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PLAT

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DEPT-01 RECORDING 459.00
T00012 TRAN 3512 12/27/96 11:13:00
#2957 # JM *-96-975075
COOK COUNTY RECORDER

SECOND AMENDMENT

TO

DECLARATION OF PARTY WALL RIGHTS.

COVENANTS, CONDITIONS, EASEMENTS AND RESTRICTIONS FOR
MIDWAY MANOR TOWNHOUSE ASSOCIATION

THIS SECOND AMENDMENT TO DECLARATION OF PARTY WALL RIGHTS, COVENANTS, CONDITIONS, EASEMENTS AND RESTRICTIONS FOR MIDWAY MANOR TOWNHOUSE ASSOCIATION is made and entered into by STATE BANK OF COUNTRYSIDE, Trustee Under Trust Agreement dated January 4, 1995 and known as Trust No. 95-1520 and not individually (The "Trustee"):

W I T N E S S E T H

WHEREAS, by the Declaration of Party Wall Rights, Covenants, Conditions, Easements and Restrictions for MIDWAY MANOR TOWNHOUSE ASSOCIATION ("Declaration") recorded in the Office of the Recorder of Deeds of Cook County, Illinois, as Document No. 95852330, State Bank of Countryside, as Trustee under Trust Agreement dated January 4, 1995 and known as Trust No. 95-1520, and not individually, submitted certain real estate (the "Property") to the provisions of the Declaration of said townhome development being known as MIDWAY MANOR TOWNHOUSE ASSOCIATION (the "Townhomes"); and

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WHEREAS, BY ARTICLE 2 of the Declaration the right is reserved in the Developer, Midway Development, L.L.C. to annex and add certain real property to the Property described in the Declaration and thereby add to the Townhomes; and

WHEREAS, State Bank of Countryside, as Trustee under Trust Agreement dated January 4, 1995 and known as Trust No. 95-1520 is the legal title holder of the Property to be annexed and Midway Development, L.L.C., is the Developer and wishes to so annex and add to said Property and thereby submit to the Declaration as a part of the Townhomes the following real property (the "Additional Property"):

LOT 4 IN DOYLE-ROCHE SUBDIVISION OF PART OF THE SOUTHWEST QUARTER OF SECTION 15, TOWNSHIP 38 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

PROPERTY ADDRESSES: 6235 UNITS A THRU K SOUTH KNOX, CHICAGO, ILLINOIS

PIN: 19-15-303-005 AFFECTS P.I.Q. & OTHER PROPERTY

which property is described in Exhibit "B" to the said Declaration as Additional Property; and

WHEREAS, the Additional Property is now improved with one (1) building, containing eleven (11) units making a total of eleven (11) additional units, as defined in the Declaration.

NOW, THEREFORE, State Bank of Countryside, as Trustee under Trust Agreement dated January 4, 1995 and known as Trust No. 95-1520, and not individually, as the legal title holder of the Additional Property and Midway Development, L.L.C., as the beneficial owner of said trust, and for the purpose above set forth, hereby declares that the Declaration be and hereby is amended as follows:

1. The Additional Property is hereby annexed to the Parcel and Property as defined in the Declaration and Declarant hereby declares that the additional property shall be held, sold and conveyed subject to the party wall rights, covenants, conditions, easements and restrictions contained in the Declaration all of which shall run with the land and be binding on all parties having or acquiring any right, title or interest therein or any part thereof, and shall inure to the benefit of each Owner thereof.

2. The Plat attached to the Declaration showing the boundaries of the Property and delineating and describing the Units contained therein, is hereby amended and supplemented by the addition of one (1) page attached hereto showing the

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boundaries of the annexed Property and describing the additional Units contained in said annexed Property.

3. It is expressly understood and agreed by and between the parties hereto to the contrary notwithstanding, that each and all of the representations, covenants, undertakings and agreements herein made on the part of the Trustee while in form purporting to be representations, covenants, and agreements herein made on the part of the Trustee are nevertheless each and every one of them made and intended not as personal representations, covenants, undertakings and agreements by the Trustee or for the purposes 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 the State Bank of Countryside 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 Trustee in this instrument contained, either expressed or implied, all such personal liability, if any, being expressly waived and released. It is understood and agreed by the parties hereto, anything to the contrary notwithstanding, that the Trustee will act only on the direction of the beneficiaries.

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

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