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**AMENDMENT TO DECLARATION OF  
CONDOMINIUM OWNERSHIP FOR  
THE INDIAN VILLAGE PARKING  
CONDOMINIUM ASSOCIATION  
WITHDRAWING INCORRECT  
PROPERTY AND SUBMITTING  
CORRECT PROPERTY**

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**THIS AMENDMENT** is made and entered into by Lakeside Bank, not personally, but as Trustee under Trust Agreement dated August 4, 1995, and known as Trust No. 10-1697 (hereinafter referred to as the "Declarant") and the Indian Village Parking Condominium Association (hereinafter referred to as the "Association").

**WITNESSETH**

**WHEREAS**, Declarant previously recorded with the Cook County Recorder of Deeds on December 7, 1995 as Document 95851051, a Declaration of Condominium Ownership and of Easements, Restrictions, Covenants and By Laws for the Indian Village Parking Condominium Association submitting the real estate legally described on the Exhibit A attached to said Declaration to the provisions of the Condominium Act; and

**WHEREAS**, a portion of the common elements consists of a walkway between the parking areas of the Condominium and the public park to the east, and said walkway was originally shown on the Condominium survey and legal description as a path that takes an angled bend, but now should be shown as a straight path to the park; and

**WHEREAS**, at a meeting specifically held and noticed for that particular purpose, all of the unit owners approved and voted in favor of altering the configuration of the walkway and authorized the officers of the Association to join in this Amendment on behalf of all of the unit owners.

**NOW, THEREFORE**, the Declarant and Association declare as follows:

1. The property legally described on Exhibit A attached hereto is hereby withdrawn from the Condominium Act.
2. The property legally described on Exhibit B attached hereto is hereby submitted to the Condominium Act and shall be added to the common elements of the Condominium.
3. The easement reserved in favor of the owner of the townhome parcel pursuant to Section 4.6 of the Declaration of Condominium Ownership shall benefit in addition to the townhome parcel described on Exhibit C to the Declaration of Condominium Ownership also that small triangle of land lying between the said townhome parcel and the walkway parcel described on Exhibit B hereto.

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4. In all other respects, the aforesaid Declaration of Condominium Ownership is hereby reaffirmed.

IN WITNESS WHEREOF, Declarant and the Association have properly executed this Amendment as of this \_\_\_ day of October, 1996.

Lakeside Bank, not personally, but as Trustee under Trust Agreement dated August 4, 1995, and known as Trust No. 10 1697

Indian Village Parking Condominium Association

By:

Its VICE - PRESIDENT & TRUST OFFICER

By:

Its President

ATTEST:

Loan Officer

ATTEST:

SEE RIDER ATTACHED HERETO AND MADE A PART HEREOF.

**PREPARED BY AND MAIL TO:**

Mark R. Ordower  
Mandel, Lipton and Stevenson  
120 N. LaSalle Street  
Suite 2900  
Chicago, Illinois 60602



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It is expressly understood and agreed by and between the parties hereto, anything herein to the contrary notwithstanding, that each and all of the representations, covenants, undertakings and agreements herein made on the part of Lakeside Bank, Trustee, while in form purporting to be the representations, covenants, undertakings and agreements of said Trustee are nevertheless each and every one of them, made and intended not as personal representations, covenants, undertakings and agreements by the Lakeside Bank, 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 Lakeside Bank, 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 the Lakeside Bank, either individually or in its capacity as Trustee or any of the beneficiaries under said Trust Agreement, on account of this instrument or on account of any representation, covenant, undertaking or agreement of the said Lakeside Bank, Trustee, in this instrument contained either expressed or implied, all such personal liability, if any, being expressly waived and released.

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STATE OF ILLINOIS     )  
   ) SS.  
 COUNTY OF COOK        )

I, MARK OGDOWER, a Notary Public in and for said County, in the State aforesaid, do hereby certify that Johanna Kretschmer and Laurence Eichelmann personally known to me to be the same persons whose names are subscribed to the foregoing instrument as President and Secretary of Indian Village Parking Condominium Association, appeared before me this day in person, and acknowledged that they, being thereunto duly authorized, signed and delivered the said instrument as the free and voluntary act of said entity for the uses and purposes therein set forth.

Given under my hand and notarial seal this 31<sup>st</sup> day of October, 1996.

*Mark Ogdower*

Notary Public



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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 Vincent J. Tolve and Michael J. Lawrence, personally known to me to be the same persons whose names are subscribed to the foregoing instrument as VP - Trust Officer and Trust Officer of Lakeside Bank, not personally but solely as Trustee under a Trust Agreement dated August 7, 1995, and known as Trust No. 1697, appeared before me this day in person and severally acknowledged to me that they, being thereunto duly authorized, signed, and delivered said instrument as the free and voluntary act of said company as Trustee aforesaid, and as their own free and voluntary act, for the uses and purposes therein set forth.

GIVEN under my hand and notarial seal this 26 day of <sup>November</sup>~~October~~, 1996.

Mary C. Adler  
Notary Public

OFFICIAL SEAL  
MARY C. ADLER  
NOTARY PUBLIC, STATE OF ILLINOIS  
MY COMMISSION EXPIRES 0-8-00

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## EXHIBIT A

That part of Block 2 of Chicago Beach Addition being a subdivision of Lot "A" in Beach Hotel Company's Consolidation of certain tracts in Fractional Sections 11 and 12, Township 38 North, Range 14, East of the Third Principal Meridian, described as follows: commencing at the Northeast corner of the South 125.00 feet of said Block 2; Thence North  $00^{\circ} 03' 00''$  East along the East line 116.61 feet to the point of beginning; Thence North  $36^{\circ} 31' 23''$  West 50.26 feet; Thence North  $90^{\circ} 00' 00''$  East 6.22 feet; Thence South  $36^{\circ} 31' 23''$  East 59.52 feet to the East line of Block 2; Thence South  $00^{\circ} 03' 00''$  West along said East line 8.39 feet to the point of beginning, in Cook County, Illinois. Excepting From the Above Described Tract of Land That Part Lying Above a Horizontal Plane Having an Elevation of 20.78 Feet Above Chicago City Datum Lying Within the Boundaries Projected Vertically of Said Tract.

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## EXHIBIT B

That part of Block 2 in Chicago Beach Addition being a subdivision of Lot "A" in Beach Hotel Company's Consolidation of certain tracts in Fractional Sections 11 and 12, Township 38 North, Range 14, East of the Third Principal Meridian, described as follows: commencing at the Northeast corner of the South 125.00 feet of said Block 2; Thence North 00° 03' 00" East along the East line 157.0 feet to the point of beginning; Thence continue North 00° 03' 00" East along said East line 5.0 feet; Thence North 90° 00' 00" West 27.43 feet; Thence South 36° 31' 23" East 6.22 feet; Thence North 90° 00' 00" East 23.73 feet to the point of beginning, in Cook County, Illinois.

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