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# EXHIBIT

ATTACHED TO

99812899

DOCUMENT NUMBER

SEE PLAT BOOK

108-25-1999

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99812899

7294/0078 08 001 Page 1 of 9  
1999-08-25 12:13:59  
Cook County Recorder 71.00



99812899

PREPARED BY & MAIL TO:  
P.D. Hartz Construction Company, Inc.  
8995 WEST 95TH STREET  
PALOS HILLS, IL 60465  
Original Document No. 99333247

**FIRST AMENDMENT TO DECLARATION  
OF CONDOMINIUM OWNERSHIP AND OF  
EASEMENTS, RESTRICTIONS, AND  
COVENANTS FOR TOWN POINTE  
CONDOMINIUM ASSOCIATION**

**EXHIBIT ATTACHED**

THIS DECLARATION is made by Old Kent Bank, as Successor to First National Bank of Evergreen Park, as Trustee under Trust No. 7573, dated November 1, 1983, hereinafter known as "Declarant" and P.D. Hartz Construction Company, Inc., hereinafter known as "Developer".

WITNESSETH

WHEREAS, by the Declaration of Condominium Ownership recorded in the Office of the Recorder of Deeds of Cook County, Illinois as Document No. 99333247 on April 7, 1999. Old Kent Bank, as Successor to First National Bank of Evergreen Park, as Trustee, under Trust Number 7573, dated November 1, 1983, and not individually, submitted certain real estate to the Condominium Property Act of the State of Illinois (the "Act"), said Condominium being known as Town Pointe Condominium Association; and

WHEREAS, under Paragraph 1 of Article XIX of the Declaration, the right is reserved by the Developer, P.D. Hartz Construction Company, Inc., to annex and add certain real property to the Parcel and Property described in the Declaration, and thereby add to the Condominium; and

WHEREAS, Old Kent Bank, as Successor to First National Bank of Evergreen Park, as Trustee under Trust Agreement dated November 1, 1983, and known as Trust No. 7573, is the legal title holder of the property to be annexed and P.D. Hartz Construction Company, Inc. is the Developer and beneficial owner of said Trust and wishes to annex and add to said Parcel and Property, and thereby submit to the Act as a part of the Condominium the following real property (the "Additional Property"):

Lot 4 in Town Pointe Multi Family Unit 1, being a subdivision as recorded per Document No. 98-194139 of part of the South West Quarter (1/4) of Section 35, Township 36 North, Range 12 East of the Third Principal Meridian, in Cook County, Illinois, recorded on March 11, 1998 as Document No. 98-194139.

PIN: 2735-301-002-0000

RECORDING FEE \$ 71.00  
DATE 8/25/99 COPIES 6  
OK SM 9981<sup>1</sup>

RETURN TO: Box 15  
TICOR TITLE INSURANCE  
203 N. LaSALLE, STE. 1400 1375  
CHICAGO, IL 60601  
RE: 440248TP

F		A
P		P
T		V
I	SM	(M)

G:\Decks\Fldr-AMENDMENTTWO\comp\110711099.doc

COMMON ADDRESSES: 18141 Mager Drive  
 18143 Mager Drive  
 18145 Mager Drive  
 18147 Mager Drive  
 18149 Mager Drive  
 18151 Mager Drive  
 18153 Mager Drive  
 18155 Mager Drive

Which property is a portion of the Development Area described in said Declaration; and

WHEREAS, the Additional Property is now improved with one (1) building containing eight (8) units as defined in the Declaration.

NOW THEREFORE, Old Kent Bank, as Successor to First National Bank of Evergreen park, as Trustee under Trust Agreement dated November 1, 1983, and known as Trust No. 7573, and not individually, as the legal title holder of the Additional Property and P.D. Hartz Construction Company, Inc. as the beneficial owner of said Trust, and for the purpose above set forth, hereby declares that the Declaration be and hereby is amended as follows:

1. The Additional Property is hereby annexed to the parcel and Property as defined in Article I of 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. The Plat attached to the Declaration as Exhibit "A" showing the boundaries of the Property and delineating and describing the Units contained therein, is hereby amended and supplemented by Exhibit "A" attached hereto showing the boundaries of the annexed Property and Describing the additional units contained in said annexed Property.
3. Exhibit "B" attached to the Declaration setting forth the percentages of the undivided interest in the common elements corresponding to each Unit described in Exhibit "A" prior to this Amendment are hereby reduced to the respective percentage interest in the common elements as set forth in Exhibit "B" attached hereto. Exhibit "C" attached to the Declaration is amended by the substitution of Exhibit "C" attached hereto.
4. The additional common elements added to the Declaration by this Amendment are hereby granted and 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.



RIDER ATTACHED TO  
THE FIRST AMENDMENT TO THE  
DECLARATION OF CONDOMINIUM OWNERSHIP

DATED NOVEMBER 1, 1983 UNDER TRUST NO. 7573

Executed and delivered by Old Kent Bank, as Successor to First National Bank of Evergreen Park, not in its individual capacity, but solely in the capacity herein described, for the purpose of binding the herein described property, and it is expressly understood and agreed by the parties hereto anything herein to the contrary notwithstanding that each and all of the undertakings and agreements herein made, are made and intended not as personal undertakings and agreements of the Trustee, or for the purpose of binding the Trustee personally, but executed and delivered by the Trustee solely in the exercise of the powers conferred upon it as such Trustee, and no personal liability or personal responsibility is assumed by, or shall at any time be asserted or enforced against said trustee on account hereof or on account of any undertaking or agreement herein contained, either expressed or implied. All such personal liability, if any being hereby expressly waived and released by all other parties hereto, and those claiming by, through or under them.

Old Kent Bank, as Successor to First National Bank of Evergreen Park, not individually, but as Trustee under Trust Number 7573

BY:   
Vice President & Trust Officer

ATTEST:

  
Assistant Trust Officer



EXHIBIT "B"  
PERCENTAGE INTERESTS IN COMMON ELEMENTS  
FOR TOWN POINTE CONDOMINIUM ASSOCIATION

<u>UNITS</u>	<u>% INTEREST</u>
18101	4.520%
18103	4.018%
18105	4.018%
18107	4.018%
18109	4.018%
18111	4.018%
18113	4.018%
18115	4.529%
18121	4.018%
18123	4.018%
18125	4.529%
18127	4.018%
18129	4.018%
18131	4.018%
18133	4.018%
18135	4.529%
18141	4.529%
18143	4.018%
18145	4.529%
18147	4.018%
18149	4.018%
18151	4.529%
18153	4.018%
18155	4.018%
	100%



**EXHIBIT "C"**  
**ADDITIONAL LAND**

Lot 1 and Lots 5 – 10 both inclusive, in Town Pointe Multi-Family Unit 1, being a subdivision as recorded per Document No. 98-194139, of part of the Southwest 1/4 of Section 35, Township 36 North, Range 12 East of the Third Principal Meridian, in Cook County, Illinois.

And also,

That part of the Southwest ¼ of Section 35, Township 36 North, Range 12 East of the Third Principal Meridian, bounded and described as follows: COMMENCING at the Southwest corner of Lot 17 in Town Pointe Multi-Family Unit 1, being a subdivision, as recorded per Document No. 98-194139, of part of said Southwest ¼; thence South 85°-52'-20" East 197.00 feet along the Southerly line of said Lot 17 and its extension East, to the Easterly line of Kirby Drive as dedicated in said Town Pointe Multi-Family Unit 1, also being the POINT OF BEGINNING; thence North 04°-07'-40" East 96.94 feet along said Easterly line, to the South line of Stratford Drive as dedicated in said Town Point Multi-Family Unit 1; thence South 89°-57'-04" East 92.56 feet along said South line, to the Northwest corner of Lot 7 in said Town Pointe Multi-Family Unit 1; thence South 04°-07'-40" West 463.03 feet along the Westerly line of said Lot 7 and the Westerly line of Lot 401 in Said Town Pointe Multi-Family Unit 1, to the West most Southwest corner of said Lot 401; thence South 46°-19'-26" East 242.14 feet along the Southwesterly line of said Lot 401; thence Westerly 120.50 feet along a curve being the arc of a circle of 973.00 feet radius convex Southeasterly having a chord bearing of South 57°-45'-48" West; thence North 28°-27'-33" West 45.31 feet to a point of curve; thence Northwesterly 137.19 feet along said curve being the arc of a circle of 220.00 feet radius convex Northeasterly having a chord bearing of North 46°-19'-26" West, to a point of tangency; thence North 64°-11'-19" West 47.20 feet; thence Northerly 58.14 feet along a curve being the arc of a circle of 120.00 feet radius convex Easterly having a chord bearing of North 02°-20'-12" East, to a point of reverse curve; thence Northerly 58.26 feet along said curve, being the arc of a circle of 213.00 feet radius convex Westerly having a chord bearing of North 03°-42'-29" West, to a point of tangency; thence North 04°-07'-40" East 328.44 feet, to the herein designated POINT OF BEGINNING, in Cook County, Illinois, to be known as Lots 28 through 30 both inclusive, in Town Pointe Multi-Family Unit 2 when recorded.

And also;

That part of the Southwest ¼ of Section 35, Township 36 North, Range 12 East of the Third Principal Meridian, bounded and described as follows: COMMENCING at the Southwest corner of Lot 17 in Town Pointe Multi-Family Unit 1, being a subdivision, as recorded per Document No 98-194139, of part of said Southwest ¼; thence South 85°-52'-20" East 197.00 feet along the Southerly line of said Lot 17 and its extension East, to the Easterly line of Kirby Drive as dedicated in said Town Pointe Multi-Family Unit 1; thence North 04°-07'-40" East 96.94 feet along said Easterly line, to the South line of Stratford Drive as dedicated in said Town Pointe Multi-Family Unit 1; thence south 89°-57'-04" East 92.56 feet along said South line, to the Northwest corner of Lot 7 in said Town Pointe Multi-Family Unit 1; thence South 04°-07'-40" West 463.03 feet along the Westerly line of said Lot 7 and the Westerly line of Lot 401 in said Town Pointe Multi-Family Unit 1, to the West most Southwest corner of said Lot 401; thence



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South 46°-19'-26" East 242.14 feet along the Southwesterly line of said Lot 401; thence Westerly 160.51 feet along a curve being the arc of a circle of 973.00 feet radius convex Southeasterly having a chord bearing of South 58°-56'-28" West, to the POINT OF BEGINNING; thence continue 101.22 feet along said curve, being the arc of a circle of 973.00 feet radius convex Southeasterly having a chord bearing of South 66°-38'-51" West; thence North 00°-23'-11" East 6.83 feet; thence North 89°-36'-49" West 200.00 feet; thence South 85°-56'-12" West 104.52 feet; thence North 04°-03'-48" West 43.00 feet; thence Northerly 93.68 feet along a curve being the arc of a circle of 55.00 feet radius convex Southeasterly having a chord bearing of North 37°-8'-28" East; thence North 57°-01'-19" East 6.56 feet, to a point of curve; thence Easterly 46.59 feet along said curve, being the arc of a circle of 80.00 feet radius convex Northerly, having a chord bearing of North 73°-42'-15" East, to a point of tangency; thence South 89°-36'-49" East 58.32 feet to a point of curve; thence Northeasterly 115.15 feet along a curve being the arc of a circle of 120.00 feet radius convex Southeasterly having a chord bearing of North 62°-53'-45" East; thence South 64°-11'-19" East 47.20 feet to a point of curve; thence Southeasterly 112.25 feet along said curve, being the arc of a circle of 180.00 feet radius convex Southwesterly having a chord bearing of South 46°-19'-26" East, to a point of tangency; thence South 28°-27'-33" East 44.65 feet, to the herein designated POINT OF BEGINNING, in Cook County, Illinois, to be known as Lots 26 and 27 both inclusive, in Town Pointe Multi-Family Unit 2 when recorded.