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# EXHIBIT

ATTACHED TO

0010578213

DOCUMENT NUMBER

6-29-01

SEE PLAT BOOK

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Property of Cook County Clerk's Office

812807100

10-22-0

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0010578213

3261 0410 07 001 Page 1 of 14  
2001-06-29 15:30:14  
Cook County Recorder 91:00

THIS INSTRUMENT PREPARED  
BY AND SHOULD BE RETURNED  
TO:

Brian Meltzer  
MELTZER, PURTILL & STELLE  
1515 East Woodfield Road  
Suite 250  
Schaumburg, Illinois 60173-5431  
(847) 330-2400

EXHIBIT ATTACHED

ABOVE SPACE FOR RECORDER'S USE ONLY

30034\021\0017.478

06/20/01

**RECHARACTERIZATION AMENDMENT NO. 1  
DECLARATION OF CONDOMINIUM OWNERSHIP FOR  
CITY CENTRE CONDOMINIUM AND PROVISIONS RELATING  
TO CERTAIN NON-CONDOMINIUM PROPERTY**

This Recharacterization Amendment is made by and entered into by Concord City Centre, L.L.C., an Illinois limited liability company ("Declarant") and consented to by First American Investments, Inc., an Illinois corporation ("Consenting Owner").

RECITALS

Declarant Recorded Declaration of Condominium Ownership for City Centre Condominium and Provisions Relating to Certain Non-Condominium Property ("Declaration") on June 15, 2001, in the Office of the Recorder of Deeds for Cook County, Illinois, as Document No. 0010527300. The Declaration affects the Real Estate which is legally described in Exhibit A hereto.

In Article Twelve of the Declaration, Declarant reserved the right and power to add additional portions of the Real Estate to the Condominium Property as "Added Condominium Property" and to submit such portions to the provisions of the Act. Declarant desires to exercise the rights and powers reserved in Article Twelve of the Declaration.

NOW, THEREFORE, Declarant hereby amends the Declaration as follows:

1. Terms. All Terms used herein, if not otherwise defined herein, shall have the meanings set forth in the Declaration.

Handwritten initials and a circled 'M' in a grid.

RECORDING FEE 91.00  
DATE 4/29/01 6  
OK BY JM 14

Handwritten notes on the left margin: 100, DB K, 7612427, CFI.

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2. Added Real Estate/Amendment of Exhibit A. No additional Real Estate is being added by this Recharacterization Amendment No. 1.

3. Added Condominium Property/Amendment of Exhibit B. The portion of the Real Estate which is legally described in the First Amendment to Exhibit B attached hereto is hereby made part of the Condominium Property as "Added Condominium Property" and is also submitted to the provisions of the Act. Exhibit B to the Declaration is hereby amended to include the Added Condominium Property which is legally described in the First Amendment to Exhibit B attached hereto.

4. The Added Dwelling Units/Amendment of Exhibit C. Exhibit C to the Declaration is hereby amended by adding to and making a part of Exhibit C the plat of the Added Condominium Property which is attached hereto and designated as First Supplement to Exhibit C. Exhibit C, as hereby amended and supplemented, identifies each Added Dwelling Unit in the Property and assigns to it an identifying symbol.

5. Amendment of Exhibit D. To reflect the addition of the Added Dwelling Units, the list of the Undivided Interests of the Dwelling Units as shown in Exhibit D to the Declaration is hereby amended to be as set forth in the First Amended and Restated Exhibit D, which is attached hereto.

6. Covenants to Run With Land. The covenants, conditions, restrictions and easements contained in the Condominium Declaration, as amended by this Recharacterization Amendment, shall run with and bind the Condominium Property, including the Added Condominium Property and Added Dwelling Units.

7. Continuation. As expressly hereby amended, the Declaration shall continue in full force and effect in accordance with its terms.

Dated: June 22, 2001

DECLARANT:

CONCORD CITY CENTRE, L.L.C

By: A.C. Homes Corporation VII, an Illinois corporation, its Managing Member

By: Debra J. Haddad

Its: Vice President

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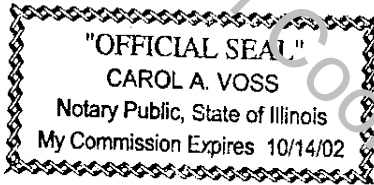
STATE OF ILLINOIS )  
  ) SS.  
COUNTY OF Cook )

I, the undersigned, a Notary Public in and for said County, in the State aforesaid, do hereby certify that Deborah T. Haddad, the Vice President of A. C. Homes VII, the managing member of Concord City Centre, L.L.C. (the "Company"), personally known to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that she signed and delivered said instrument as her own free and voluntary act, and as the free and voluntary act of the Company for the uses and purposes therein set forth.

GIVEN under my hand and Notarial seal this 22<sup>nd</sup> day of June, 2001.

Carol A. Voss

Notary Public



Cook County Clerk's Office



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## JOINDER TO DECLARATION OF CONDOMINIUM OWNERSHIP FOR CITY CENTRE CONDOMINIUM AND PROVISIONS RELATING TO CERTAIN NON-CONDOMINIUM PROPERTY

The undersigned, First American Investments, Inc. an Illinois corporation, as the legal title holder of portions of the Real Estate hereby joins in this Recharacterization Amendment to the Declaration to which this Joinder is attached for the sole purpose of making the portions of the Real Estate owned by it subject to the Declaration as part of the Real Estate.

Dated: June 22, 2001

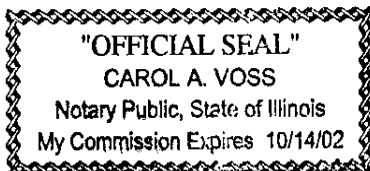
FIRST AMERICAN INVESTMENTS, INC., an  
Illinois corporation

By: Deborah Haddad  
Its: Vice President

STATE OF ILLINOIS )  
COUNTY OF Cook ) SS

I, the undersigned, a Notary Public in and for said County and State, do hereby certify that Deborah T. Haddad Vice President of First American Investments, Inc., an Illinois corporation (the "Corporation"), personally known to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that he/she signed and delivered said instrument as his/her own free and voluntary act, and as the free and voluntary act of the Corporation for the uses and purposes therein set forth.

GIVEN under my hand and Notarial Seal this 22nd day of June, 2001.



Carol A. Voss  
Notary Public



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FIRST AMENDMENT TO EXHIBIT B TO  
DECLARATION OF CONDOMINIUM OWNERSHIP FOR  
CITY CENTRE CONDOMINIUM AND PROVISIONS RELATING  
TO CERTAIN NON-CONDOMINIUM PROPERTY

The Condominium Property

Added Condominium Property

THAT PART OF LAND, PROPERTY, AND SPACE LYING ABOVE A HORIZONTAL PLANE HAVING AN ELEVATION OF 85.35 FEET ABOVE CHICAGO CITY DATUM AND BELOW A HORIZONTAL PLANE HAVING AN ELEVATION OF 98.78 FEET ABOVE CHICAGO CITY DATUM DESCRIBED AS FOLLOWS:

PARCEL 1:

SUB-LOT 4 IN CANAL TRUSTEES SUBDIVISION OF LOT 7 IN BLOCK 41 IN THE ORIGINAL TOWN OF CHICAGO IN SECTION 9, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN.

ALSO

THE SOUTH 40 FEET OF LOT 8 IN BLOCK 41 IN THE ORIGINAL TOWN OF CHICAGO OF SECTION 9, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

ALSO

LOTS 1, 2, 3, 4, 5, 6, 7 AND THE VACATED ALLEY IN THE SUBDIVISION OF THAT PART OF LOT 8 IN BLOCK 41 AFORESAID LYING NORTH OF THE SOUTH 40 FEET THEREOF IN COOK COUNTY, ILLINOIS. CONTAINING, IN THE AGGREGATE, 18,245 SQUARE FEET OF LAND, MORE OR LESS.

ALSO

PARCEL 2:

ALL NON-EXCLUSIVE EASEMENTS CONTAINED IN THE DOCUMENT LISTED BELOW INCLUDING BUT NOT LIMITED TO PEDESTRIAN AND VEHICULAR INGRESS AND EGRESS FOR THE BENEFIT OF PARCEL 1 AS CREATED BY DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS DATED JUNE 1, 1999 AND RECORDED JUNE 3, 1999 AS DOCUMENT 99530391 BY CITY CENTER LOFTS, L.L.C. AND LaSalle NATIONAL BANK AS TRUSTEE UNDER TRUST AGREEMENT DATED JUNE 1, 1998 AND KNOWN AS TRUST NUMBER 121802.

EXCLUDING FUTURE UNITS 604 AND 605:

THAT PART OF LAND, PROPERTY, AND SPACE LYING ABOVE A HORIZONTAL PLANE HAVING AN ELEVATION OF +85.35 FEET ABOVE CHICAGO CITY DATUM AND BELOW A HORIZONTAL PLANE HAVING AN ELEVATION OF +98.78 FEET ABOVE CHICAGO CITY DATUM DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER LOT 1 IN THE SUBDIVISION OF LOT 8 IN BLOCK 41 IN THE ORIGINAL TOWN OF CHICAGO, THENCE WEST ALONG THE NORTH LINE OF SAID LOT 1, FOR A DISTANCE OF 34.57 FEET THENCE SOUTH, FOR A DISTANCE OF 1.12 FEET TO A POINT BEING ON THE UNFINISHED INTERIOR SURFACE OF CITY CENTRE BUILDING; THENCE

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CONTINUING SOUTH, FOR A DISTANCE OF 17.90 FEET ALONG SAID FINISHED INTERIOR SURFACE FOR THE FOLLOWING 9 COURSES AND DISTANCES; THENCE EAST ALONG A LINE, PERPENDICULAR TO THE LAST DESCRIBED LINE, FOR A DISTANCE OF 1.85 FEET; THENCE SOUTH ALONG A LINE, PERPENDICULAR TO THE LAST DESCRIBED LINE, FOR A DISTANCE OF 10.23 FEET; THENCE WEST ALONG A LINE, PERPENDICULAR TO THE LAST DESCRIBED LINE, FOR A DISTANCE OF 2.52 FEET; THENCE SOUTH ALONG A LINE, PERPENDICULAR TO THE LAST DESCRIBED LINE, FOR A DISTANCE OF 5.21 FEET; THENCE EAST ALONG A LINE, PERPENDICULAR TO THE LAST DESCRIBED LINE, FOR A DISTANCE OF 7.17 FEET; THENCE SOUTH ALONG A LINE, PERPENDICULAR TO THE LAST DESCRIBED LINE, FOR A DISTANCE OF 15.91 FEET; THENCE EAST ALONG A LINE, PERPENDICULAR TO THE LAST DESCRIBED LINE, FOR A DISTANCE OF 10.63 FEET; THENCE SOUTH ALONG A LINE, PERPENDICULAR TO THE LAST DESCRIBED LINE, FOR A DISTANCE OF 14.31 FEET; THENCE EAST ALONG A LINE, PERPENDICULAR TO THE LAST DESCRIBED LINE, FOR A DISTANCE OF 17.01 FEET TO A POINT ON THE UNFINISHED INTERIOR SURFACE; THENCE CONTINUING EAST ALONG A LINE, 0.43 FEET TO THE EAST LINE OF SAID LOT 4 IN SAID SUBDIVISION OF LOT 8 IN BLOCK 41 THENCE NORTH ALONG SAID EAST LINE OF LOT 4, FOR A DISTANCE OF 65.91 FEET TO SAID POINT OF BEGINNING.

ALSO EXCLUDING FUTURE UNITS 610 AND 611:

THAT PART OF LAND, PROPERTY, AND SPACE LYING ABOVE A HORIZONTAL PLANE HAVING AN ELEVATION OF +85.35 FEET ABOVE CHICAGO CITY DATUM AND BELOW A HORIZONTAL PLANE HAVING AN ELEVATION OF +98.78 FEET ABOVE CHICAGO CITY DATUM DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF THE SOUTH 40 FEET OF LOT 8 IN BLOCK 41 AFORESAID; THENCE NORTH ALONG THE EAST LINE OF SAID LOT 8, FOR A DISTANCE OF 65.68 FEET THENCE WEST, FOR A DISTANCE OF 0.91 FEET TO A POINT BEING ON THE FINISHED INTERIOR SURFACE OF CITY CENTRE BUILDING, THENCE CONTINUING WEST, FOR A DISTANCE OF 34.03 FEET ALONG SAID FINISHED INTERIOR SURFACE FOR THE FOLLOWING 11 COURSES AND DISTANCES; THENCE SOUTH ALONG A LINE, PERPENDICULAR TO THE LAST DESCRIBED LINE, FOR A DISTANCE OF 16.13 FEET; THENCE EAST ALONG A LINE, PERPENDICULAR TO THE LAST DESCRIBED LINE, FOR A DISTANCE OF 1.75 FEET; THENCE SOUTH ALONG A LINE, PERPENDICULAR TO THE LAST DESCRIBED LINE, FOR A DISTANCE OF 2.02 FEET; THENCE WEST ALONG A LINE, PERPENDICULAR TO THE LAST DESCRIBED LINE, FOR A DISTANCE OF 1.26 FEET; THENCE SOUTH ALONG A LINE, PERPENDICULAR TO THE LAST DESCRIBED LINE, FOR A DISTANCE OF 8.25 FEET; THENCE WEST ALONG A LINE, PERPENDICULAR TO THE LAST DESCRIBED LINE, FOR A DISTANCE OF 7.81 FEET; THENCE SOUTH ALONG A LINE, PERPENDICULAR TO THE LAST DESCRIBED LINE, FOR A DISTANCE OF 5.43 FEET; THENCE WEST ALONG A LINE, PERPENDICULAR TO THE LAST DESCRIBED LINE, FOR A DISTANCE OF 4.33 FEET; THENCE SOUTH ALONG A LINE, PERPENDICULAR TO THE LAST DESCRIBED LINE, FOR A DISTANCE OF 7.31 FEET; THENCE EAST ALONG A LINE, PERPENDICULAR TO THE LAST DESCRIBED LINE, FOR A DISTANCE OF 7.56 FEET; THENCE SOUTH ALONG A LINE, PERPENDICULAR TO THE LAST DESCRIBED LINE, FOR A DISTANCE OF 28.37 FEET TO A POINT ON THE FINISHED INTERIOR SURFACE; THENCE CONTINUING SOUTH ALONG A LINE, 1.09 FEET TO THE SOUTH LINE SAID LOT 8 IN BLOCK 41 THENCE EAST ALONG SAID SOUTH LINE OF LOT 8, FOR A DISTANCE OF 40.96 FEET TO SAID POINT OF BEGINNING.

ALSO EXCLUDING FUTURE UNIT 613:

THAT PART OF LAND, PROPERTY, AND SPACE LYING ABOVE A HORIZONTAL PLANE HAVING AN ELEVATION OF +85.35 FEET ABOVE CHICAGO CITY DATUM AND BELOW A HORIZONTAL PLANE HAVING AN ELEVATION OF +98.78 FEET ABOVE CHICAGO CITY DATUM DESCRIBED AS FOLLOWS:

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BEGINNING AT THE SOUTHWEST CORNER OF SUB LOT 4 IN CANAL TRUSTEES SUBDIVISION OF LOT 7 IN BLOCK 41 AFORESAID; THENCE EAST ALONG THE SOUTH LINE OF SAID SUB LOT 4, FOR A DISTANCE OF 25.92 FEET THENCE NORTH, ALONG A LINE, PERPENDICULAR TO THE LAST DESCRIBED LINE, FOR A DISTANCE OF 1.12 FEET TO A POINT BEING ON THE FINISHED INTERIOR SURFACE OF CITY CENTRE BUILDING; THENCE CONTINUING NORTH, FOR A DISTANCE OF 15.00 FEET ALONG SAID FINISHED INTERIOR SURFACE FOR THE FOLLOWING 14 COURSES AND DISTANCES; THENCE EAST ALONG A LINE, PERPENDICULAR TO THE LAST DESCRIBED LINE, FOR A DISTANCE OF 0.53 FEET; THENCE NORTH ALONG A LINE, PERPENDICULAR TO THE LAST DESCRIBED LINE, FOR A DISTANCE OF 19.61 FEET; THENCE WEST ALONG A LINE, PERPENDICULAR TO THE LAST DESCRIBED LINE, FOR A DISTANCE OF 3.01 FEET; THENCE NORTH ALONG A LINE, PERPENDICULAR TO THE LAST DESCRIBED LINE, FOR A DISTANCE OF 1.09 FEET; THENCE WEST ALONG A LINE, PERPENDICULAR TO THE LAST DESCRIBED LINE, FOR A DISTANCE OF 3.34 FEET; THENCE NORTH ALONG A LINE, PERPENDICULAR TO THE LAST DESCRIBED LINE, FOR A DISTANCE OF 3.30 FEET; THENCE NORTHWEST ALONG A LINE THAT FORMS AN ANGLE OF 121 DEGREES 40 MINUTES 16 SECONDS TO THE RIGHT FROM THE LAST DESCRIBED LINE, FOR A DISTANCE OF 0.86 FEET; THENCE WEST ALONG A LINE THAT FORMS AN ANGLE OF 148 DEGREES 19 MINUTES 44 SECONDS TO THE RIGHT FROM THE LAST DESCRIBED LINE, FOR A DISTANCE OF 1.85 FEET; THENCE NORTH ALONG A LINE, PERPENDICULAR TO THE LAST DESCRIBED LINE, FOR A DISTANCE OF 3.01 FEET; THENCE WEST ALONG A LINE, PERPENDICULAR TO THE LAST DESCRIBED LINE, FOR A DISTANCE OF 8.95 FEET; THENCE SOUTH ALONG A LINE, PERPENDICULAR TO THE LAST DESCRIBED LINE, FOR A DISTANCE OF 4.31 FEET THENCE WEST ALONG A LINE, PERPENDICULAR TO THE LAST DESCRIBED LINE, 9.92 FEET; THENCE SOUTH ALONG A LINE, PERPENDICULAR TO THE LAST DESCRIBED LINE, 0.75 FEET; THENCE WEST ALONG A LINE, PERPENDICULAR TO THE LAST DESCRIBED LINE, 3.06 FEET TO A POINT ON THE FINISHED INTERIOR SURFACE; THENCE CONTINUING WEST ALONG A LINE, 0.94 FEET TO THE WEST LINE SAID SUB LOT 4; THENCE SOUTH ALONG SAID WEST LINE OF SUB LOT 4, FOR A DISTANCE OF 40.61 FEET TO SAID POINT OF BEGINNING.

County Clerk's Office

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FIRST SUPPLEMENT TO EXHIBIT C TO  
DECLARATION OF CONDOMINIUM OWNERSHIP FOR  
CITY CENTRE CONDOMINIUM AND PROVISIONS RELATING  
TO CERTAIN NON-CONDOMINIUM PROPERTY

Plat of Survey

[See Attached]

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FIRST AMENDED AND RESTATED EXHIBIT D TO  
DECLARATION OF CONDOMINIUM OWNERSHIP FOR  
CITY CENTRE CONDOMINIUM AND PROVISIONS RELATING  
TO CERTAIN NON-CONDOMINIUM PROPERTY

Undivided Interest

Dwelling Unit	Basement Storage Area	Undivided Interest
501	A61	3.177%
502	A70	4.384%
503	A98	3.373%
504	A63	4.441%
505	B34	6.549%
506	B76	5.677%
507	A16	4.778%
508	A10	5.143%
509	A49	4.384%
510	B11	7.111%
512	A2	6.071%
513	B94	6.408%
601	A55	4.694%
602	A69	4.384%
603	A95	3.373%
606	B91	5.677%
607	A40	4.778%
608	A36	5.143%
609	A67	4.384%
612	B89	6.071%
		100.000%

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UNITS 501 TO 513, 601 TO 613, 701 TO 713, 801 TO 813, 901 TO 913, 1001 TO 1013, 1101 TO 1113, 1201 TO 1213, 1401 TO 1413, 1501, 1503 TO 1513, 1601, 1603 TO 1613, 1701, 1703 TO 1713, 1801, 1803 TO 1813, 1901, 1903 TO 1913, 2001, 2003 TO 2013, 2101, 2103 TO 2113, 2201 TO 2208, 2301 TO 2305 IN THE CITY CENTRE CONDOMINIUM AS DELINEATED ON A SURVEY OF THE FOLLOWING DESCRIBED PROPERTY: PART OF CANAL TRUSTEES SUBDIVISION OF LOT 7 IN BLOCK 41 IN THE ORIGINAL TOWN OF CHICAGO IN SECTION 9, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS, PARTS OF BLOCK 41 IN THE ORIGINAL TOWN OF CHICAGO OF SECTION 9, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS AND PARTS OF THE SUBDIVISION OF PART OF LOT 8 IN BLOCK 41 IN THE ORIGINAL TOWN OF CHICAGO OF SECTION 9, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS TOGETHER WITH NON-EXCLUSIVE EASEMENTS CONTAINED IN THE THE DOCUMENT LISTED BELOW INCLUDING BUT NOT LIMITED TO PEDESTRIAN AND VEHICULAR INGRESS AND EGRESS FOR THE BENEFIT OF THE AFORESAID PARCEL AS CREATED BY DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS DATED JUNE 1, 1999 AND RECORDED JUNE 3, 1999 AS DOCUMENT 99530391; WHICH SURVEY IS ATTACHED AS EXHIBIT "C" TO THE DECLARATION OF CONDOMINIUM RECORDED AS DOCUMENT NUMBER 0010527300, TOGETHER WITH THEIR UNDIVIDED PERCENTAGE INTERESTS IN THE COMMON ELEMENTS, ALL IN COOK COUNTY, ILLINOIS.

TAX NOS. 17-09-444-003-0000 AND 17-09-444-010-0000.

208 W. WASHINGTON STREET, CHICAGO, IL

**EXHIBIT ATTACHED**