

749369 - C/Pmc

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SECOND SUPPLEMENTARY DECLARATION
TO
DECLARATION OF PARTY WALL RIGHTS, COVENANTS,
CONDITIONS, RESTRICTIONS AND EASEMENTS FOR
VILLAS OF PALOS HEIGHTS

THIS INSTRUMENT is made and entered into this 6th day of December, 1994 by CHICAGO TITLE AND TRUST COMPANY, not personally, but solely as Trustee under a Trust Agreement dated August 6, 1993 and known as Trust Number 1098688 (the "Trustee").

W I T N E S S E T H:

WHEREAS, by Declaration of Party Wall Rights, Covenants, Conditions, Restrictions and Easements (the "Declaration") recorded in the office of the Recorder of Deeds of Cook County, Illinois, as Document No. 94578976, the Trustee submitted certain real estate to the provisions of the Declaration; and

WHEREAS, the Declaration has been amended by the First Supplementary Declaration to the Declaration recorded in the office of the Recorder of Deeds of Cook County, Illinois as Document No. 94949073; and

WHEREAS, the Declaration reserves to the Trustee the right to amend the Declaration to correct clerical or typographical errors in the Declaration; and

WHEREAS, the Trustee now desires to amend the Declaration to correct a clerical or typographical error in the Declaration.

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

1. Section 9.05 of the Declaration is hereby amended by deleting the language thereof and substituting the following language in its place:

"Section 9.05. No advertising sign, billboards, unsightly objects, or nuisances shall be erected, placed or permitted to remain on any Townhouse Unit, Assessment Parcel or anywhere else on the Property except as provided in Section 9.06 hereof or otherwise; provided, however, if the Declarant and the beneficiaries of the Declarant have sold each and every Assessment Parcel, an Owner

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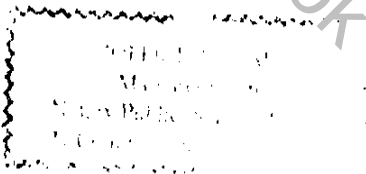
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STATE OF ILLINOIS)
) SS.
COUNTY OF COOK)

I, the undersigned, a Notary Public in and for the County and State aforesaid, DO HEREBY CERTIFY that LOWANETTS FRANK... and DEBORAH TTE KUNE of Chicago Title and Trust Company, Grantor, personally known to be the same persons whose names are subscribed to the foregoing instrument as such Assistant Vice President and Assistant Secretary, respectively, appeared before me this day in person and acknowledged that they signed and delivered the said instrument as their own free and voluntary act, and as the free and voluntary act of said corporation, for the uses and purposes therein set forth; and the said Assistant Secretary then and there acknowledged that the said Assistant Secretary as custodian of the corporate seal of said corporation, caused the corporate seal of said corporation to be affixed to said instrument as said Assistant Secretary's own free and voluntary act of said corporation, for the uses and purposes therein set forth.

GIVEN UNDER MY HAND and Notarial Seal this 6th day of December, 1994.



Margaret Harmon
Notary Public

My Notarial Seal:

PERMANENT INDEX NUMBER: 24-31-201-048-0000

ADDRESS OF PROPERTY: 101 to 704 Feldner Court,
Palos Heights, Illinois 60463

THIS INSTRUMENT PREPARED BY AND AFTER RECORDING MAIL TO:

Patrick J. O'Malley
Attorney at Law
5100 West 127th Street
Palos Park, Illinois 60658
708/597-1500

BOX 333-CTI

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my erect one "For Sale" sign of not more than two square feet on the Owner's Assessment Parcel subject to rules and regulations promulgated by the Board of Directors."

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

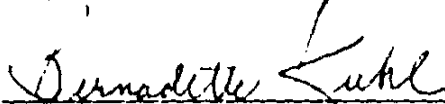
3. This instrument is executed by Chicago Title and Trust Company not personally but solely as Trustee as aforesaid, in the exercise of power and authority conferred upon and vested in it as such Trustee. It is expressly understood and agreed by every person, firm, corporation or entity hereafter claiming any interest under this instrument that said Trustee as aforesaid, and not personally, has executed this instrument for the sole purpose of subjecting the title-holding interest and the trust estate under said Trust No. 1098688 to the terms of the Declaration and this instrument; 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 not intended to be kept, performed, and/or discharged by said Trustee or any beneficiary under said trust personally; and further, that no duty shall rest upon Chicago Title 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 the instrument, 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 conflict between the terms of this paragraph and of the remainder of this instrument on any question of apparent liability or obligation resting upon said Trustee or beneficiary, the exculpatory provisions of this Paragraph shall be controlling.

IN WITNESS WHEREOF, Chicago Title and Trust Company as Trustee as aforesaid, and not personally, has caused its corporate seal to be affixed hereunto and caused its name to be signed hereto by its authorized officers as of the date first above written.

CHICAGO TITLE AND TRUST COMPANY, as Trustee, As aforesaid, and not personally,

By 
its Assistant Vice President

ATTEST:


its Assistant Secretary

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CHICAGO TITLE INSURANCE COMPANY

ORDER NUMBER: 1410 007493569 OF
STREET ADDRESS: LOTS 1-7 VILLAS OF PALOS HEIGHTS
CITY: PALOS HEIGHTS COUNTY: COOK
TAX NUMBER: 24-31-201-048-0000

LEGAL DESCRIPTION:

PARCEL 1:

LOTS 1 THROUGH 7, BOTH INCLUSIVE IN THE VILLAS OF PALOS HEIGHTS, PLANNED UNIT DEVELOPMENT, BEING A SUBDIVISION OF THE NORTH 671.53 FEET (EXCEPT THE EAST 900 FEET THEREOF AND EXCEPT THE WEST 165 FEET OF THE NORTH 283 FEET THEREOF AND EXCEPT THAT PART TAKEN FOR HIGHWAY) OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 31, TOWNSHIP 37 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS

PARCEL 2:

EASEMENT FOR THE BENEFIT OF PARCEL 1 AS CREATED BY THE THE DECLARATION OF PARTY WALL RIGHTS, COVENANTS, CONDITIONS AND RESTRICTIONS AND EASEMENTS FOR THE VILLAS OF PALOS HEIGHTS RECORDED JULY 1, 1994 AS DOCUMENT 94578976 AND FIRST SUPPLEMENTARY DECLARATION RECORDED NOVEMBER 7, 1994 AS DOCUMENT 94949073 AND BY DEED FROM CHICAGO TITLE AND TRUST COMPANY, AS TRUSTEE UNDER TRUST NUMBER 1098688 TO _____ RECORDED _____ AS DOCUMENT _____, FOR INGRESS AND EGRESS, IN COOK COUNTY, ILLINOIS

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