

UNOFFICIAL COPY

97033155

PLAT WITH THIS DOCUMENT

. DEPT-01 RECORDING \$83.00
. T#0012 TRAN 3726 01/15/97 14:34:00
. #0502 # CG *-97-033155
. COOK COUNTY RECORDER

73-79-146 JB

SECOND AMENDMENT TO DECLARATION OF CONDOMINIUM OWNERSHIP
AND OF EASEMENTS, RESTRICTIONS, COVENANTS
AND BY-LAWS FOR ERIE POINTE TOWNHOMES CONDOMINIUM

LOCATED AT PREMISES COMMONLY KNOWN AS

855 WEST ERIE STREET, CHICAGO, ILLINOIS

PURSUANT TO THE CONDOMINIUM PROPERTY ACT OF ILLINOIS

This instrument drafted by and return to:

Jeffrey E. Rochman
55 West Monroe Street-Suite 750
Chicago, Illinois 60603

Permanent Real Estate Index Number:

17-08-235-041

PLATE
V
1 (M) 2/11

97033155

Box-333

RECORDING FEE \$ 83.00
DATE 1/15/97 COPIES L
OK 2/11

UNOFFICIAL COPY

Property of Cook County Clerk's Office

UNOFFICIAL COPY

SECOND AMENDMENT TO DECLARATION OF CONDOMINIUM OWNERSHIP AND OF EASEMENTS, RESTRICTIONS, COVENANTS AND BY-LAWS FOR ERIE POINTE TOWNHOMES CONDOMINIUM

This Second Amendment to Declaration is made and entered into this 13th day of January, 1997, by Chicago Trust Company, a corporation of Illinois, as Trustee under Trust Agreement dated May 1, 1994, and known as Trust No. 1098823 and not individually ("Trustee").

WITNESSETH:

WHEREAS, by a Declaration of Condominium (the "Declaration") recorded in the Office of the Recorder of Deeds of Cook County, Illinois on April 19, 1996 as document number 96296950, Trustee submitted certain real estate to the provisions of the Illinois Condominium Property Act (the "Act"); and

WHEREAS, the Declaration reserves to Developer (as defined in the Declaration) the right to annex and add to the Parcel and Property (as defined in the Declaration) and thereby add to the condominium created by the Declaration all or any portion of the Future Expansion Parcel (as defined in the Declaration); and

WHEREAS, Developer has previously added a portion of the Future Expansion Parcel to the condominium pursuant to the First Amendment to Declaration of Condominium Ownership and of Easements, Restrictions, Covenants and By-Laws for Erie Pointe Townhomes Condominium which was recorded in the Office of the Recorder of Deeds of Cook County, Illinois on September 20, 1996 as document number 96722311; and

WHEREAS, Trustee at the direction of Developer now desires to so annex and add to said Parcel and Property and submit to the provisions of the Act and the Declaration certain real estate ("Additional Property"), described in Exhibit A-1 attached hereto, which Additional Property is a portion of the Future Expansion Parcel.

NOW, THEREFORE, the Trustee does hereby amend the Declaration as follows:

1. The Additional Property is hereby annexed to the Parcel and Property, as defined in the Declaration, and is hereby submitted to the provisions of the Act as a part of the Condominium in accordance with and shall be deemed to be governed in all respects by the terms and provisions of the Declaration.

2. Exhibit A of the Declaration is hereby amended by adding thereto the plat of survey attached hereto.

3. Exhibit A-1 of the Declaration is hereby amended by adding thereto the property legally described on Exhibit A-1 attached hereto.

97033155

UNOFFICIAL COPY

Property of Cook County Clerk's Office

UNOFFICIAL COPY

4. Exhibit B of the Declaration is hereby amended by substituting therefor Exhibit B attached hereto. The percentage of ownership in the common elements appurtenant to each unit is hereby shifted to the percentages set forth in the Exhibit B attached hereto.

5. The additional Common Elements annexed by this instrument 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.

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

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 or 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, covenants, 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.

IN WITNESS WHEREOF, Chicago Trust Company, as Trustee under Trust Agreement dated May 1, 1994 and known as Trust No. 1098823, and not individually, has caused its name to be signed to these presents by its ASST. VICE PRESIDENT and attested by its Asst. Secretary this 13th day of January, 1997.

THE CHICAGO TRUST COMPANY, as Trustee
as aforesaid and not individually

BY:

Susan Decker
Its ASST. VICE PRESIDENT

ATTEST:

Tom W. W. W.
Its Asst. Secretary

07033155

UNOFFICIAL COPY

Property of Cook County Clerk's Office

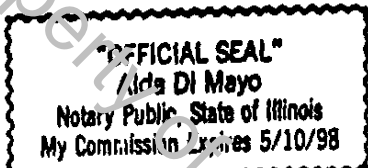
11/1/20

UNOFFICIAL COPY

State of Illinois)
)SS
County of Cook)

I, the undersigned, a Notary Public in and for the County and State aforesaid, do hereby certify that SUSAN BECKER, ASST. VICE PRESIDENT and Tereba Wiselife, Asst., Secretary of Chicago Trust Company are personally known to me to be the same persons whose names are subscribed to the foregoing instrument as such and that they 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 the free and voluntary act of Chicago Trust Company.

Given under my hand and Notarial Seal this 15th day of Jan, 1996.



My commission expires: _____

Alda Di Mayo
NOTARY PUBLIC

Property of Cook County Clerk's Office

97033155

UNOFFICIAL COPY

EXHIBIT A-1

THAT PART OF BLOCK 33 IN OGDEN'S ADDITION TO CHICAGO, BEING PART OF THE NORTHEAST 1/4 OF SECTION 8, TOWNSHIP 39 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, BOUNDED AND DESCRIBED AS FOLLOWS: BEGINNING AT THE INTERSECTION OF THE NORTH LINE OF SAID BLOCK 33 AND THE EASTERLY LINE OF MILWAUKEE AVENUE; THENCE NORTH 90 DEGREES-00 MINUTES-00 SECONDS EAST ALONG SAID NORTH LINE A DISTANCE OF 158.74 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING EAST ALONG THE LAST DESCRIBED COURSE A DISTANCE OF 190.93 FEET; THENCE SOUTH 0 DEGREES-24 MINUTES-26 SECONDS EAST A DISTANCE OF 55.00 FEET; THENCE SOUTH 90 DEGREES-00 MINUTES-00 SECONDS WEST A DISTANCE OF 114.11 FEET; THENCE SOUTH 0 DEGREES-00 MINUTES-00 SECONDS WEST A DISTANCE OF 11.00 FEET; THENCE NORTH 90 DEGREES-00 MINUTES-00 SECONDS WEST A DISTANCE OF 77.21 FEET; THENCE NORTH 0 DEGREES-00 MINUTES-00 SECONDS EAST A DISTANCE OF 66.00 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS.

Property of Cook County Clerk's Office

97033155

UNOFFICIAL COPY

Property of Cook County Clerk's Office

UNOFFICIAL COPY

EXHIBIT B

PERCENTAGE OF INTEREST IN COMMON ELEMENTS

UNIT	INTEREST
1	3.05%
2	3.56%
3	3.05%
4	3.56%
5	3.05%
6	3.56%
7	3.05%
8	3.56%
9	3.05%
10	3.56%
11	3.05%
12	3.56%
13	3.05%
14	3.56%
15	3.05%
16	3.56%
17	3.90%
18	3.56%
19	3.05%
20	3.56%
21	3.05%
22	3.56%
23	3.05%
24	3.56%
25	3.05%
26	3.56%
27	3.05%
28	3.56%
29	3.05%
30	3.56%
TOTAL	100.00%

Property of Cook County Clerk's Office

97033155

UNOFFICIAL COPY

Property of Cook County Clerk's Office

UNOFFICIAL COPY

CONSENT OF MORTGAGEE

Manufacturers Bank is the holder of those certain mortgages recorded in the office of the Recorder of Deeds of Cook County, Illinois on May 22, 1995, October 25, 1995, and March 23, 1996 as documents number 95333805, 95729635 and 96221994 respectively, and does hereby consent to the execution and recording of the within Second Amendment to Declaration of Condominium Ownership and of Easements, Restrictions, Covenants and By-Laws for Erie Pointe Townhomes and agrees that the above described mortgages are subordinate thereto.

IN WITNESS WHEREOF, Manufacturers Bank has caused this Consent to Second Amendment to Declaration of Condominium Ownership and of Easements, Restrictions, Covenants and By-Laws for Erie Pointe Townhomes to be executed the 18th day of December, 1996.

Manufacturers Bank

BY: Irene Fard
Its Vice President

ATTEST:

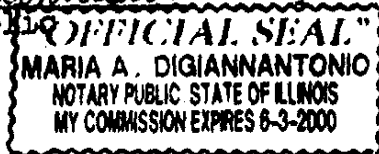
William R. Bauer
Its Vice President

STATE OF ILLINOIS)
COUNTY OF COOK) SS:

I, Maria Di Giannantonio, a Notary Public in and for the county and state aforesaid, DO HEREBY CERTIFY that Irene Fard and William R. Bauer of Manufacturers Bank, who are personally known to me to be the persons whose names are subscribed to the foregoing instrument as such Vice President and Vice President, appeared before me this day in person and acknowledged that they signed and delivered the said instrument as their free and voluntary act as such Vice President and Vice President respectively 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 18th day of December, 19 96

Maria Di Giannantonio My commission expires 6-3-2000
Notary Public



97033155

UNOFFICIAL COPY

Property of Cook County Clerk's Office