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2001-02-08 10:34:00

Cook County Recorder 29.50

PREPARED BY AND WHEN RECORDED MAIL TO:

Christyl Marsh
Cohen, Salk & Huvard, P.C.
630 Dundee Road, Suite 120
Northbrook, Illinois 60062

Pins: 11-18-324-005-0000
11-18-324-006-0000

Property Address:
1421 Sherman Ave., Evanston, IL



**FIRST AMENDMENT TO DECLARATION OF CONDOMINIUM OWNERSHIP FOR
1421 SHERMAN AVENUE CONDOMINIUM ASSOCIATION**

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This First Amendment ("First Amendment") to the Declaration of Condominium Ownership for 1421 Sherman Avenue Condominium Association is made by TR Evanston Partners, L.P., an Illinois limited partnership, not individually, but as Declarant (the "Declarant"). Capitalized terms used, but not defined in, this First Amendment shall have the same meanings as in the Declaration.

WITNESSETH:

WHEREAS, Declarant executed and caused the Declaration of Condominium Ownership for 1421 Sherman Avenue Condominium Association, dated October 31, 2000, to be recorded in the Cook County Recorder's Office on November 2, 2000, as Document No. 00865809 (the "Declaration"), submitting the property legally described on **Exhibit A** hereto to the provisions of the Illinois Condominium Act; and

WHEREAS, pursuant to Section 8.1 of the Declaration, Declarant has reserved the right and power to Record a Special Amendment to the Declaration for the purpose of correcting errors in the Declaration; and

WHEREAS, as of the date of this First Amendment, Declarant holds title to a portion of the Property and is authorized to make, execute and Record a Special Amendment; and

WHEREAS, Section 2.14 of the Declaration imposes certain limitations on the business uses which may be conducted in the Office Units (as defined in the Declaration); and

WHEREAS, the general wording of such limitations has created an ambiguity as to whether certain categories of uses constitute low intensity business office uses, and Declarant finds that the financing of First Mortgages covering the Office Units Declaration has been and is likely to be impaired by the ambiguity; and

WHEREAS, Declarant desires to correct and resolve the matter so that the financing of such Office Units will not be impaired.

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NOW, THEREFORE, Declarant, for the purposes above set forth, hereby declares that the Declaration is amended as follows:

1. Section 2.14(a) of the Declaration shall be restated in its entirety to read as follows:
 - (a) retail goods establishments or other trades or businesses engaged in selling goods or merchandise to the general public and rendering services to such sale; provided that fine art galleries which display and sell high quality, original fine art, including paintings, photographs and sculptures, shall not be deemed to be retail goods establishments or other trades or businesses for purposes of the foregoing restriction, so long as such uses do not involve the commercial manufacture or production of objects; however, the exception for fine art shall not permit any artist studio to operate in the Office Unit (which use remains prohibited under Section 2.14(l)), and the following uses, which are not considered fine arts, shall constitute retail goods establishments for purposes of this Declaration: jewelry stores, poster stores, craft stores, clothing stores, antique stores, music stores, pen or paper stores.
2. Except as modified by the terms of this First Amendment, the Declaration shall remain unmodified and in full force and effect.


IN WITNESS WHEREOF, Declarant has executed this First Amendment this 18th day of January, 2001.

DECLARANT:

TR EVANSTON PARTNERS, L.P., an Illinois limited partnership

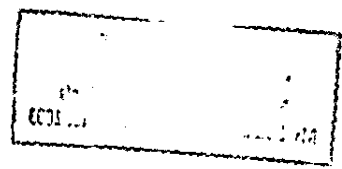
By: TR Evanston, Inc., an Illinois corporation, its general partner

By: 
Thomas A. Roszak, President

Attest: 
Thomas A. Roszak, Secretary

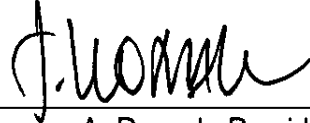
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CERTIFICATE

The undersigned, as president of the 1421 Sherman Avenue Condominium Association, hereby certifies that a copy of the foregoing First Amendment was delivered to the Board of Directors of the 1421 Sherman Avenue Condominium Association.



Thomas A. Roszak, President

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EXHIBIT "A"
TO THE FIRST AMENDMENT TO
DECLARATION OF CONDOMINIUM OWNERSHIP FOR
1421 SHERMAN AVENUE CONDOMINIUM ASSOCIATION

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THE NORTH 40 FEET OF LOT 14 AND THE SOUTH 33 1/3 FEET OF LOT 15 IN LAKESIDE SUBDIVISION OF BLOCK 30 IN EVANSTON IN THE SOUTHWEST 1/4 OF SECTION 18, TOWNSHIP 41 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS. WHICH SURVEY IS ATTACHED AS EXHIBIT "C" TO THE DECLARATION OF CONDOMINIUM RECORDED AS DOCUMENT NO. 00865809; TOGETHER WITH ITS UNDIVIDED PERCENTAGE INTEREST IN THE COMMON ELEMENTS IN COOK COUNTY, ILLINOIS.

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