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PLAT

4-8-97

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PLAT WITH THIS DOCUMENT

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DEPT-01 RECORDING \$87.00
T40012 TRAN 4597 04/08/97 14:50:00
43570 ER *-97-243939
COOK COUNTY RECORDER

~~760056~~
75387545

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SECOND AMENDMENT TO
DECLARATION OF CONDOMINIUM FOR
MAYFAIR COURTS CONDOMINIUMS

This Instrument prepared by:

Patrick W. Pontarelli
Attorney at Law
4353 W. Lawrence Ave.
Chicago IL 60630
773-736-3777

P.I.N. : 13-15-106-002
13-15-106-003
13-15-106-004
13-15-106-005
13-15-106-006
13-15-106-007
13-15-106-008
13-15-106-009
13-15-106-029

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RETURN TO: Roseanne O'Connor
Chicago Title Ins. Co.
8501 W. Higgins Suite 420
Chicago, IL 60631

1315100 030
DATE 4/8/97
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BOX 333-CTI

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01.01.2010

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SECOND AMENDMENT TO DECLARATION OF CONDOMINIUM

FOR MAYFAIR COURTS CONDOMINIUMS

This Declaration made and entered into this 3rd day of APRIL, 1997, by **PARKWAY BANK AND TRUST COMPANY**, a corporation of Illinois, as Trustee under Trust Agreement dated June 29, 1994, and known as Trust No. 10859 and not individually (the "Trustee");

WITNESSETH:

WHEREAS, by a Declaration of Condominium (the "Declaration") recorded in the office of the Recorder of Cook County, Illinois, as Document No.95228666 , the Trustee submitted certain real estate to the provisions of the Illinois Condominium Property Act (the "Act"); and

WHEREAS, the Declaration reserves to the 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 additional land (as defined in the Declaration); and

WHEREAS, the Trustee at the direction of the 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 (the "Additional Property"), described in Exhibit "A (3)" attached hereto, which additional property is a portion of the said additional land;

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 governed in all respects by, the terms and provisions of the Declaration.

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2. Exhibit "A" of the Declaration is hereby amended by adding Exhibit "2A" which consists of the Plat of Survey of the additional units and real property submitted to the provisions of the Act. The additional units are located upon the Parcel legally described as follows:

Lots 1 through 5 (both inclusive) and the South 3.06 feet of Lot 6 in Block 2 in M.D. Brown's Resubdivision of Blocks 1 and 2 in Montrose in the East Half of the Northwest Quarter of Section 15, Township 40 North, Range 13, East of the third Principal Meridian, in Cook County, Illinois.

3. Exhibit "B" of the Declaration is hereby amended by substituting therefore the Amended Exhibit "B" which is attached hereto. The percentage of ownership in the common elements appurtenant to each unit is hereby shifted to the percentages set forth in the Amended Exhibit "B" which is attached hereto.

4. 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.

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

6. Trustee Exculpation. This Declaration is executed by PARKWAY BANK AND TRUST COMPANY as Trustee aforesaid, in the exercise of power and authority conferred upon and vested in it as such Trustee (and said Trustee hereby warrants that it possessed full power and authority to execute this instrument). It is expressly understood and agreed by every person, firm or corporation hereafter claiming any interest under this Declaration that said Trustee as aforesaid, and not personally, has joined in the execution of this Declaration for the sole purpose of subjecting the title-holding interest and the trust estate under said Trust No. 10859 to the terms of this Declaration; that any and all obligations, duties, covenants and agreements of every nature herein set forth by said Trustee, as aforesaid, to be kept or performed, are intended to be kept, performed and discharged by the beneficiaries under said trust or their successor, and not the said Trustee personally, and further, that no duty shall rest upon PARKWAY BANK AND TRUST COMPANY, either personally or as such Trustee, 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 under the terms of this Declaration, except where said Trustee is acting pursuant to direction as provided by the terms of said trust, and after the Trustee has first been supplied with funds required for the purpose. In the event of a conflict between the terms of this paragraph and of the remainder of the Declaration on any question of apparent liability or obligation resting upon said Trustee, the exculpatory provisions hereof shall be controlling.

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IN WITNESS WHEREOF, the said PARKWAY BANK AND TRUST COMPANY, as Trustee as aforesaid and not individually, has caused its corporate seal to be affixed hereunto and caused its name to be signed in these presents by its ~~Assistant~~ Vice President and attested by its Assistant Trust Officer this 3RD day of APRIL, 1997.

PARKWAY BANK AND TRUST COMPANY
as Trustee aforesaid, and not
individually,

By: [Signature]
~~ASSISTANT~~ VICE PRESIDENT

ATTEST:

[Signature]
ASSISTANT TRUST OFFICER

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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 PISZEVNSKI Vice President of PARKWAY BANK AND TRUST COMPANY and LUBA KOHN of said Bank, who are personally know to me to be the same persons whose names are subscribed to the foregoing instrument as such Vice President and Assistant Trust Officer, signed and delivered the said instrument as their own free and voluntary act and the free and voluntary act of said Bank, as Trustee as aforesaid, for the uses and purposes therein set forth; and the said Assistant Trust Officer then and there acknowledged that he, as custodian of the corporate seal of said Bank, did affix the 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, as Trustee aforesaid, for the uses and purposes therein set forth.

GIVEN under my hand and notarial seal this 3RD day of APRIL, 1997.

Luba Kohn

NOTARY PUBLIC

My commission expires:

5/22/2000



97243939

This Instrument prepared by:

Patrick W. Pontarelli
Attorney at Law
4353 W. Lawrence Ave.
Chicago IL 60630
773-736-3777

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CONSENT OF MORTGAGEE

PARKWAY BANK AND TRUST COMPANY, holder of the Mortgages and Assignments of Rents dated and recorded and identified as follows:

Mortgage dated August 2, 1996 and recorded as document #96638480

Assignment of Rents dated August 2, 1996 and recorded as document #96638481

on the premises described in the Declaration of Condominium Ownership, hereby consents to the execution and recording of the above and foregoing Amendment to Declaration of Condominium and hereby submits said Trust Deeds and Assignments of Rents, to the provisions of the above and foregoing Amendment to Declaration of Condominium, and the Condominium Property Act.

IN WITNESS WHEREOF, the said PARKWAY BANK AND TRUST COMPANY has caused this instrument to be signed by its duly authorized officers on its behalf, all done at Harwood Heights, Illinois on this 3rd day of April, 1997.

PARKWAY BANK AND TRUST COMPANY

BY:


Paul Genbara,
Asst. Vice President

ATTEST:


John Langbein,
Loan Officer

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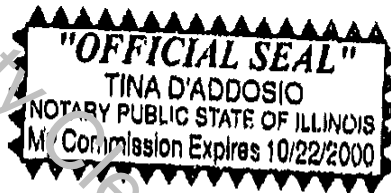
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STATE OF ILLINOIS)
) SS
COUNTY OF COOK)

I, TINA D'ADDOSIO, a Notary Public, in and for the said County and State do hereby certify that Paul Gembara and John Langhein 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 Paul Gembara and John Langhein 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 corporation, for the uses and purposes therein set forth.

Given under my hand and Notarial Seal this 3rd day of April, 1997.

Tina D'Addosio
NOTARY PUBLIC



My commission expires:

MFDEC2KSLWPD

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AMENDED EXHIBIT "B"

4738 N. Elston

UNIT	PARKING	% INTEREST
101 A	101 A	2.0953
102 A	102 A	2.0953
201 A	201 A	2.0953
202 A	202 A	2.0953
301 A	301 A	2.0953
302 A	302 A	2.0953

4742 N. Elston

101 B	101 B	1.9038
102 B	102 B	2.0953
201 B	201 B	2.0953
202 B	202 B	2.0953
301 B	301 B	2.0953
302 B	302 B	2.0953

4748 N. Elston

101 C	101 C	2.0953
102 C	102 C	2.0953
201 C	201 C	2.0953
202 C	202 C	2.0953
301 C	301 C	2.0953
302 C	302 C	2.0953

4750 N. ELSTON

101 D	101 D	2.0953
102 D	102 D	1.9039
103 D	103 D	2.0953
104 D	104 D	2.0953
201 D	201 D	2.0953
202 D	202 D	2.0953
203 D	203 D	2.0953
204 D	204 D	2.0953
301 D	301 D	2.0953
302 D	302 D	2.0953
303 D	303 D	2.0953
304 D	304 D	2.0953

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AMENDED EXHIBIT "B"

4710 N. Elston

101E	101E	2.0953
102E	102E	2.0953
103E	103E	1.9038
104E	104E	2.0953
105E	105E	2.0953
106E	106E	2.0953
201E	201E	2.0953
202E	202E	2.0953
203E	203E	2.0953
204E	204E	2.0953
205E	205E	2.0953
206E	206E	2.0953
301E	301E	2.0953
302E	302E	2.0953
303E	303E	2.0953
304E	304E	2.0953
305E	305E	2.0953
306E	306E	2.0953

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