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Cook County Recorder 29.00



**FIRST AMENDMENT TO THE
DECLARATION OF
CONDOMINIUM OWNERSHIP
AND OF EASEMENTS,
RESTRICTIONS, COVENANTS
AND BY-LAWS FOR
5064 NORTH KIMBALL
CONDOMINIUM ASSOCIATION**

THIS INSTRUMENT PREPARED BY:
DANIEL G. LAUER & ASSOC., P.C.
1424 W. DIVISION STREET
CHICAGO, IL 60622-3321
AFTER RECORDING DELIVER TO:
CTI-BOX #333

THIS FIRST AMENDMENT ("Amendment") is made and entered into by T N T Development, Ltd., an Illinois Corporation, (hereinafter referred to as the "Declarant");

WITNESSETH:

WHEREAS, the Declarant holds legal title to the parcel of real estate situated in the City of Chicago, Cook County, Illinois legally described on Exhibit A attached hereto and by this reference made a part hereof (hereinafter the "Parcel");

WHEREAS, the legal description of the Parcel, common address and PIN are as follows:

Legal Description: Please see Exhibit A

Common Address: 5064 North Kimball Avenue
Chicago, Illinois 60622

PIN: 13-11-403-046-0000

WHEREAS, on October 13, 2000, the Declarant recorded the Declaration of Condominium Ownership and of Easements, Restrictions, Covenants and By-Laws for 5064 North Kimball Condominium Association with the Cook County Recorder of Deeds as Document #00-802390 (the "Declaration"), which is hereby incorporated by reference;

WHEREAS, paragraph 16.01 of the Declaration provides that all rights vested in the Board of Unit Owners shall be vested in the Declarant and/or Developer until the election of the initial Board by the Unit owners;

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WHEREAS, paragraph 16.13 of the Declaration provides that "Developer and/or Declarant reserves the right and power to record a special amendment ("Special Amendment") to this Declaration at any time and from time to time which amends this Declaration ... (iv) to correct clerical or typographical errors in this Declaration or any Exhibit hereto or any supplement or amendment thereto. In furtherance of the foregoing, a power coupled with an interest is hereby reserved and granted to the Developer and/or Declarant to vote in favor of, make, or consent to a Special Amendment on behalf of each Unit Owner as proxy or attorney-in-fact, as the case may be. Each deed, mortgage, trust deed, other evidence of obligation, or other instrument affecting a Unit, and the acceptance thereof shall be deemed to be a grant and acknowledgment of, and a consent to the reservation of the power to the Developer and/or Declarant to vote in favor of, make, execute and record Special Amendments. The right of the Developer and Declarant to act pursuant to rights reserved or granted under this Section shall terminate at such time as the Declarant or Developer no longer holds or controls title to a Unit.";

WHEREAS, the Declarant desires and intends by this First Amendment to the Declaration to clarify the rights and privileges of the Unit Owners with respect to the use and maintenance thereof; and

WHEREAS, the Declarant desires to amend the Declaration to set forth that a certain Limited Common Element, namely Parking, shall be amended as set forth on the attached Exhibit D.

NOW THEREFORE, the Declarant and Developer, and as holder of a power coupled with an interest pursuant to the rights conferred on it in the Declaration, and for the purposes set forth herein, amends the Declaration and **DECLARES AS FOLLOWS**:

1. Exhibit D of the Declaration is hereby replaced by the Amended Exhibit D attached hereto.

2. As listed under the Amended Exhibit D, the following Parking Space Limited Common Elements are hereby reserved for the use of the following Units to the exclusion of other Units, as is more fully defined in the Declaration at Section 1.10:

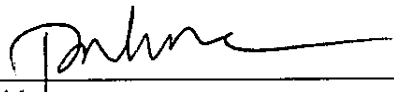
| | |
|--------|-----|
| Unit 1 | P-1 |
| Unit 2 | P-2 |
| Unit 3 | P-3 |
| Unit 4 | P-4 |

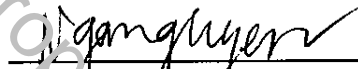
3. In all other respects, the Declaration is ratified and confirmed.

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IN WITNESS WHEREOF, the Declarant, T N T Development, Ltd., an Illinois Corporation, has caused its Officers to affix their signatures hereunto and caused its corporate name to be signed in these presents by its Officers, this 21 day of ~~December~~, 2000.
January

T N T Development, Ltd.,
an Illinois Corporation

By: 
President

ATTEST: 
Secretary/Treasurer

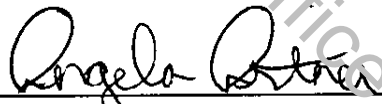
EXCULPATORY LANGUAGE IS ATTACHED

STATE OF ILLINOIS)
) SS:
COUNTY OF COOK)

I, Angela Artner, a Notary Public in and for said County, in the State aforesaid, do hereby certify that Paul N. Tran, President of T N T Development, Ltd., an Illinois Corporation and Nga P. Tran, Secretary/Treasurer, and who are personally known to me to be the persons whose names are subscribed to the foregoing instrument as such, 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 Corporation, for the uses and purposes therein set forth.

GIVEN under my hand and notarial seal this 21st day of January, A.D., 2000.




Notary Public

My commission Expires: _____

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EXHIBIT A

LEGAL DESCRIPTION

5064 NORTH KIMBALL CONDOMINIUMS, CHICAGO, COOK COUNTY, ILLINOIS

PARCEL 1: UNITS 1, 2, 3 & 4 IN THE 5064 NORTH KIMBALL CONDOMINIUM AS DELINEATED ON A SURVEY OF THE FOLLOWING DESCRIBED REAL ESTATE:

LOTS 56 (EXCEPT THE NORTH 30.00 FEET) AND THE NORTH 20.53 FEET OF LOT 55 IN KRON'S SUBDIVISION OF THE EAST ½ OF BLOCKS 7 AND 10 IN JACKSON'S SUBDIVISION OF THE SOUTHEAST ¼ IN SECTION 11, TOWNSHIP 40 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, WHICH SURVEY IS ATTACHED AS EXHIBIT "A" TO THE DECLARATION OF CONDOMINIUM RECORDED AS DOCUMENT NUMBER 00-802390, AND AS AMENDED, TOGETHER WITH ITS UNDIVIDED PERCENTAGE INTEREST IN THE COMMON ELEMENTS, ALL IN COOK COUNTY, ILLINOIS.

PARCEL 2: THE EXCLUSIVE RIGHT TO THE USE OF P-1, P-2, P-3 & P-4, LIMITED COMMON ELEMENTS, AS DELINEATED ON THE SURVEY ATTACHED TO THE DECLARATION AFORESAID RECORDED AS DOCUMENT NUMBER 00-802390.

PIN: 13-11-403-046-0000

Commonly known as: 5064 North Kimball Avenue, Chicago, Cook County, Illinois, 60625

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AMENDED EXHIBIT D

SCHEDULE OF PARKING SPACES 5064 NORTH KIMBALL CONDOMINIUMS

| <u>Unit</u> | <u>LCE Parking Space Schedule</u> |
|-------------|---|
| 1 | P-1 |
| 2 | P-2 |
| 3 | P-3 |
| 4 | P-4 |

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