

UNOFFICIAL COPY 95163419

FIFTH AMENDMENT TO DECLARATION OF EASEMENTS, RESTRICTIONS AND COVENANTS FOR THE FOUR SEASONS CLUB TOWNHOUSE ASSOCIATION

*Chicago Title And Trust Co., as Successor Trustee to First State Bank & Trust Co. of Park Ridge, Trustee u/l/a 2274, dated 8/23/91.

This Fifth Amendment To Declaration of Easements, Restrictions, and Covenants for The Four Seasons Club Townhouse Association (the "Declaration") is made and entered into by and between First State Bank & Trust Company of Park Ridge, as trustee and not individually, under a certain Trust Agreement known as Trust Number 2274 and dated August 23, 1991 (the "Parcel Owner"), and The Four Seasons Club Townhouse Association (the "Association"), as of the 15th day of February, 1995.

Whereas, the Declaration was recorded in the Office of the Cook County Recorder of Deeds on October 18, 1988, as Document No. 88-479485; and

Whereas, the Declaration has previously been amended by a document which was recorded in the Office of the Cook County Recorder of Deeds as Document No. 88-496426 (the "First Amendment"); and

Whereas, the Declaration and the First Amendment thereto have previously been amended by a document which was recorded in the Office of the Cook County Recorder of Deeds on December 8, 1993, as Document No. 03-005442 (the "Second Amendment"); and

Whereas, the Declaration, the First Amendment thereto, and the Second Amendment thereto have previously been amended by a document which was recorded in the Office of the Cook County Recorder of Deeds on April 18, 1994, as Document No. 94344905 and recorded on May 5, 1994 as Document No. 94408906 (the "Third Amendment"); and

Whereas, the Declaration, the First Amendment thereto, the Second Amendment thereto, and the Third Amendment thereto have previously been amended by a document which was recorded in the Office of the Cook County Recorder of Deeds on August 4, 1994, as Document No. 94691776 (the "Fourth Amendment"); and

Whereas, the Parcel Owner is the owner of Parcel A on Exhibit E attached to the Declaration, the First Amendment, the Second Amendment, the Third Amendment, and the Fourth Amendment; and

Whereas, pursuant to Section 17 of the Declaration, the Parcel Owner wishes to divide said Parcel A into eight (8) separate Parcels; and

Whereas, the Association has consented to said division;

Now, Therefore, the Declaration, as amended by the First Amendment, Second Amendment, Third Amendment, and Fourth Amendment, is hereby amended as hereinafter set forth:

MAIL TO:
Bernard J. Kayne
140 S. Dearborn St., Suite 800
Chicago, IL 60603

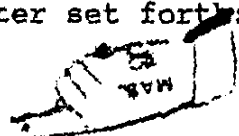
LAND TITLE GROUP, INC.

ADDRESS OF PROPERTY:
502, 504, 506, 508, 510, 512,
514 and 516 Philip Drive
Bartlett, IL 60103

XL-802207-08

95163419

MAIL TO



5/16/95
600/100

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DEPT-01 RECORDING \$51.50
146666 TRAN 8101 03/10/95 11:30:00
26883 KB *-95-163419
COOK COUNTY RECORDER

UNOFFICIAL COPY

1. Exhibit E attached to the Fourth Amendment to the Declaration is hereby deleted and Exhibit E attached hereto is substituted therefor as Exhibit E to the Declaration.
2. Exhibit F attached to the Fourth Amendment to the Declaration is hereby deleted and Exhibit F attached hereto is substituted therefor as Exhibit F to the Declaration.
3. This Fifth Amendment shall be effective upon recording in the Office of the Recorder of Deeds of Cook County, Illinois.

In Witness Whereof, the undersigned have executed this Fifth Amendment the date first above written. Attached exoneration rider is incorporated herein.

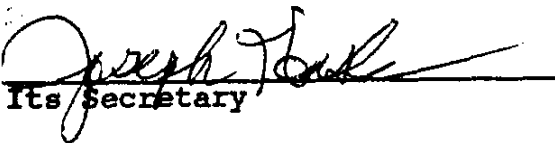
Chicago Title And Trust Co., as Successor
Trustee to First State Bank & Trust Co. of Park
Ridge, Trustee u/t/a 2274, dated 8/23/91.

By: 
Asst. Vice President

Attest: 
Asst. Secretary

The Four Seasons Club Townhouse
Association, an Illinois not-for-
profit corporation

Attest:


Its Secretary

By: 
Its President

This instrument prepared by:

Mail To: Preparer

Bernard J. Kayne
Bernard J. Kayne & Associates, Ltd.
140 South Dearborn St. Suite 800
Chicago, IL 60603
312/704-8484

P.I.N.: 06-28-103-001
0209jk01.amd

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EXHIBIT E

PARCELS

PARCEL A-1: LOT 1 EXCEPT THE WESTERLY 307.58 FEET IN FOUR SEASONS SUBDIVISION, BEING A SUBDIVISION OF PART OF THE SOUTHWEST QUARTER OF SECTION 28, TOWNSHIP 41 NORTH, RANGE 9, EAST OF THE THIRD PRINCIPAL MERIDIAN RECORDED AS DOCUMENT NO. 88479485 IN COOK COUNTY, ILLINOIS.

PARCEL A-2: THE EASTERLY 40.58 FEET OF THE WESTERLY 307.58 FEET OF LOT 1 IN FOUR SEASONS SUBDIVISION, BEING A SUBDIVISION OF PART OF THE SOUTHWEST QUARTER OF SECTION 28, TOWNSHIP 41 NORTH, RANGE 9, EAST OF THE THIRD PRINCIPAL MERIDIAN RECORDED AS DOCUMENT NO. 88479485 IN COOK COUNTY, ILLINOIS.

PARCEL A-3: THE EASTERLY 40.34 FEET OF THE WESTERLY 267.00 FEET OF LOT 1 IN FOUR SEASONS SUBDIVISION, BEING A SUBDIVISION OF PART OF THE SOUTHWEST QUARTER OF SECTION 28, TOWNSHIP 41 NORTH, RANGE 9, EAST OF THE THIRD PRINCIPAL MERIDIAN RECORDED AS DOCUMENT NO. 88479485 IN COOK COUNTY, ILLINOIS.

PARCEL A-4: THE EASTERLY 40.42 FEET OF THE WESTERLY 226.66 FEET OF LOT 1 IN FOUR SEASONS SUBDIVISION, BEING A SUBDIVISION OF PART OF THE SOUTHWEST QUARTER OF SECTION 28, TOWNSHIP 41 NORTH, RANGE 9, EAST OF THE THIRD PRINCIPAL MERIDIAN RECORDED AS DOCUMENT NO. 88479485 IN COOK COUNTY, ILLINOIS.

PARCEL A-5: THE EASTERLY 40.37 FEET OF THE WESTERLY 186.18 FEET OF LOT 1 IN FOUR SEASONS SUBDIVISION, BEING A SUBDIVISION OF PART OF THE SOUTHWEST QUARTER OF SECTION 28, TOWNSHIP 41 NORTH, RANGE 9, EAST OF THE THIRD PRINCIPAL MERIDIAN RECORDED AS DOCUMENT NO. 88479485 IN COOK COUNTY, ILLINOIS.

PARCEL A-6: THE EASTERLY 40.57 OF THE WESTERLY 143.91 FEET OF LOT 1 IN FOUR SEASONS SUBDIVISION, BEING A SUBDIVISION OF PART OF THE SOUTHWEST QUARTER OF SECTION 28, TOWNSHIP 41 NORTH, RANGE 9, EAST OF THE THIRD PRINCIPAL MERIDIAN RECORDED AS DOCUMENT NO. 88479485 IN COOK COUNTY, ILLINOIS.

PARCEL A-7: THE EASTERLY 40.61 FEET OF THE WESTERLY 105.24 FEET OF LOT 1 IN FOUR SEASONS SUBDIVISION, BEING A SUBDIVISION OF PART OF THE SOUTHWEST QUARTER OF SECTION 28, TOWNSHIP 41 NORTH, RANGE 9, EAST OF THE THIRD PRINCIPAL MERIDIAN RECORDED AS DOCUMENT NO. 88479485 IN COOK COUNTY, ILLINOIS.

PARCEL A-8: THE WESTERLY 64.63 FEET OF LOT 1 IN FOUR SEASONS SUBDIVISION, BEING A SUBDIVISION OF PART OF THE SOUTHWEST QUARTER OF SECTION 28, TOWNSHIP 41 NORTH, RANGE 9, EAST OF THE THIRD

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PRINCIPAL MERIDIAN RECORDED AS DOCUMENT NO. 88479485 IN COOK COUNTY, ILLINOIS.

PARCEL B-1: THE NORTH 58.04 FEET OF LOT 2 IN FOUR SEASONS SUBDIVISION PHASE 1, BEING A SUBDIVISION OF PART OF THE SOUTHWEST 1/4 OF SECTION 28, TOWNSHIP 41 NORTH, RANGE 9 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

PARCEL B-2: THE SOUTH 40.90 FEET OF THE NORTH 98.94 FEET OF LOT 2 IN FOUR SEASONS SUBDIVISION PHASE 1, BEING A SUBDIVISION OF PART OF THE SOUTHWEST 1/4 OF SECTION 28, TOWNSHIP 41 NORTH, RANGE 9 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

PARCEL B-3: THE SOUTH 40.87 FEET OF THE NORTH 139.81 FEET OF LOT 2 IN FOUR SEASONS SUBDIVISION PHASE 1, BEING A SUBDIVISION OF PART OF THE SOUTHWEST 1/4 OF SECTION 28, TOWNSHIP 41 NORTH, RANGE 9 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

PARCEL B-4: THE SOUTH 40.91 FEET OF THE NORTH 180.72 FEET OF LOT 2 IN FOUR SEASONS SUBDIVISION PHASE 1, BEING A SUBDIVISION OF PART OF THE SOUTHWEST 1/4 OF SECTION 28, TOWNSHIP 41 NORTH, RANGE 9 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

PARCEL B-5: THE SOUTH 52.72 FEET OF THE NORTH 233.44 FEET OF LOT 2 IN FOUR SEASONS SUBDIVISION PHASE 1, BEING A SUBDIVISION OF PART OF THE SOUTHWEST 1/4 OF SECTION 28, TOWNSHIP 41 NORTH, RANGE 9 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

PARCEL B-6: LOT 2 (EXCEPT THE NORTH 233.44 FEET) IN FOUR SEASONS SUBDIVISION PHASE 1, BEING A SUBDIVISION OF PART OF THE SOUTHWEST 1/4 OF SECTION 28, TOWNSHIP 41 NORTH, RANGE 9 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

PARCEL C-1: THE SOUTHERLY 46.24 FEET OF LOT 2 IN FOUR SEASONS SUBDIVISION, BEING A SUBDIVISION OF PART OF THE SOUTHWEST QUARTER OF SECTION 28, TOWNSHIP 41 NORTH, RANGE 9, EAST OF THE THIRD PRINCIPAL MERIDIAN RECORDED AS DOCUMENT NO. 88479485 IN COOK COUNTY, ILLINOIS.

PARCEL C-2: THE NORTHERLY 40.25 FEET OF THE SOUTHERLY 86.49 FEET OF LOT 3 IN FOUR SEASONS SUBDIVISION, BEING A SUBDIVISION OF PART OF THE SOUTHWEST QUARTER OF SECTION 28, TOWNSHIP 41 NORTH, RANGE 9, EAST OF THE THIRD PRINCIPAL MERIDIAN RECORDED AS DOCUMENT NO. 88479485 IN COOK COUNTY, ILLINOIS.

PARCEL C-3: THE NORTHERLY 40.14 FEET OF THE SOUTHERLY 126.63 FEET OF LOT 3 IN FOUR SEASONS SUBDIVISION, BEING A SUBDIVISION OF PART OF THE SOUTHWEST QUARTER OF SECTION 28, TOWNSHIP 41 NORTH, RANGE 9, EAST OF THE THIRD PRINCIPAL MERIDIAN RECORDED AS DOCUMENT NO. 88479485 IN COOK COUNTY, ILLINOIS.

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PARCEL C-4: THE NORTHERLY 40.25 FEET OF THE SOUTHERLY 166.88 FEET OF LOT 3 IN FOUR SEASONS SUBDIVISION, BEING A SUBDIVISION OF PART OF THE SOUTHWEST QUARTER OF SECTION 28, TOWNSHIP 41 NORTH, RANGE 9, EAST OF THE THIRD PRINCIPAL MERIDIAN RECORDED AS DOCUMENT NO. 88479485 IN COOK COUNTY, ILLINOIS.

PARCEL C-5: LOT 3, EXCEPT THE SOUTHERLY 166.88 FEET OF LOT 3 IN FOUR SEASONS SUBDIVISION, BEING A SUBDIVISION OF PART OF THE SOUTHWEST QUARTER OF SECTION 28, TOWNSHIP 41 NORTH, RANGE 9, EAST OF THE THIRD PRINCIPAL MERIDIAN RECORDED AS DOCUMENT NO. 88479485 IN COOK COUNTY, ILLINOIS.

PARCEL D-1: THE NORTHEASTERLY 43.17 FEET OF LOT 4 IN FOUR SEASONS SUBDIVISION PHASE 1, BEING A SUBDIVISION OF PART OF THE SOUTHWEST 1/4 OF SECTION 28, TOWNSHIP 41 NORTH, RANGE 9 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

PARCEL D-2: THE SOUTHWESTERLY 40.87 FEET OF THE NORTHEASTERLY 84.04 FEET OF LOT 4 IN FOUR SEASONS SUBDIVISION PHASE 1, BEING A SUBDIVISION OF PART OF THE SOUTHWEST 1/4 OF SECTION 28, TOWNSHIP 41 NORTH, RANGE 9 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

PARCEL D-3: THE SOUTHWESTERLY 40.87 FEET OF THE NORTHEASTERLY 124.91 FEET OF LOT 4 IN FOUR SEASONS SUBDIVISION PHASE 1, BEING A SUBDIVISION OF PART OF THE SOUTHWEST 1/4 OF SECTION 28, TOWNSHIP 41 NORTH, RANGE 9 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

PARCEL D-4: LOT 4 (EXCEPT THE NORTHEASTERLY 124.91 FEET) IN FOUR SEASONS SUBDIVISION PHASE 1, BEING A SUBDIVISION OF PART OF THE SOUTHWEST 1/4 OF SECTION 28, TOWNSHIP 41 NORTH, RANGE 9 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

PARCEL E-1: THE SOUTHERLY 57.89 FEET OF LOT 5 IN FOUR SEASONS SUBDIVISION, BEING A SUBDIVISION OF PART OF THE SOUTHWEST QUARTER OF SECTION 28, TOWNSHIP 41 NORTH, RANGE 9, EAST OF THE THIRD PRINCIPAL MERIDIAN, RECORDED AS DOCUMENT NO. 88479485 IN COOK COUNTY, ILLINOIS.

PARCEL E-2: THE NORTHERLY 40.85 FEET OF THE SOUTHERLY 98.74 FEET OF LOT 5 IN FOUR SEASONS SUBDIVISION, BEING A SUBDIVISION OF PART OF THE SOUTHWEST QUARTER OF SECTION 28, TOWNSHIP 41 NORTH, RANGE 9, EAST OF THE THIRD PRINCIPAL MERIDIAN, RECORDED AS DOCUMENT NO. 88479485 IN COOK COUNTY, ILLINOIS.

PARCEL E-3: THE NORTHERLY 40.85 FEET OF THE SOUTHERLY 139.59 FEET OF LOT 5 IN FOUR SEASONS SUBDIVISION, BEING A SUBDIVISION OF PART OF THE SOUTHWEST QUARTER OF SECTION 28, TOWNSHIP 41 NORTH, RANGE 9, EAST OF THE THIRD PRINCIPAL MERIDIAN, RECORDED AS DOCUMENT NO. 88479485 IN COOK COUNTY, ILLINOIS.

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PARCEL E-4: THE NORTHERLY 58.33 FEET OF LOT 5 IN FOUR SEASONS SUBDIVISION, BEING A SUBDIVISION OF PART OF THE SOUTHWEST QUARTER OF SECTION 28, TOWNSHIP 41 NORTH, RANGE 9, EAST OF THE THIRD PRINCIPAL MERIDIAN, RECORDED AS DOCUMENT NO. 88479485 IN COOK COUNTY, ILLINOIS.

PARCEL F-1: LOT 6 (EXCEPT THE SOUTHEASTERLY 124.75 FEET) IN FOUR SEASONS SUBDIVISION, BEING A SUBDIVISION OF PART OF THE SOUTHWEST QUARTER OF SECTION 28, TOWNSHIP 41 NORTH, RANGE 9 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

PARCEL F-2: THE NORTHWESTERLY 40.18 FEET OF THE SOUTHEASTERLY 124.75 FEET OF LOT 6 IN FOUR SEASONS SUBDIVISION, BEING A SUBDIVISION OF PART OF THE SOUTHWEST QUARTER OF SECTION 28, TOWNSHIP 41 NORTH, RANGE 9 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

PARCEL F-3: THE NORTHWESTERLY 40.46 FEET OF THE SOUTHEASTERLY 84.57 FEET OF LOT 6 IN FOUR SEASONS SUBDIVISION, BEING A SUBDIVISION OF PART OF THE SOUTHWEST QUARTER OF SECTION 28, TOWNSHIP 41 NORTH, RANGE 9 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

PARCEL F-4: THE SOUTHEASTERLY 44.11 FEET OF LOT 6 IN FOUR SEASONS SUBDIVISION, BEING A SUBDIVISION OF PART OF THE SOUTHWEST QUARTER OF SECTION 28, TOWNSHIP 41 NORTH, RANGE 9 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

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EXHIBIT F

Percentages

<u>Parcel</u>	<u>Percentage</u>
A-1	3.2259%
A-2	3.2258%
A-3	3.2258%
A-4	3.2258%
A-5	3.2258%
A-6	3.2258%
A-7	3.2258%
A-8	3.2258%
B-1	3.2259%
B-2	3.2258%
B-3	3.2258%
B-4	3.2258%
B-5	3.2258%
B-6	3.2258%
C-1	3.2258%
C-2	3.2258%
C-3	3.2258%
C-4	3.2258%
C-5	3.2258%
D-1	3.2258%
D-2	3.2258%
D-3	3.2258%
D-4	3.2258%
E-1	3.2258%
E-2	3.2258%
E-3	3.2258%
E-4	3.2258%
F-1	3.3264%
F-2	3.0852%
F-3	3.1058%
F-4	<u>3.3858%</u>
	100.0000%

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EXCULPATORY CLAUSE FOR CHICAGO TITLE AND TRUST COMPANY, AS TRUSTEE

It is expressly understood and agreed by and between the parties hereto, anything to the contrary notwithstanding, that each and all of the warranties, indemnities, representations, covenants, undertakings and agreements herein made on the part of the Trustee while in form purporting to be the warranties, indemnities, representations, covenants, undertakings and agreements of said Trustee are nevertheless each and every one of them, made and intended not as personal warranties, indemnities, representations, covenants, undertakings and agreements by the Trustee or for the purpose or with the intention of binding said Trustee personally but are made and intended for the purpose of binding only that portion of the trust property specifically described herein, and this instrument is executed and delivered by said Trustee not in its own right, but solely in the exercise of the powers conferred upon it as such Trustee; and that no personal liability or personal responsibility is assumed by nor shall at any time be asserted or enforceable against Chicago Title and Trust Company, on account of this instrument or on account of any warranty, indemnity, representation, covenant or agreement of the said Trustee in this instrument contained, either expressed or implied, all such personal liability, if any, being expressly waived and released.

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