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PLAT

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5-16-96

SEE PLAT BOOKS

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NINETEENTH AMENDMENT TO DECLARATION OF  
CONDOMINIUM OWNERSHIP  
FOR  
BRIAR POINTE CONDOMINIUMS

DEPT-01 RECORDING \$155.00  
T45555 TRAN 9711 03/18/96 15:14:00  
\$8448 JJ \*-96-206720  
COOK COUNTY RECORDER

96206720

*Property of Cook County Clerk's Office*  
*AMENDMENT*  
*This Amendment adds 16 new units*

96206720

THIS INSTRUMENT WAS PREPARED BY AND WHEN RECORDED SHOULD BE MAILED TO:

Irwin E. Leiter, Esq.  
LAW OFFICES OF IRWIN E. LEITER  
1301 W. 22nd Street  
Suite 210  
Oak Brook, Illinois 60521  
(708) 571-7767

MAIL TO

ADDRESS OF PROPERTY COVERED BY AMENDMENT:  
1888, 1890, 1892, 1894, 1896, 1898, 1900, 1002 Grove Avenue and 1923 A, B, C, D,  
and 1927 A, B, C, D Heron Avenue all in Schaumburg IL. 60191  
PERMANENT REAL ESTATE INDEX NO.:  
07-32-300-008

96206720

2/96

F		A
P		P
T		V
I		(M)

RECORDING FEE \$ 155.00  
DATE 3/18/96 COPIES 6  
OK *JM*

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## NINETEENTH AMENDMENT TO DECLARATION OF CONDOMINIUM OWNERSHIP FOR BRIAR POINTE CONDOMINIUMS

THIS AMENDMENT to the Declaration of Condominium Ownership for Briar Pointe Condominiums (hereinafter referred to as the "Amendment") is executed by Parkway Bank and Trust Company, not individually, but as Trustee under Trust Agreement dated May 31, 1991, and known as Trust No. 10041, and not personally, and First Midwest Trust Company, not individually, but as Trustee under Trust Agreement dated March 21, 1995 and known as Trust NO. 5975, and not personally, (collectively hereinafter referred to as the "Declarant").

### W I T N E S S E T H:

WHEREAS; Declarant recorded the Declaration of Condominium Ownership for Briar Pointe Condominiums (hereinafter referred to as the "Declaration") on January 11, 1995 in the Office of the Recorder of Deeds of Cook County, Illinois, as Document No. 95020876; and

WHEREAS; the Declaration submitted certain real estate to the provisions of the Condominium Property Act of the State of Illinois (hereinafter referred to as the "Act") described in Exhibit "A" attached hereto (hereinafter referred to as the "Submitted Parcel"); and

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WHEREAS; First Midwest Trust Company, not individually, but as Trustee under Trust Agreement dated March, 21, 1995, and known as Trust No. 5975, and not personally, received title to certain portions of the Property described in the Submitted Parcel subsequent to the recording of the Declaration and its signature is therefore required as to this Amendment; and

WHEREAS; pursuant to the Act, as amended, under Article Nine of the Declaration, Declarant reserved the rights and powers to annex, add, submit and subject to the provisions of the Act and the Declaration any part or all of the Development Parcel, as described in Exhibit "E" of the Declaration, to the Submitted Parcel and thereby add to the plan of condominium ownership created by the Declaration; and

WHEREAS; Declarant, pursuant to Article Nine of the Declaration, desires to annex, add, submit and subject a portion of the Development Parcel described in Exhibit "B" attached hereto (hereinafter referred to as the "Additional Parcel") to the Declaration and the Act and add to the plan of condominium ownership; and

WHEREAS; the Additional Parcel is now improved with two (2) buildings for a total of sixteen (16) residential units; and

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WHEREAS; Declarant desires to amend the Declaration as it relates to the Plat of Condominium Survey (Exhibit "B" of the Declaration) and to the percentage of ownership interest in the Common Elements for the condominium Units (Exhibit "C" of the Declaration), by changing the percentage ownership due to the addition of the Development Area described in Exhibit "B".

NOW, THEREFORE, Declarant does hereby declare that the Declaration is amended as follows:

1. The Additional Parcel is hereby annexed to and made a part of the real estate described in the Declaration and in Exhibit "A" as attached hereto, and, together with all improvements and structures now or hereafter erected, constructed or contained thereon or therein, is submitted to the Declaration and the Act.

2. Exhibit "B" of the Declaration, the "Plat of Condominium Survey", is hereby amended by adding the Additional Parcel as described and delineated in the Plat of Survey attached hereto as Exhibit "B", together with the Units depicted thereon.

3. Exhibit "C" of the Declaration, "Schedule of Percentage of Interests in Common Elements", is hereby deleted and an amended Exhibit "C" attached hereto as Exhibit "C" is substituted therefor.

4. The Common Elements contained in the Additional Parcel are hereby granted and conveyed to the Unit Owners subject to the provisions of the Act and the Declaration.

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5. The covenants, conditions, restrictions and easements contained in the Declaration, as amended by this instrument, shall run with and bind the Condominium Property, including the Additional Parcel.

6. As expressly hereby amended, the Declaration shall continue in full force and effect in accordance with its terms and, except as herein specifically amended, the Declaration is ratified and confirmed. In the event of any inconsistency between this Amendment and the Declaration, this Amendment shall control.

IN WITNESS WHEREOF, the Declarant as aforesaid has caused its seal to be affixed hereunder and has caused its name to be signed by these presents by its vice President and attested by its Trust Officer this 5th day of March, 1996.

This Agreement is signed by Parkway Bank & Trust Co. not individually but solely as Trustee under a certain Trust Agreement known as Trust No. 11001. Said Trust Agreement is hereby made a part hereof and any claims against said Trustee which may result from the signing of this Agreement shall be payable only out of any trust property which may be held thereunder, and said Trustee shall not be personally liable for the performance of any of the terms and conditions of this agreement or for the validity or condition of the title of said property or for any agreement 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  
as Trustee as aforesaid and not  
individually.

By: [Signature]  
Vice President

THE SIGNATURE OF PARKWAY BANK & TRUST CO. IS BASED SOLELY UPON INFORMATION FURNISHED BY THE BENEFICIARY OR BENEFICIARIES OF THE AFORESAID TRUST. THE UNDERSIGNED HAS NO PERSONAL KNOWLEDGE OF ANY OF THE FACTS OR STATEMENTS HEREIN CONTAINED.

ATTEST:

[Signature]  
Trust Officer

First Midwest Trust Company  
as Trustee as aforesaid and  
not individually

By: [Signature]  
Vice President

SEAL

ATTEST:

[Signature]  
Trust Officer

3/6/96 10:20  
SEE TRUSTEE'S ROLE ATTACHED HERETO  
AND MADE A PART HEREOF.

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RIDER ATTACHED AND MADE A PART OF Nineteenth Amendment to  
Declaration DATED February 29, 1996 and known as Trust 5975

This instrument is executed by FIRST MIDWEST TRUST COMPANY, National Association, not personally but solely as Trustee as aforesaid, in the exercise of the power and authority conferred upon and vested in it as such Trustee. All the terms, provisions, stipulations, covenants and conditions to be performed by FIRST MIDWEST TRUST COMPANY, National Association, are undertaken by it solely as Trustee, as aforesaid, and not individually, and all statements herein made are made on information and belief and are to be construed accordingly, and no personal liability shall be asserted or be enforceable against FIRST MIDWEST TRUST COMPANY, National Association, by reason of any of the terms, provisions, stipulations, covenants and/or statements contained in this instrument.

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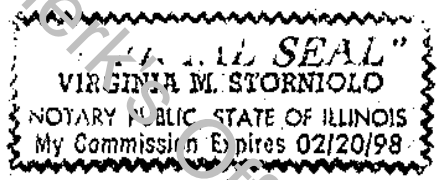
STATE OF ILLINOIS )  
 )SS  
COUNTY OF )

I, THE UNDERSIGNED, a Notary Public in and for the County and State aforesaid, DO HEREBY CERTIFY THAT Frank 1252 W. N. St., Vice President of Parkway Bank and Trust Company, an Illinois Corporation, and SUANN KUBINSKI Trust Officer thereof, personally known to me to be the same persons whose names are subscribed to the foregoing instrument as such Vice President and 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 Trust Officer did also then and there acknowledge that (s)he, as custodian of the corporate seal of said Bank, did affix the corporate seal of said Bank to said instrument as (his) (her) own 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 5TH day of MARCH, A.D. 1998.

Virginia M. Storniole  
NOTARY PUBLIC

My Commission expires:  
2/20/98



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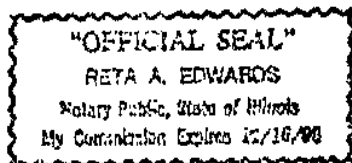


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STATE OF ILLINOIS )  
 ) SS  
 COUNTY OF LAKE )

I, RETA A. Edwards, a Notary Public in and for the County and State aforesaid, DO HEREBY CERTIFY THAT LAURA Olson, Vice President of First Midwest Trust Company, an Illinois Corporation, and MARY Loughman Trust Officer thereof, personally known to me to be the same persons whose names are subscribed to the foregoing instrument as such Vice President and 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 Trust Officer did also then and there acknowledge that (s)he, as custodian of the corporate seal of said Bank, did affix the corporate seal of said Bank to said instrument as (his) (her) own 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 29th day of February, A.D. 1996



RETA A. Edwards  
 NOTARY PUBLIC

My Commission expires:  
11-16-96

Cook County Clerk's Office

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## CONSENT OF MORTGAGEE

FIRST MIDWEST BANK, N.A., an Illinois corporation, holder of a mortgage encumbering the Property dated 4/26/95, and recorded 5/2/95 as Document Number 95290818, hereby consents to the execution and recording of the within Declaration and agrees that its lien shall be subject to the provisions of the Declaration as amended by this Amendment.

IN WITNESS WHEREOF, FIRST MIDWEST BANK, N.A. has caused this instrument to be signed by its duly authorized officers on its behalf.

DATED this 23rd day of February, 1996.

(S E A L)

FIRST MIDWEST BANK, N.A.,  
an Illinois corporation

By: [Signature]  
Its: Vice President

ATTEST:

By: [Signature]  
Its Assistant Secretary

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STATE OF ILLINOIS )  
COUNTY OF Walton )SS

I, the undersigned, a Notary Public in and for the County and State aforesaid, DO HEREBY CERTIFY THAT W. Marks Attwood, Vice President, FIRST MIDWEST BANK, N.A., an Illinois corporation, and Arline Martin, Assistant Secretary thereof, personally known to me to be the same persons whose names are subscribed to the foregoing instrument as such Vice President and Assistant Secretary, 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 Assistant Secretary did also then and there acknowledge that (s)he, as custodian of the corporate seal of said Bank, did affix the corporate seal of said Bank to said instrument as (his) (Her) own free and voluntary act, and as the free and voluntary act of said Ban, for the uses and purposes therein set forth.

GIVEN under my hand and Notarial Seal this 23rd day of February, A.D. 1996.

Joseph M. Valente  
Notary Public

My Commission expires:



11/30/99

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STANLEY MARSHALL  
Cook County Clerk's Office  
100 North Dearborn Street  
Chicago, Illinois 60610

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## EXHIBIT "A"

### Property Subject to the Condominium Declaration

"Submitted Parcel".

Lots 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 50, 75, 76 and Lots 77, 78 and 79 in Briar Pointe Unit 1 and Lots 22, 23, 24, 25, 26, 27, 28, 45, 46, 47, 48, 51, 64 and 65 in Briar Pointe Unit 2, being Subdivisions of part of the Northwest Quarter and the Southwest Quarter of Section 32, Township 41 North, Range 10 East of the Third Principal Meridian, recorded August 25, 1994 as Document No. 94752669, in Cook County, Illinois.

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## EXHIBIT "C"

### List of Units and Percentages Interest in the Common Elements

20-C-1870	.407162
20-A-1868	.329108
20-B-1864	.366679
20-D-1866	.366679
20-A-1862	.366679
20-C-1860	.407162

19-C-1858	.407162
19-B-1856	.366679
19-B-1854	.366679
19-B-1852	.366679
19-B-1850	.366679
19-C-1848	.407162

12-A-1735-A	.312798
12-D-1735-B	.359397
12-A-1735-C	.312798
12-D-1735-D	.359397

13-A-1750-A	.312798
13-B-1750-B	.299401
13-C-1750-C	.369882
13-D-1750-D	.359397
13-A-1740-A	.312798
13-B-1740-B	.299401
13-C-1740-C	.369882
13-D-1740-D	.359397

77-C-1799	.407162
77-B-1801	.366679
77-B-1803	.366679
77-B-1805	.366679
77-B-1807	.366679
77-C-1809	.407162

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21-C-1886	.407162
21-A-1884	.329108
21-B-1882	.366679
21-A-1880	.329108
21-B-1878	.366679
21-B-1876	.366679
21-B-1874	.366679
21-C-1872	.407162

9-A-1709-A	.312798
9-B-1709-B	.299401
9-C-1709-C	.369882
9-D-1709-D	.359397
9-A-1719-A	.312798
9-B-1719-B	.299401
9-C-1719-C	.369882
9-D-1719-D	.359397

18-C-1846	.407162
18-A-1844	.329108
18-B-1842	.366679
18-B-1840	.366679
18-B-1838	.366679
18-C-1836	.407162

8-A-1730-A	.312798
8-B-1730-B	.299401
8-C-1730-C	.369882
8-D-1730-D	.359397
8-A-1720-A	.312798
8-B-1720-B	.299401
8-C-1720-C	.369882
8-D-1720-D	.359397

17-C-1834	.407162
17-A-1832	.329108
17-B-1830	.366679
17-B-1828	.366679
17-B-1826	.366679
17-C-1824	.407162

11-A-1720-A	.312798
11-B-1720-B	.299401
11-C-1720-C	.369882
11-D-1720-D	.359397
11-A-1710-A	.312798
11-B-1710-B	.299401
11-C-1710-C	.369882
11-D-1710-D	.359397

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75-C-1841 .407162  
75-A-1843 .329108  
75-B-1845 .366679  
75-B-1847 .366679  
75-B-1849 .366679  
75-C-1851 .407162

76-C-1823 .407162  
76-A-1825 .329108  
76-B-1827 .366679  
76-A-1829 .329108  
76-B-1831 .366629  
76-C-1833 .407162

16-C-1822 .407162  
16-B-1820 .366679  
16-B-1818 .366679  
16-A-1816 .329108  
16-B-1814 .366679  
16-C-1812 .407162

15-C-1810 .407162  
15-B-1808 .366679  
15-B-1806 .366679  
15-B-1804 .366679  
15-B-1802 .366679  
15-C-1800 .407162

7-A-1710-A .312798  
7-B-1710-B .299401  
7-C-1710-C .369882  
7-D-1710-D .359397  
7-A-1700-A .312798  
7-B-1700-B .299401  
7-C-1700-C .369882  
7-D-1700-D .359397

6-A-1690-A .312798  
6-B-1690-B .299401  
6-C-1690-C .369882  
6-D-1690-D .359397  
6-A-1680-A .312798  
6-B-1680-B .299401  
6-C-1680-C .369882  
6-D-1680-D .359397

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10-A-1669-A	.312798
10-B-1669-B	.299401
10-C-1669-C	.369882
10-D-1669-D	.359397
10-A-1679-A	.312798
10-B-1679-B	.299401
10-C-1679-C	.369882
10-D-1679-D	.359397

14-C-1798	.407162
14-B-1796	.366679
14-B-1794	.366679
14-B-1792	.366679
14-B-1790	.366679
14-B-1788	.366679
14-B-1786	.366679

78-C-1787	.407162
78-B-1789	.366679
78-B-1791	.366679
78-A-1793	.329108
78-B-1795	.366679
78-C-1797	.407162

5-A-1670-A	.312798
5-D-1670-B	.359397
5-A-1670-C	.312798
5-D-1670-D	.359397

79-C-1775	.407162
79-B-1777	.366679
79-B-1779	.366679
79-B-1781	.366679
79-B-1783	.366679
79-C-1785	.407162

4-A-1660-A	.312798
4-B-1660-B	.299401
4-C-1660-C	.369882
4-D-1660-D	.359397
4-A-1650-A	.312798
4-B-1650-B	.299401
4-C-1650-C	.369882
4-D-1650-D	.359397

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3-A-1640-A	.312798
3-B-1640-B	.299401
3-C-1640-C	.369882
3-D-1640-D	.359397
3-A-1630-A	.312798
3-B-1630-B	.299401
3-C-1630-C	.369882
3-D-1630-D	.359397
50-C-1709	.407162
50-B-1711	.366679
50-B-1713	.366679
50-A-1715	.329108
50-B-1717	.366679
50-C-1719	.407162
24-C-1601	.407162
24-B-1603	.366679
24-B-1605	.366679
24-A-1607	.329108
24-B-1609	.366679
24-C-1611	.407162
51-A-1741-A	.312798
51-B-1741-B	.299401
51-C-1741-C	.369882
51-D-1741-D	.359397
51-A-1751-A	.312798
51-B-1751-B	.299401
51-C-1751-C	.369882
51-D-1751-D	.359397
65-A-1946-A	.312798
65-B-1946-B	.299401
65-C-1946-C	.369882
65-D-1946-D	.359397
65-A-1942-A	.312798
65-B-1942-B	.299401
65-C-1942-C	.369882
65-D-1942-D	.359397
45-A-1955-A	.312798
45-B-1955-B	.299401
45-C-1955-C	.369882
45-D-1955-D	.359397
45-A-1959-A	.312798
45-B-1959-B	.299401
45-C-1959-C	.369882
45-D-1959-D	.359397

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23-C-1613	.407162
23-B-1615	.366679
23-B-1617	.366679
23-B-1619	.366679
23-B-1621	.366679
23-C-1623	.407162
22-C-1625	.407162
22-B-1627	.366679
22-B-1629	.366679
22-P-1631	.366679
22-X-1633	.329108
22-C-1635	.407162
46-A-1947-A	.312798
46-B-1947-B	.299401
46-C-1947-C	.369882
46-D-1947-D	.359397
46-A-1951-A	.312798
46-B-1951-B	.299401
46-C-1951-C	.369882
46-D-1951-D	.359397
25-C-1612	.407162
25-B-1610	.366679
25-B-1608	.366679
25-B-1606	.366679
25-A-1604	.329108
25-B-1602	.366679
25-B-1600	.366679
26-C-1624	.407162
26-B-1622	.366679
26-B-1620	.366679
26-B-1618	.366679
26-B-1616	.366679
26-C-1614	.407162
64-A-1938-A	.312798
64-B-1938-B	.299401
64-C-1938-C	.369882
64-D-1938-D	.359397
64-A-1934-A	.312798
64-B-1934-B	.299401
64-C-1934-C	.369882
64-D-1934-D	.359397

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27-C-1636	.407162
27-B-1634	.366679
27-B-1632	.366679
27-B-1630	.366679
27-B-1628	.366679
27-C-1626	.407162
47-A-1939-A	.312798
47-B-1939-B	.299401
47-C-1939-C	.369882
47-D-1939-D	.359397
47-A-1943-A	.312798
47-B-1943-B	.299401
47-C-1943-C	.369882
47-D-1943-D	.359397
48-A-1931-A	.312798
48-B-1931-B	.299401
48-C-1931-C	.369882
48-D-1931-D	.359397
48-A-1935-A	.312798
48-B-1935-B	.299401
48-C-1935-C	.369882
48-D-1935-D	.359397
28-C-1648	.407162
28-A-1646	.329108
28-B-1644	.366679
28-B-1642	.366679
28-B-1640	.366679
28-C-1638	.407162
49-A-1923-A	.312798
49-B-1923-B	.299401
49-C-1923-C	.369882
49-D-1923-D	.359397
49-A-1927-A	.312798
49-B-1927-B	.299401
49-C-1927-C	.369882
49-D-1927-D	.359397
29-C-1902	.407162
29-B-1900	.366679
29-B-1898	.366679
29-B-1896	.366679
29-B-1894	.366679
29-A-1892	.329108
29-B-1890	.366679
29-C-1888	<u>.447762</u>
Total	100%

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Property of Cook County Clerk's Office