indexed By: Birphin J. Majak

Building Located: June 1, 1977
 Surveyed: June 1, 1977
 Please check legal description with deed and report
 any discrepancy immediately

Property of Cook County Clerk's Office

Vertical boundaries of units are formed by the
 interior finished surface of the ceiling and floor
 horizontal boundaries of units are formed by the
 finished surface of interior walls and finished
 interior face of exterior walls
 Elevations shown are referred to datum described
 on sheet 1 of this survey



BRIARGATE CONDOMINIUMS FOURTH AMENDMENT

Plat of Survey

2111 MARSHWOOD AVENUE
 WESTMONT, ILLINOIS 60090

KARAL ENGINEERING COMPANY
 Land Surveying and Civil Engineering

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Property of Copeland County Office

1008

1.44494	Unit 10440-1
1.45194	Unit 10440-2
1.18189	Unit 10440-3
1.17609	Unit 10440-4
1.44458	Unit 10440-5
1.45194	Unit 10440-6
1.45194	Unit 10440-7
1.45194	Unit 10440-8
1.43517	Unit 10440-9
1.54514	Unit 10440-10
1.55259	Unit 10440-11
1.46686	Unit 10440-12
1.45198	Unit 10440-13

1.23201	Unit 6430-1
1.23201	Unit 6430-2
1.44494	Unit 6430-3
1.44494	Unit 6430-4
1.44494	Unit 6430-5
1.23201	Unit 6430-6
1.23201	Unit 6430-7
1.44494	Unit 6430-8
1.44494	Unit 6430-9
1.23201	Unit 6430-10
1.23201	Unit 6430-11
1.73898	Unit 6430-12
1.73898	Unit 6440-1
1.44494	Unit 6440-2
1.44494	Unit 6440-3
1.23201	Unit 6440-4
1.23201	Unit 6440-5
1.44494	Unit 6440-6
1.44494	Unit 6440-7
1.23201	Unit 6440-8
1.23201	Unit 6440-9
1.73898	Unit 6440-10
1.73898	Unit 6440-11
1.23201	Unit 6440-12
1.23201	Unit 6440-13

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Property of Clark County Clerk's Office

List of Units and Percentage Interest in the Common Elements

1.444494	Unit 10530-1
1.451949	Unit 10530-2
1.181689	Unit 10530-3
1.176097	Unit 10530-4
1.446358	Unit 10530-5
1.451949	Unit 10530-6
1.451949	Unit 10530-7
1.435174	Unit 10530-8
1.545142	Unit 10530-9
1.552598	Unit 10530-10
1.466860	Unit 10530-11
1.451949	Unit 10530-12
1.217102	Unit 10538-1
1.217102	Unit 10538-2
1.457541	Unit 10538-3
1.457541	Unit 10538-4
1.217102	Unit 10538-5
1.217102	Unit 10538-6
1.457541	Unit 10538-7
1.457541	Unit 10538-8
1.457541	Unit 10538-9
1.245060	Unit 10538-10
1.245060	Unit 10538-11
1.593603	Unit 10538-12
1.457541	Unit 10540-1
1.457541	Unit 10540-2
1.217102	Unit 10540-3
1.217102	Unit 10540-4
1.457541	Unit 10540-5
1.457541	Unit 10540-6
1.217102	Unit 10540-7
1.217102	Unit 10540-8
1.528368	Unit 10540-9
1.528368	Unit 10540-10
1.528368	Unit 10540-11
1.230249	Unit 10540-12

EXHIBIT "C"

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Property of Cook County Clerk's Office