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COOK COUNTY RECORDER

AMENDMENT TO DECLARATION OF COVENANTS AND RESTRICTIONS

This Amendment to Declaration of Covenants and Restrictions is made and entered into as of this 17th day of February, 1997, by and between The Chicago Trust Company, successor to Chicago Title and Trust Company, not personally but solely as Trustee under Trust Agreement dated January 5, 1989, and known as Trust No. 1092556 (hereinafter referred to as "Owner") and Carl Sandburg Village Condominium Association No. 7, an Illinois not-for-profit corporation (hereinafter referred to as "Association").

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WITNESSETH:

WHEREAS, Owner made certain declarations by Declaration of Covenants and Restrictions (hereinafter referred to as "Declaration") dated March 27, 1989, and recorded on October 18, 1989, in the Office of the Cook County, Illinois Recorder of Deeds (hereinafter referred to as "Recorder") as Document No. 89478168 and registered in the Office of the Cook County, Illinois Registrar of Titles on October 6, 1989, as Document No. 3831121; and

WHEREAS, Association joined in the execution of the Declaration; and

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WHEREAS, Owner and Association made and entered into a Statement of Clarifications of Covenants and Restrictions (hereinafter referred to as "Statement of Clarification") dated March 4, 1991, and recorded on March 8, 1991, in the Office of the Recorder as Document No. 91-104803, setting forth various clarifications with respect to the Declaration (the Declaration as clarified by the Statement of Clarification hereinafter referred to as "Clarified Declaration"); and

WHEREAS, Owner is the legal title holder of the real estate legally described in Exhibit A attached hereto and made a part hereof; and

WHEREAS, Association is the Condominium Association of the property commonly known as 1555 and 1560 North Sandburg Terrace, Chicago, Illinois, and legally described on Exhibit B attached hereto and made a part hereof; and

WHEREAS, the parties hereto wish to amend the Clarified Declaration.

NOW, THEREFORE, in consideration of the mutual covenants and agreements of the parties hereto and other good and valuable consideration paid by each party to the other, the receipt and sufficiency of which is hereby acknowledged, the parties hereto agree as follows:

1. The recitations above set forth are restated as if fully set forth herein.
2. The Statement of Clarification is amended as follows:
  - a. Paragraph 3 is deleted in its entirety and in its place is inserted the following:

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"The Existing Bakery has continuously operated and maintained possession of its existing space on the Property during the entire period ending January 31, 1996, and the Owner has extended the Existing Bakery's lease on the Property for a period ending January 31, 1998. The Owner and the Existing Bakery may from time to time extend the Existing Bakery's lease or enter into a new lease as agreed to between them provided that the Existing Bakery (a) continuously operates and maintains possession of its existing space on the Property; and (b) does not lease or use any more square footage than its present square footage of 675 square feet. The Owner may only have one food establishment on the Property, regardless of whether food is prepared on the Property or not. If the one food establishment does prepare food on the Property, that food establishment shall be deemed the restaurant described in Exhibit C(50) of the Declaration and shall be governed by the restrictions therein and as clarified herein. If the one food establishment does not prepare food on the Property, that food establishment shall be one of the other types of food establishments described in Exhibit C(1), (5) and (18) of the Declaration and shall be governed by the restrictions therein and as clarified herein, including the square footage limitation contained in paragraph 2.b. herein."

b. Paragraph 4 is deleted in its entirety.

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## EXCULPATORY CLAUSE FOR THE CHICAGO TRUST COMPANY, AS TRUSTEE

It is expressly understood and agreed by and between the parties hereto, anything 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 Chicago Trust Company, on account of this instrument or on account of any warranty, indemnity, representation, covenant 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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## EXHIBIT A

### LEGAL DESCRIPTION OF THE PROPERTY

The North 85.05 feet of Lot 1 (except the East 30 feet thereof) in Chicago Land Clearance Commission No. 3 being a consolidation of lots and parts of lots and vacated alleys in Bronson's Addition to Chicago and certain Resubdivisions, all in the Northeast 1/4 of Section 4, Township 39 North, Range 14 East of the Third Principal Meridian in Cook County, Illinois;

Also :

The North 17 feet of Lot 1 (except the West 14 feet and the East 30 feet thereof) in the Subdivision of Lot 108 (except the South 120 feet thereof) in Bronson's Addition, aforesaid, in Cook County, Illinois.

PIN: 17-04-206-009

Property address: 1555-65 No. LaSalle Street  
Chicago, Illinois

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## EXHIBIT B

### LEGAL DESCRIPTION OF CONDOMINIUM PROPERTY

Lot 1 (except the North 85.05 feet and the East 30.00 feet thereof); Lot 2 (except the South 56.30 feet of the West 175.50 feet thereof); Lot 3 and that portion of Germania Place lying West of the West line of the said East 30.00 feet of Lot 1 extended South the North line of said lot 2, all in Chicago Land Clearance Commission No. 3, being a consolidation of Lots and parts of Lots and Vacated Alleys in Bronson's Addition to Chicago and certain Resubdivisions, all in the Northeast Quarter of Section 4, Township 39 North, Range 14 East of the Third Principal Meridian, also providing for certain streets and alley dedications, in Cook County, Illinois.

Property address: 1560 North Sandburg Terrace  
Chicago, Illinois

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