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PLAT

1-10-96

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PLAT WITH THIS DOCUMENT

This instrument was prepared by and, after recording, return to:

Ned S. Robertson
Aronberg Goldgehn Davis &
Garnica
One IBM Plaza - Suite 3000
Chicago, Illinois 60611

96026688

DEPT-01 RECORDING \$417.00

T#0003 TRAN 1447 01/10/96 14:39:00
#0801 : LM *-96-026688
COOK COUNTY RECORDER

Space above this line for Recorder's use only

**FIRST AMENDMENT TO
DECLARATION OF CONDOMINIUM
FOR EVERGREENS OF ORLAND CONDOMINIUM**

This First Amendment is made and entered into by COLE TAYLOR BANK, not individually but as Trustee under Trust Agreement dated June 2, 1995 and known as Trust No. 952047 ("Declarant").

R E C I T A L S:

Declarant recorded the Declaration of Condominium for Evergreens of Orland Condominium (the "Declaration") on December 22, 1995 in the Office of the Recorder of Deeds for Cook County, Illinois, as Document No. 95-892800. The Declaration affects the Premises which are legally described in Exhibit A attached hereto.

In Section 11.01 of the Declaration, Declarant reserved the right and power to add portions of the Premises from time to time to the Condominium Property and submit such portions to the provisions of the Condominium Property Act of the State of Illinois (the "Act").

Declarant desires to exercise the rights and powers reserved in Section 11.01 of the Declaration.

NOW, THEREFORE, Declarant hereby amends the Declaration as follows:

Terms. All terms used herein, if not otherwise defined herein, shall have the meanings set forth in the Declaration.

Added Condominium Property/Amendment of Exhibit B. The portion of the Premises which is legally described in the First

95-434 (JB)

RECORDING FEE \$ 417⁰⁰
DATE 1/10/96 COPIES 6
OK JIM

F	1	A
P	2	B
T	3	V
I	4	(M) JIM

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Amendment to Exhibit B attached hereto is hereby made part of the Condominium Property as "Added Condominium Property" and is also submitted to the provisions of the Act. Exhibit B to the Declaration is hereby amended to include the Added Condominium Property which is legally described in the First Amendment to Exhibit B attached hereto.

3. The Added Units/Amendment of Exhibit C. Exhibit C to the Condominium Declaration is hereby amended by adding to and making a part of Exhibit C, Sheets 1 through 4, both inclusive, which are attached hereto. Exhibit C, as hereby amended and supplemented, identifies each Added Unit in the Added Condominium Property and assigns to it an identifying symbol.

4. Amendment of Exhibit D. To reflect the addition of the Added Units, the list of the Undivided Interests of the Units as shown in Exhibit D to the Declaration is hereby amended to be as set forth in the First Amended and Restated Exhibit D, which is attached hereto.

5. Covenants to Run With Land. The covenants, conditions, restrictions and easements contained in the Declaration, as amended by this First Amendment, shall run with and bind the Premises, including the Condominium Property, the Added Condominium Property and Added Units.

6. Continuation. As expressly hereby amended, the Declaration shall continue in full force and effect in accordance with its terms.

7. Trustee Exculpation. Anything herein to the contrary notwithstanding, each and all of the representations, covenants, undertakings, warranties and agreements herein made on the part of the Declarant while in form purporting to be the representations, covenants, undertakings, warranties and agreements of the Declarant are nevertheless, each and every one of them, made and intended not as personal representations, covenants, undertakings, warranties and agreements by the Declarant or for the purpose or with the intention of binding the Declarant but are made and intended solely in the exercise of the powers conferred upon it as Trustee under the Trust Agreement; and no personal liability or personal responsibility is assumed by or shall be enforceable against Declarant on account of this

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First Amendment or any representation, covenant, undertaking, warranty or agreement of the Declarant in this Amendment contained, either expressed or implied.

DECLARANT:

COLE TAYLOR BANK, not personally
but as Trustee as aforesaid

By: Constance E. Conidine
Title: Land Trust Officer

Trustee's Exoneration Rider Attached Hereto And Made A Part Hereof

ATTEST:

BY4

Title: Assistant Secretary

STATE OF ILLINOIS)
) SS:
COUNTY OF COOK)

I, the undersigned, a Notary Public in and for said County, in the State aforesaid, do hereby certify that Constance E. Considine, Land Trust Officer of Cole Taylor Bank, and Kenneth E. Piekut, Assistant Secretary thereof, personally known to me to be the same persons whose names are subscribed to the foregoing instrument as such Land Trust Officer 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, as trustee, for the uses and purposes therein set forth.

GIVEN under my hand and Notarial Seal this 9th day of
January, 1996.

Notary Public

\$5600.01

3

" OFFICIAL SEAL "
LINDA J. BOREMAN
NOTARY PUBLIC, STATE OF ILLINOIS
MY COMMISSION EXPIRES 1/27/98

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GENERAL EXCULPATORY CLAUSE

It is expressly understood and agreed by and between the parties hereto, anything herein 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 the Land Trustee on account of this instrument or on account of any warranty, indemnity, 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.

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CERTIFICATE OF DEVELOPER

Evergreens of Orland, L.L.C., an Illinois limited liability company, as sole beneficiary under Cole Taylor Bank Trust No. 952047, created under a Trust Agreement dated June 2, 1995, hereby certifies that prior to the execution by it or its agent of any agreement for the sale of a Dwelling Unit, it has given a copy of the Notice of Intent to Convert required by the Illinois Condominium Property Act to all persons who were tenants of the Condominium Property on the following dates that the Notices of Intent to Convert were given.

Addressee

9016 West 140th Street
9000/9024/9048 West 140th Street
9008 and 9040 West 140th Street
9032 West 140th Street

Date of Letter of Intent

August 7, 1995
August 29, 1995
September 18, 1995
November 20, 1995

Dated: December 29, 1995

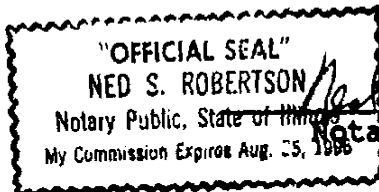
EVERGREENS OF ORLAND, L.L.C.,
an Illinois limited liability
company

By: Robert W. Marshall
Manager

STATE OF ILLINOIS)
) SS:
COUNTY OF COOK)

I, the undersigned, a Notary Public in and for said County and State, do hereby certify that Robert W. Marshall who is personally known to me to be the same person whose name is subscribed to the foregoing instrument appeared before me this day in person and acknowledged that he signed, sealed and delivered this instrument as his free and voluntary act and as the free and voluntary act of said limited liability company for the uses and purposes herein set forth.

GIVEN under my hand and Notarial Seal this 29th day of December, 1995.



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CONSENT OF MORTGAGEE

IN WITNESS WHEREOF, the undersigned has caused this Consent to be executed on January 8, 1996.

By: Vince Daley
Its: Senior Vice President

By: [Signature]
Its: Vice President

I, the undersigned, a Notary Public in and for said County and State, do hereby certify that Vince Daley and John F. Atkinson, respectively the Vice President and Secretary of Cole Taylor Bank, appeared before me this day in person and acknowledged that they signed, sealed and delivered the within instrument as their free and voluntary act, and as the free and voluntary act of said Bank, for the uses and purposes therein set forth.

GIVEN under my hand and Notarial Seal this 8th day of January, 1996.

Richard Gaskin
Notary Public



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CONSENT OF SECOND MORTGAGEE

Carilyn Court Partners, which is the holder of a second mortgage dated as of June 22, 1995 and recorded in the office of the Recorder of Deeds of Cook County, Illinois on June 26, 1995 as Document No. 95411049, encumbering the Premises (as defined in the Declaration of which this Consent is attached), hereby consents to the recording of the within First Amendment to the Declaration and agrees that its lien shall be subject to the provisions of such Declaration as amended hereby.

IN WITNESS WHEREOF, the undersigned has caused this Consent to be executed on December 29, 1995.

CARILYN COURT PARTNERS, an
Illinois limited partnership

By: 

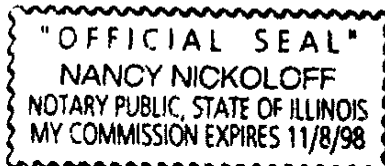
General Partner

STATE OF ILLINOIS))
COUNTY OF COOK) SS:

I, the undersigned, a Notary Public in and for said County and State, do hereby certify that Howard Ellison, a general partner of Carilyn Court Partners, appeared before me this day in person and acknowledged that he signed, sealed and delivered the within instrument as his free and voluntary act, and as the free and voluntary act of said Partnership, for the uses and purposes therein set forth.

GIVEN under my hand and Notarial Seal this 29 day of December, 1995.


Notary Public



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EXHIBIT A TO
FIRST AMENDMENT OF CONDOMINIUM FOR
EVERGREENS OF ORLAND CONDOMINIUM

The Premises

THAT PART OF LOT 161 IN CLEARVIEW ESTATES UNIT 2, A
SUBDIVISION OF PART OF THE SOUTHEAST QUARTER OF SECTION 3,
TOWNSHIP 36 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL
MERIDIAN, LYING WEST OF A LINE DRAWN FROM A POINT ON THE
SOUTH LINE THEREOF 857.74 FEET EAST OF THE SOUTHWEST CORNER
THEREOF TO A POINT ON THE NORTH LINE THEREOF 857.90 FEET
EAST OF THE NORTHWEST CORNER THEREOF, SAID LINE BEING THE
WEST LINE OF CONCORD CONDOMINIUM IX RECORDED SEPTEMBER 29,
1981 AS DOCUMENT NO. 26013652, IN COOK COUNTY, ILLINOIS.

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FIRST AMENDMENT TO EXHIBIT B TO DECLARATION OF CONDOMINIUM FOR EVERGREENS OF ORLAND CONDOMINIUM

Added Condominium Property

THAT PART OF LOT 161 IN CLEARVIEW ESTATES UNIT 2, A SUBDIVISION OF PART OF THE SOUTHEAST QUARTER OF SECTION 3, TOWNSHIP 36 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF SAID LOT: THENCE SOUTH 89° 53' 13" EAST ALONG THE SOUTH LINE THEREOF 751.91 FEET; THENCE NORTH 00° 06' 47" EAST 143.14 FEET TO THE NORTH LINE THEREOF; THENCE NORTH 89° 53' 13" WEST ALONG SAID NORTH LINE 752.07 FEET TO THE WEST LINE THEREOF; THENCE SOUTH 00° 05' 09" WEST ALONG SAID WEST LINE 348.14 FEET TO THE POINT OF BEGINNING (EXCEPT FROM SAID PROPERTY TAKEN AS A TRACT THE NORTH 65.0 FEET OF THE SOUTH 268.0 FEET OF THE EAST 22.0 FEET THEREOF; AND EXCEPT THE NORTH 65.0 FEET OF THE SOUTH 268.0 FEET OF THE WEST 44.0 FEET OF THE EAST 244.67 FEET THEREOF; AND EXCEPT THE NORTH 65.0 FEET OF THE SOUTH 268.0 FEET OF THE EAST 44.0 FEET OF THE WEST 348.90 FEET AND EXCEPT THE NORTH 65.0 FEET OF THE SOUTH 268.0 FEET OF THE EAST 44.0 FEET OF THE WEST 136.25 FEET THEREOF) IN COOK COUNTY, ILLINOIS.

PIN: 27-03-400-032

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Addresses of Units:

9000 West 140th Street	9000-1A through 9000-1D 9000-2A through 9000-2D 9000-3A through 9000-3D
9008 West 140th Street	9008-1A through 9008-1D 9008-2A through 9008-2D 9008-3A through 9008-3D
9016 West 140th Street	9016-1A through 9016-1D 9016-2A through 9016-2D 9016-3A through 9016-3D
9024 West 140th Street	9024-1A through 9024-1D 9024-2A through 9024-2D 9024-3A through 9024-3D
9032 West 140th Street	9032-1A through 9032-1D 9032-2A through 9032-2D 9032-3A through 9032-3D
9040 West 140th Street	9040-1A through 9040-1D 9040-2A through 9040-2D 9040-3A through 9040-3D
9048 West 140th Street	9048-1A through 9048-1D 9048-2A through 9048-2D 9048-3A through 9048-3D

Garage Units 1 through 42

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FIRST AMENDED AND RESTATED EXHIBIT D TO DECLARATION OF CONDOMINIUM FOR EVERGREENS OF ORLAND CONDOMINIUM

Undivided Interests

<u>Building</u>	<u>Unit</u>	<u>Unit Type</u>	<u>Points</u>	<u>Undivided Interest</u>
9000	1A	Dwelling Unit	86	1.072%
	1B	Dwelling Unit	103	1.278%
	1C	Dwelling Unit	72	0.891%
	1D	Dwelling Unit	98	1.222%
	2A	Dwelling Unit	86	1.072%
	2B	Dwelling Unit	108	1.346%
	2C	Dwelling Unit	87	1.085%
	2D	Dwelling Unit	98	1.222%
	3A	Dwelling Unit	86	1.072%
	3B	Dwelling Unit	108	1.346%
	3C	Dwelling Unit	87	1.085%
	3D	Dwelling Unit	98	1.222%
9008	1A	Dwelling Unit	86	1.072%
	1B	Dwelling Unit	103	1.278%
	1C	Dwelling Unit	72	0.891%
	1D	Dwelling Unit	98	1.222%
	2A	Dwelling Unit	86	1.072%
	2B	Dwelling Unit	108	1.346%
	2C	Dwelling Unit	87	1.085%
	2D	Dwelling Unit	98	1.222%
	3A	Dwelling Unit	86	1.072%
	3B	Dwelling Unit	108	1.346%
	3C	Dwelling Unit	87	1.085%
	3D	Dwelling Unit	98	1.222%
9016	1A	Dwelling Unit	86	1.072%
	1B	Dwelling Unit	103	1.278%
	1C	Dwelling Unit	72	0.891%
	1D	Dwelling Unit	98	1.222%
	2A	Dwelling Unit	86	1.072%
	2B	Dwelling Unit	108	1.346%
	2C	Dwelling Unit	87	1.085%
	2D	Dwelling Unit	98	1.222%
	3A	Dwelling Unit	86	1.072%
	3B	Dwelling Unit	108	1.346%
	3C	Dwelling Unit	87	1.085%
	3D	Dwelling Unit	98	1.222%
9024	1A	Dwelling Unit	86	1.072%
	1B	Dwelling Unit	103	1.278%
	1C	Dwelling Unit	72	0.891%
	1D	Dwelling Unit	98	1.222%
	2A	Dwelling Unit	86	1.072%

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9024	2B	Dwelling Unit	108	1.346%	
	2C	Dwelling Unit	87	1.085%	
	2D	Dwelling Unit	98	1.222%	
	3A	Dwelling Unit	86	1.072%	
	3B	Dwelling Unit	108	1.346%	
	3C	Dwelling Unit	87	1.085%	
	3D	Dwelling Unit	98	1.222%	
9032	1A	Dwelling Unit	86	1.072%	
	1B	Dwelling Unit	103	1.278%	
	1C	Dwelling Unit	72	0.891%	
	1D	Dwelling Unit	98	1.222%	
	2A	Dwelling Unit	86	1.072%	
	2B	Dwelling Unit	108	1.346%	
	2C	Dwelling Unit	87	1.085%	
	2D	Dwelling Unit	98	1.222%	
	3A	Dwelling Unit	86	1.072%	
	3B	Dwelling Unit	108	1.346%	
	3C	Dwelling Unit	87	1.085%	
	3D	Dwelling Unit	98	1.222%	
	9040	1A	Dwelling Unit	86	1.072%
		1B	Dwelling Unit	103	1.278%
1C		Dwelling Unit	72	0.894%	
1D		Dwelling Unit	98	1.224%	
2A		Dwelling Unit	86	1.072%	
2B		Dwelling Unit	108	1.346%	
2C		Dwelling Unit	87	1.085%	
2D		Dwelling Unit	98	1.222%	
3A		Dwelling Unit	86	1.072%	
3B		Dwelling Unit	108	1.346%	
3C		Dwelling Unit	87	1.085%	
3D		Dwelling Unit	98	1.222%	
9048		1A	Dwelling Unit	86	1.072%
		1B	Dwelling Unit	103	1.278%
	1C	Dwelling Unit	72	0.891%	
	1D	Dwelling Unit	98	1.222%	
	2A	Dwelling Unit	86	1.072%	
	2B	Dwelling Unit	108	1.346%	
	2C	Dwelling Unit	87	1.085%	
	2D	Dwelling Unit	98	1.222%	
	3A	Dwelling Unit	86	1.072%	
	3B	Dwelling Unit	108	1.346%	
	3C	Dwelling Unit	87	1.085%	
	3D	Dwelling Unit	98	1.222%	

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1	Garage Unit	5	0.062
2	Garage Unit	5	0.062
3	Garage Unit	5	0.062
4	Garage Unit	5	0.062
5	Garage Unit	5	0.062
6	Garage Unit	5	0.062
7	Garage Unit	5	0.062
8	Garage Unit	5	0.062
9	Garage Unit	5	0.062
10	Garage Unit	5	0.062
11	Garage Unit	5	0.062
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13	Garage Unit	5	0.062
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17	Garage Unit	5	0.062
18	Garage Unit	5	0.062
19	Garage Unit	5	0.062
20	Garage Unit	5	0.062
21	Garage Unit	5	0.062
22	Garage Unit	5	0.062
23	Garage Unit	5	0.062
24	Garage Unit	5	0.062
25	Garage Unit	5	0.062
26	Garage Unit	5	0.062
27	Garage Unit	5	0.062
28	Garage Unit	5	0.062
29	Garage Unit	5	0.062
30	Garage Unit	5	0.062
31	Garage Unit	5	0.062
32	Garage Unit	5	0.062
33	Garage Unit	5	0.062
34	Garage Unit	5	0.062
35	Garage Unit	5	0.062
36	Garage Unit	5	0.062
37	Garage Unit	5	0.062
38	Garage Unit	5	0.062
39	Garage Unit	5	0.062
40	Garage Unit	5	0.062
41	Garage Unit	5	0.062
42	Garage Unit	5	<u>0.062</u>

TOTAL

100.0004

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