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THIRTEENTH SUPPLEMENTAL DECLARATION

TO

DECLARATION OF CONDOMINIUM OWNERSHIP

DEPT-01 RECORDING \$103.00
TRAN 8922 01/23/96 10:06:00
#9504 # CG *-96-060503
COOK COUNTY RECORDER

FOR

WHISPERING OAKS CONDOMINIUMS

PALATINE, ILLINOIS

SUPPLEMENTAL DECLARATION made and entered into by PARKWAY BANK AND TRUST COMPANY, an Illinois corporation, not personally but solely as Trustee under Trust Agreement dated June 9, 1992 and known as Trust Number 10344 (hereinafter sometimes referred to as "Declarant").

W I T N E S S E T H:

Whereas, pursuant to the provisions of a certain Declaration of Condominium for Whispering Oaks Condominiums, Palatine, Illinois, recorded in the Recorder of Deeds of Cook County, Illinois on MARCH 12, 1993, as Document Number 93187367 ("Declaration"), the Declarant submitted certain real estate to the Condominium Property Act of the State of Illinois ("Act"); and said real estate and the improvements situated thereon are commonly known as WHISPERING OAKS CONDOMINIUMS in Palatine, Illinois, as hereinafter for convenience collectively are referred to as "Condominium"; and

Whereas, according to the provisions of the Declaration, the Declarant reserved the right, from time to time, within a period of seven (7) years after the date of recording of the Declaration, to add on and annex to the Parcel and Property as defined in Article I of the Declaration, all or any part of the Development Area described in the Declaration, and thereby add to the Condominium created by the Declaration all or any portion of the Development Area, and

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Whereas, the Declarant now desires to so annex and add to the Parcel and Property, and submit to the provisions of the Act and the Declaration certain real estate (hereinafter referred to as "Added Property") legally described in Exhibit B attached hereto, which Added Property is a portion of the Development Area. The Added Property is presently improved with a building containing a total of 6 condominium units with appertaining common elements as defined in the Declaration and is depicted on the survey as Part J of Exhibit C, attached hereto and made a part hereof.

NOW THEREFORE, the Declarant, as the owner of the Added Property, and for the purposes hereinabove set forth, does hereby supplement and amend the Declaration as follows:

1. The Added Property as depicted in Exhibit "C" attached hereto and made a part hereof is hereby annexed and added to the Parcel and Property as defined in the Declaration and is hereby submitted to the provisions of Act as a part of the Condominium, in accordance with, and shall be deemed to be governed by, the terms and provisions of the Declaration, as hereby and from time to time supplemented and amended.

2. Exhibit B of the Declaration is hereby amended by deleting said Exhibit B and substituting therefor Exhibit B which is attached hereto and made a part hereof.

3. The Common Elements as defined in the Declaration situated in and upon the Added Property are hereby granted and conveyed to the grantees of all units including the grantees of units heretofore conveyed, all as set forth in the Declaration and as hereby supplemented and amended, and all the Unit Owners as described in the Declaration are entitled to their respective amended percentages of ownership in Common Elements as set forth in Exhibit D attached hereto.

4. Exhibit D of the Declaration is hereby amended and superseded in its entirety by Exhibit D attached hereto and made a part hereof. The percentage of ownership in the Common Elements appurtenant to each unit described in Exhibit D prior to this amendment is hereby shifted and reduced to the percentages

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set forth in the Exhibit D attached hereto.

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

6. This 13th Supplemental Declaration to Declaration of Condominium Ownership for Whispering Oaks Condominiums, Palatine, Illinois, is executed by Parkway Bank and Trust Company, an Illinois corporation, not personally but solely as Trustee aforesaid, in the exercise of the power and authority conferred upon and vested in it as such Trustee (and Trustee hereby represents that it possesses full power and authority to execute this instrument). It is expressly understood and agreed by every person, firm or corporation thereafter claiming any interest pursuant to this instrument that Parkway Bank and Trust Company, as Trustee as aforesaid and not personally, has joined in the execution of this instrument for the sole purpose of subjecting the title holding interest and the trust estate under said Trust Number 10344 to the terms of this instrument; that no personal liability or personal responsibility is assumed by nor shall at any time be asserted or enforceable against Parkway Bank and Trust Company personally as Trustee pursuant to said Trust Number 10344, on account of this instrument or on account of any representation, obligation, duty, covenant or agreement contained in this instrument, either express or implied, all such personal liability, if any, being expressly waived and released; and further, that no duty shall rest upon Parkway Bank and Trust Company, either personally or as Trustee aforesaid, 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 pursuant to the terms of this instrument, except where acting pursuant to the terms of this instrument, except where acting pursuant to direction, as provided by the terms of such Trust Agreement, and after being first supplied with funds required for such purpose. In the

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event of conflict between the terms of this paragraph and the remainder of this instrument, or in the event of any question of apparent liability or obligation resting upon Parkway Bank and Trust Company, the exculpatory provisions hereof shall be controlling.

IN WITNESS WHEREOF, Parkway Bank Trust Company, not personally, but solely as Trustee aforesaid, has caused its corporate seal to be affixed hereto, and has caused its name to be signed to these presents by its duly authorized Officers, this 18th day of JANUARY, ~~1996~~ 1996

This Agreement is signed by Parkway Bank & Trust Co., not personally but solely as Trustee under a certain Trust Agreement (Trust No. 10,347) and the Trust Agreement is hereby admitted and any claims against said Trustee which arise from the signing of this agreement shall be payable from any trust property which may be held thereunder, and the Trustee shall not be personally liable for the performance of the terms and conditions of this agreement or for the maintenance or condition of the title of said property or for any other matter with respect thereto. Any and all personal liability of Parkway Bank and Trust Co., is hereby expressly waived by the parties hereto and their respective successors and assigns.

PARKWAY BANK AND TRUST COMPANY
not personally but solely as
Trustee aforesaid

By [Signature]
Vice President Trust Officer

ATTEST:

[Signature]
Title: ASSISTANT TRUST OFFICER

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 DIANE Y. PESZYNSKI VICE President of the Parkway Bank and Trust Company and JOHNN KUBINSKI of said Company, personally known to me to be the same persons whose names are subscribed to the foregoing instrument as such VICE President and ASST. TRUST OFFICER 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 Bank, for the uses and purposes therein set forth; and the said ASST. TRUST OFFICER did also then and there acknowledge that he, as custodian of the corporate seal of said Bank, did affix the said corporate seal of said Bank to said instrument as his own free and voluntary act, and as the free and voluntary act of said Bank, for the uses and purposes therein set forth.

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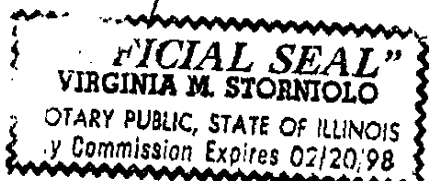
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Given under my hand and Notarial Seal this 18th day
of JANUARY, ~~1996~~ 1996



Virginia M. Stornio
Notary Public

CONSENT OF MORTGAGEE

Parkway Bank and Trust Company, holder of mortgages on the
property recorded _____, as Documents
Nos. 92589444, 92589445, 93640899, 93640900, 93640097, 93640098, 92711731,
92711752, 92828484, 92828485, 92895917, 92895918, 92933886, 92933887,
92933888, 92933889, 93379317, 93379318

hereby consents to the execution and recording of the within
_____ Supplemental Declaration to the Declaration of Condominium
Ownership and agrees that said mortgages are subject to the
provisions of said Declaration to the Condominium Property Act
of the State of Illinois.

IN WITNESS WHEREOF, the said Parkway Bank and Trust Company
caused this instrument to be signed by its duly authorized
officers on its behalf, all done at Norwood Nw, Illinois,
on this 16th day of January, 1996.

By: Lea Baldassano, VP
(Officer)

ATTEST:

Marianne L. Wagner, AP

STATE OF ILLINOIS)
) SS.
COUNTY OF COOK)

I, the undersigned, a Notary Public in and for said County
and State, do hereby certify that Lea Baldassano
and Marianne L. Wagner, ~~Assistant~~ Vice President
and Assistant ~~Secretary~~, respectively, of Parkway Bank and Trust
Company, personally known to me to be the same persons whose
names are subscribed to the foregoing instrument as
such VICE, President and ASST VICE PRES
~~Secretary~~, appeared before me this day in person and acknowledged
that they signed, sealed, and delivered said instrument as their
free and voluntary act, and as the free and voluntary act of said

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corporation, for the uses and purposes therein set forth.

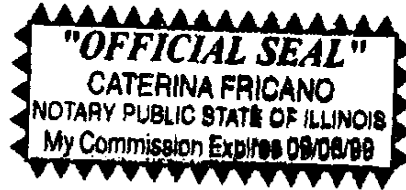
Given under my hand and notarial seal this 16th day
of January, 1999.

Caterina Fricano
Notary Public

My commission expires;

09/06/99

THIS DOCUMENT PREPARED BY:



Property Index No(s). 02-02-203-017 02-02-203-026, 02-02-203-028
02-02-203-029 02-02-203-034

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-056

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EXHIBIT B

PARCEL 1 (BUILDING 17):

THE SOUTH 205.0 FEET OF THE NORTH 1000.0 FEET OF THE WEST 109.50 FEET OF THE EAST 159.50 FEET OF THE SOUTH 1/2 OF THE NORTHEAST 1/4 OF SECTION 2, TOWNSHIP 42 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

PARCEL 2 (BUILDING 16):

THE SOUTH 205 FEET OF THE NORTH 1000.0 FEET OF THE WEST 104.5 FEET OF THE EAST 264.0 FEET OF THE SOUTH 1/2 OF THE NORTHEAST 1/4 OF SECTION 2, TOWNSHIP 42 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

PARCEL 3 (BUILDING 2):

THE SOUTH 195.0 FEET OF THE NORTH 795.0 FEET OF THE WEST 123.50 FEET OF THE EAST 264.0 FEET OF THE SOUTH 1/2 OF THE NORTHEAST 1/4 OF SECTION 2, TOWNSHIP 42 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

PARCEL 4 (BUILDING 3):

THE SOUTH 100.50 FEET OF THE NORTH 700.50 FEET OF THE WEST 106.93 FEET OF THE EAST 450.93 FEET OF THE SOUTH 1/2 OF THE NORTHEAST 1/4 OF SECTION 2, TOWNSHIP 42 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

PARCEL 5 (BUILDING 4):

THE SOUTH 106.00 FEET OF THE NORTH 806.50 FEET OF THE WEST 292.74 FEET OF THE EAST 556.74 FEET OF THE SOUTH 1/2 OF THE NORTHEAST 1/4 OF SECTION 2, TOWNSHIP 42 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

PARCEL 6 (BUILDING 9):

THE SOUTH 100.50 FEET OF THE NORTH 700.50 FEET OF THE WEST 198.42 FEET OF THE EAST 649.35 FEET OF THE SOUTH 1/2 OF THE NORTHEAST 1/4 OF SECTION 2, TOWNSHIP 42 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

PARCEL 7 (BUILDING 13)

THE SOUTH 193.50 FEET OF THE NORTH 1000.0 FEET OF THE WEST 123.20 FEET OF THE EAST 871.20 FEET OF THE SOUTH 1/2 OF THE NORTHEAST 1/4 OF SECTION 2, TOWNSHIP 42 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

PARCEL 8 (BUILDING 7)

THE SOUTH 106.0 FEET OF THE NORTH 806.50 FEET OF THE WEST 198.43 FEET OF THE EAST 755.17 FEET OF THE SOUTH 1/2 OF THE NORTHEAST 1/4 OF SECTION 2, TOWNSHIP 42 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

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EXHIBIT B

PAGE 2

PARCEL 9 (BUILDING 10)

THE SOUTH 100.50 FEET OF THE NORTH 700.50 FEET OF THE WEST 170.33 FEET OF THE EAST 819.68 FEET OF THE SOUTH 1/2 OF THE NORTHEAST 1/4 OF SECTION 2, TOWNSHIP 42 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

PARCEL 10 (BUILDING 15)

THE SOUTH 193.50 FEET OF THE NORTH 1000.0 FEET OF THE WEST 198.50 FEET OF THE EAST 662.50 FEET OF THE SOUTH 1/2 OF THE NORTHEAST 1/4 OF SECTION 2, TOWNSHIP 42 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

PARCEL 11 (BUILDING 14)

THE SOUTH 193.50 FEET OF THE NORTH 1000.0 FEET OF THE WEST 104.50 FEET OF THE EAST 748.0 FEET OF THE SOUTH 1/2 OF THE NORTHEAST 1/4 OF SECTION 2, TOWNSHIP 42 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS

PARCEL 12 (BUILDING 8)

THE SOUTH 106.0 FEET OF THE NORTH 300.50 FEET OF THE WEST 273.06 FEET OF THE EAST 1028.23 FEET OF THE SOUTH 1/2 OF THE NORTHEAST 1/4 OF SECTION 2 TOWNSHIP 42 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN IN COOK COUNTY, ILLINOIS.

PARCEL 13 (BUILDING 11)

THE SOUTH 184.0 FEET OF THE NORTH 600.00 FEET OF THE WEST 157.03 FEET OF THE EAST 1028.23 FEET TOGETHER WITH THE SOUTH 100.50 FEET OF THE NORTH 700.50 FEET OF THE WEST 208.55 FEET OF THE EAST 1028.23 FEET OF THE SOUTH 1/2 OF THE NORTHEAST 1/4 OF SECTION 2, TOWNSHIP 42 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

PARCEL 14 (BUILDING 6)

THE SOUTH 193.50 FEET OF THE NORTH 1000.0 FEET OF THE WEST 90.50 FEET OF THE EAST 643.50 FEET OF THE SOUTH 1/2 OF THE NORTHEAST 1/4 OF SECTION 2, TOWNSHIP 42 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS

PARCEL 15 (BUILDING 5)

THE SOUTH 193.50 FEET OF THE NORTH 1000.0 FEET OF THE WEST 90.50 FEET OF THE EAST 553.0 FEET OF THE SOUTH 1/2 OF THE NORTHEAST 1/4 OF SECTION 2, TOWNSHIP 42 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN IN COOK COUNTY, ILLINOIS.

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EXHIBIT B

PAGE 3

PARCEL 16 (BUILDING 12)

THAT PART OF SECTION 2, TOWNSHIP 42 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE INTERSECTION OF THE EAST AND WEST QUARTER LINE OF SAID SECTION WITH THE CENTER LINE OF RAND ROAD, SAID INTERSECTION BEING 1514.39 FEET WEST OF THE EAST LINE OF SAID SECTION MEASURED ON SAID EAST AND WEST QUARTER LINE: THENCE SOUTHEAST ALONG THE CENTER LINE OF SAID RAND ROAD, SAID CENTER LINE FORMING AN ANGLE OF $47^{\circ}-00'-30''$ WITH THE EAST AND WEST QUARTER LINE OF SAID SECTION, A DISTANCE OF 78.40 FEET TO AN ANGLE IN THE CENTER LINE OF SAID RAND ROAD: THENCE SOUTHEAST ALONG THE CENTER LINE OF RAND ROAD, SAID CENTER LINE FORMING AN ANGLE OF $4^{\circ}-24'-30''$ TO THE RIGHT WITH THE PROLONGATION OF THE LAST DESCRIBED COURSE FOR A DISTANCE OF 16.57 FEET: THENCE NORTHEASTERLY ON A LINE THAT FORMS AN ANGLE OF $94^{\circ}-24'-30''$ TO THE LEFT WITH THE PROLONGATION OF THE LAST DESCRIBED COURSE, A DISTANCE OF 376.71 FEET TO THE PLACE OF BEGINNING: THENCE NORTHWESTERLY PERPENDICULAR TO THE LAST DESCRIBED LINE A DISTANCE OF 100.0 FEET, THENCE NORTHEASTERLY PERPENDICULAR TO THE LAST DESCRIBED LINE A DISTANCE OF 325.76 FEET TO A POINT ON A LINE 1,028.23 FEET WEST OF AND PARALLEL TO THE EAST LINE OF SAID SECTION 2, THENCE NORTH ON THE LAST DESCRIBED LINE A DISTANCE OF 2.65 FEET TO A POINT ON A LINE 806.50 FEET SOUTH OF AND PARALLEL TO THE NORTH LINE OF THE SOUTH 1/2 OF THE NORTHEAST 1/4 OF SAID SECTION 2; THENCE SOUTH $89^{\circ}-35'-16''$ EAST ON THE LAST DESCRIBED LINE A DISTANCE OF 157.03 FEET: THENCE SOUTH 29.38 FEET: THENCE NORTH $79^{\circ}-56'-21''$ WEST A DISTANCE OF 33.60 FEET: THENCE SOUTH $47^{\circ}-27'-37''$ WEST A DISTANCE OF 402.21 FEET TO THE PLACE OF BEGINNING, IN COOK COUNTY, ILLINOIS.

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PAGE 1 OF 3

EXHIBIT D TO
DECLARATION OF CONDOMINIUM OWNERSHIP FOR
WHISPERING OAKS CONDOMINIUM

| <u>DWELLING UNIT NO.</u> | <u>UNIDIVIDED INTEREST</u> |
|------------------------------|--------------------------------|
| 17-1 LC | 1.00% |
| 17-1 LM | 1.00% |
| 17-2 LY | 1.00% |
| 17-2 LR | 1.00% |
| 17-1 RC | 1.00% |
| 17-1 RM | 1.00% |
| 17-2 RY | 1.00% |
| 17-2 RR | 1.00% |
| 16-1 LC | 1.00% |
| 16-1 LM | 1.00% |
| 16-2 LY | 1.00% |
| 16-2 LR | 1.00% |
| 16-1 RC | 1.00% |
| 16-1 RM | 1.00% |
| 16-2 RY | 1.00% |
| 16-2 RR | 1.00% |
| 2-A | 1.00% |
| 2-B | 1.00% |
| 2-C | 1.00% |
| 2-D | 1.00% |
| 2-E | 1.00% |
| 3-A | 1.00% |
| 3-B | 1.00% |
| 3-C | 1.00% |
| 3-D | 1.00% |
| 3-E | 1.00% |
| 4-A | 1.00% |
| 4-B | 1.00% |
| 4-C | 1.00% |
| 4-D | 1.00% |
| 4-E | 1.00% |
| 9-A | 1.00% |
| 9-B | 1.00% |
| 9-C | 1.00% |
| 9-D | 1.00% |
| 9-E | 1.00% |
| 9-F | 1.00% |

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PAGE 2 OF 3

EXHIBIT D TO
DECLARATION OF CONDOMINIUM OWNERSHIP FOR
WHISPERING OAKS CONDOMINIUM

| <u>DWELLING UNIT NO.</u> | <u>UNDIVIDED INTEREST</u> |
|------------------------------|-------------------------------|
| 13-1 LC | 1.00% |
| 13-1 LM | 1.00% |
| 13-2 LY | 1.00% |
| 13-2 LR | 1.00% |
| 13-1 RC | 1.00% |
| 13-1 RM | 1.00% |
| 13-2 RY | 1.00% |
| 13-2 RR | 1.00% |
| 7-A | 1.00% |
| 7-B | 1.00% |
| 7-C | 1.00% |
| 7-D | 1.00% |
| 7-E | 1.00% |
| 7-F | 1.00% |
| 10-A | 1.00% |
| 10-B | 1.00% |
| 10-C | 1.00% |
| 10-D | 1.00% |
| 10-E | 1.00% |
| 14-1 LC | 1.00% |
| 14-1 LM | 1.00% |
| 14-2 LY | 1.00% |
| 14-2 LR | 1.00% |
| 14-1 RC | 1.00% |
| 14-1 RM | 1.00% |
| 14-2 RY | 1.00% |
| 14-2 RR | 1.00% |
| 15-1 LC | 1.00% |
| 14-1-LM | 1.00% |
| 14-2 LY | 1.00% |
| 14-2 LR | 1.00% |
| 14-1 RC | 1.00% |
| 14-1 RM | 1.00% |
| 14-2 RY | 1.00% |
| 14-2 RR | 1.00% |

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PAGE 3 OF 3

EXHIBIT D TO
DECLARATION OF CONDOMINIUM OWNERSHIP FOR
WHISPERING OAKS CONDOMINIUM

| <u>DWELLING UNIT NO.</u> | <u>UNDIVIDED INTEREST</u> |
|------------------------------|-------------------------------|
| 8-A | 1.00% |
| 8-B | 1.00% |
| 8-C | 1.00% |
| 8-D | 1.00% |
| 8-E | 1.00% |
| 8-F | 1.00% |
| 11-A | 1.00% |
| 11-B | 1.00% |
| 11-C | 1.00% |
| 11-D | 1.00% |
| 11-E | 1.00% |
| 11-F | 1.00% |
| 6-A | 1.00% |
| 6-B | 1.00% |
| 6-C | 1.00% |
| 6-D | 1.00% |
| 6-E | 1.00% |
| 5-A | 1.00% |
| 5-B | 1.00% |
| 5-C | 1.00% |
| 5-D | 1.00% |
| 5-E | 1.00% |
| 12-A | 1.00% |
| 12-B | 1.00% |
| 12-C | 1.00% |
| 12-D | 1.00% |
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