

# EXHIBIT

ATTACHED TO

## 0010661222

DOCUMENT NUMBER

1-24-01

SEE PLAT BOOK

October of Cook College Clark's Office 

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

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6444/0299 18 001 Page 1 of 🚜 1 2001-07-24 13:12:21 Cook County Recorder

ABOVE SPACE FOR RECORDER'S USE ONLY

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## EXHIBIT ATTACHED

07/13/01

RECHAPACTERIZATION AMENDMENT NO. 2 AND SPECIAL AMENDMENT NO. 1 TO 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 Cwner")

#### 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 exercised this right and power by Recording Recharacterization Amendment No. 1 on June 29, 2001, in Cook County, Himois, as Document No. 0010578213. Declarant once again desires to exercise the rights and powers reserved in Article Twelve of the Declaration.

In Article Twelve of the Declaration, Declarant also reserved the right and power to record a Special Amendment to the Declaration to, among other things, correct errors, maissions

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and/or inconsistencies in the Declaration or any Exhibit thereto. It has come to the Declarant's attention that the Plat which was attached as Exhibit C to the Declaration incorrectly identified the location and dimensions of certain Garage Spaces. Declarant desires to correct this error.

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

- 1. <u>Terms</u>. All Terms used herein, if not otherwise defined herein, shall have the meanings set forth in the Declaration.
- 2. Added Real Estate/Amendment of Exhibit A. No additional Real Estate is being added by this Recharacterization Amendment No. 2.
- 3. Added Condominium Property/Amendment of Exhibit B. The portion of the Real Estate which is regally described in the Second 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 Second Amendment to Exhibit B attached hereto.
- 4. The Added Dwelling Units/Amendment of Exhibit C. Exhibit C to the Declaration is hereby amended by (i) replacing page f of 7 with Corrected Page 5 of 10 attached hereto; (ii) replacing page 6 of 7 with Corrected Page 6 of 10 attached hereto; (iii) replacing page 7 of 7 with Corrected page 7 of 10 attached hereto; and (v) adding Page 10 of 10 attached hereto. Exhibit C, as hereby amended and restated, identifies each Divelling Unit in the Property and assigns to it an identifying symbol and identifies each Garage Space 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 Second 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 and Special Amendment, shall run with and bind the Condominium Property, including the Added Condominium Property and Added Dwelling Units.

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

**DECLARANT:** 

CONCORD CITY CENTRE, L.L.C.

Property of Cook County Clerk's Office By: A.C. Homes Corporation VII, an Illinois

STATE OF ILLINOIS ) COUNTY OF Coo

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 roy hand and Notarial seal this 16th day of 200/.

County Clark's Office

"OFFICIAL SEAL CAROL A. VOSS Notary Public, State of Illinois Ay Commission Expires 10/14/02

## 1066122

## **UNOFFICIAL COPY**

#### **CONSENT OF MORTGAGEE**

Wells Fargo Bank, National Association, which is the holder of two (2) mortgages, both dated April 17, 2000 and both recorded in the Office of the Recorder of Deeds of Cook County, Illinois as Document Nos. 00286091 and 00286092, encumbering the Real Estate (as defined in the Declaration), hereby consents to the recording of the Recharacterization Amendment to which this Consent is attached and agrees that its lien shall be subject to the provisions of the Declaration, as amended.

IN WITNESS WHEREOF, the undersigned has caused this Consent to be executed on
WELLS FARGO BANK, NATIONAL ASSOCIATION
WELLS FARGO BANK, NATIONAL
ASSOCIATION
By: /
Its: VICE PRESIDENT
ATTEST:
Acon On Publica
STATE OF ILLINOIS)  SS  COUNTY OF (cock)  I, Pamela M. Klonoien, a Notary Public in and for said County and State, do
STATE OF ILLINOIS )
COUNTY OF (COOK )
hereby certify that Brian walsh and Jennifer Rubbey, respectively the WP and his administrative of Wells Fargo Bank, National Association (the
"Mortgagee"), appeared before me this day in person and acknowledged that they signed, sealed
and delivered the within instrument as their free and voluntary act, and as the free and voluntary
act of the Mortgagee, for the uses and purposes therein set forth.
CIVEN under much and Neterial Could's with 1 C. T.
GIVEN under my hand and Notarial Seal this 11th day of July 2001
"OFFICIAL SEAL"
PAMELA M. KLOMPIEN Notary Public, State of Illinois
My Commission Expires 02/02/2005

Notary Public

#### 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.

FIRST AMERICAN INVESTMENTS, INC., an Illinois corporation

STATE OF ILLINOIS)

COUNTY OF Cook

I, the undersigned, a Notary Public in and for said County and State, do hereby certify that Maine Morette \_\_\_, 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 volun ary act, and as the free and voluntary act of the Corporation for the uses and purposes therein set form

GIVEN under my hand and Notarial Seal this //tu day of \_\_\_\_\_\_

'OFFICIAL SEAL" CAROL A. VOSS Notary Public, State of Illinois My Commission Expires 10/14/02 000000000000000000

#### SECOND 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 +98.78 FEET ABOVE CHICAGO CITY DATUM AND BELOW A HORIZONTAL PLANE HAVING AN ELEVATION OF +112.57 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, ICWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN.

**ALSO** 

THE SOUTH 40 FEET OF LOT 8 IN BLOCK ALIN 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 AG FEET THEREOF IN COOK COUNTY, ILLINOIS. CONTAINING, IN THE AGGREGATE, 18,245 SQUAR'S FIRST OF LAND, MORE OR LESS.

**ALSO** 

#### PARCEL 2:

ALL NON-EXCLUSIVE EASEMENTS CONTAINED IN THE DOCUMENT LISTED RELOW 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 UNIT 705:**

THAT PART OF LAND, PROPERTY, AND SPACE LYING ABOVE A HORIZONTAL PLANE HAVING AN ELEVATION OF +98.78 FEET ABOVE CHICAGO CITY DATUM AND BELOW A HORIZONTAL PLANE HAVING AN ELEVATION OF +112.57 FEET ABOVE CHICAGO CITY DATUM DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF LOT 1 IN THE SUBDIVISION OF LOT 8 IN BLOCK 41 IN THE ORIGINAL TOWN OF CHICAGO, THENCE SOUTH ALONG THE EAST LINE OF SAID LOT 1, FOR A DISTANCE OF 17.71 FEET TO THE POINT OF BEGINNING; THENCE WEST, FOR A DISTANCE OF 0.36 FEET TO A POINT BEING ON THE FINISHED INTERIOR SURFACE OF CITY CENTRE BUILDING; THENCE CONTINUING WEST, FOR A DISTANCE OF 10.87 FEET ALONG

SAID FINISHED INTERIOR SURFACE FOR THE FOLLOWING 12 COURSES AND DISTANCES; THENCE SOUTH ALONG A LINE, PERPENDICULAR TO THE LAST DESCRIBED LINE, FOR A DISTANCE OF 1.27 FEET; THENCE WEST ALONG A LINE, PERPENDICULAR TO THE LAST DESCRIBED LINE, FOR A DISTANCE OF 4.09 FEET; THENCE SOUTH ALONG A LINE, PERPENDICULAR TO THE LAST DESCRIBED LINE, FOR A DISTANCE OF 3.15 FEET; THENCE WEST ALONG A LINE, PERPENDICULAR TO THE LAST DESCRIBED LINE, FOR A DISTANCE OF 4.09 FEET; THENCE SOUTH ALONG A LINE, PERPENDICULAR TO THE LAST DESCRIBED LINE, FOR A DISTANCE OF 6.87 FEET; THENCE WEST ALONG A LINE, PERPENDICULAR TO THE LAST DESCRIBED LINE, FOR A DISTANCE OF 8.01 FEET; THENCE SOUTH ALONG A LINE, PERPENDICULAR TO THE LAST DESCRIBED LINE, FOR A DISTANCE OF 5.46 FEET; THENCE EAST ALONG A LINE, PERPENDICULAR TO THE LAST DESCRIBED LINE, FOR A DISTANCE OF 0.59 FEET THENCE SOUTH ALONG A LINE, PERPENDICULAR TO THE LAST DESCRIBED LINE, FOR A DISTANCE OF 17.54 FEET; THENCE EAST ALONG A LINE, PERPENDICULAR TO THE LAST DESCRIBED LINE, FOR A DISTANCE OF 10.61 FEET THENCE SOUTH ALONG A LINE, PERPENDICULAR TO THE LAST DESCRIBED LINE, FOR A DISTANCE OF 13.98 FEET; THENCE EAST ALONG A LINE, PERPENDICULAR TO THE LAST DESCRIBED LINE, FOR A DISTANCE OF 17.28 FEET 10 A POINT ON THE FINISHED INTERIOR SURFACE; THENCE CONTINUING EAST ALONG A LINE, C.42 TEET TO THE EAST LINE OF LOT 4 IN SAID SUBDIVISION OF LOT 8 IN BLOCK 41 THENCE NORTH ALONG SAID EAST LINE OF LOT 4, FOR A DISTANCE OF 48.20 FEET TO SAID POINT OF BEGINNING.

#### ALSO EXCLUDING FUTURE U.V. 711:

THAT PART OF LAND, PROPERTY AND SPACE LYING ABOVE A HORIZONTAL PLANE HAVING AN ELEVATION OF +98.78 FEET ABOVE CHICAGO CITY DATUM AND BELOW A HORIZONTAL PLANE HAVING AN ELEVATION OF +112.57 FET ABOVE CHICAGO CITY DATUM DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHFAST CORNER OF THE SOUTH 40 FEET OF LOT 8 IN BLOCK 41 AFORESAID; THENCE NORTH ALCNG THE EAST LINE OF SAID LOT 8, FOR A DISTANCE OF 31.93 FEET THENCE WEST, FOR A DISTANCE OF 0.57 FEET TO A POINT BEING ON THE FINISHED INTERIOR SURFACE OF CITY CENTRE BUILDING; THENCE CONTINUING WEST, FOR A DISTANCE OF 12.22 FEET ALONG SAID FINISHED INTERIOR SURFACE FOR THE FOLLOWING COURSES AND DISTANCES; THENCE SOUTH ALONG A LINE, PERPENDICULAR TO THE LAST DESCRIBED LINE, FOR A DISTANCE OF 0.97 FEET; THENCE EAST ALONG A LINE, PERPENDICULAR TO THE LAST DESCRIBED LINE, FOR A DISTANCE OF 4.44 FEET; THENCE SOUTH ALONG A LINE, PERPENDICULAR TO THE LAST DESCRIPED LINE, FOR A DISTANCE OF 1.66 FEET; THENCE WEST ALONG A LINE, PERPENDICULAR TO THE LAST DESCRIBED LINE, FOR A DISTANCE OF 2.03 FEET; THENCE NORTH ALONG A LINE, PERFENDICULAR TO THE LAST DESCRIBED LINE, FOR A DISTANCE OF 3.24 FEET; THENCE WEST ALONG A LINE, PERPENDICULAR TO THE LAST DESCRIBED LINE, FOR A DISTANCE OF 15.62 FEET; THENCE NORTH ALONG A LINE, PERPENDICULAR TO THE LAST DESCRIBED LINE, FOR A DISTANCE OF 2.83 FEET; THENCE WEST ALONG A LINE, PERPENDICULAR TO THE LAST DESCRIBED LINE, FOR A DISTANCE OF 2.55 FEET; THENCE NORTHWESTLERY ALONG A CURVE, 7.37 FEET; THENCE WEST ALONG A LINE, 4.38 FEET; THENCE SOUTH ALONG A LINE, PERPENDICULAR TO THE LAST DESCRIBED LINE, FOR A DISTANCE OF 7.04 FEET; THENCE EAST ALONG A LINE, PERPENDICULAR TO THE LAST DESCRIBED LINE, FOR A DISTANCE OF 7.49 FEET; THENCE SOUTH ALONG A LINE, PERPENDICULAR TO THE LAST DESCRIBED LINE, FOR A DISTANCE OF 28.36 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 713:

THAT PART OF LAND, PROPERTY, AND SPACE LYING ABOVE A HORIZONTAL PLANE HAVING AN ELEVATION OF +98.78 FEET ABOVE CHICAGO CITY DATUM AND BELOW A HORIZONTAL PLANE HAVING AN ELEVATION OF +112.57 FEET ABOVE CHICAGO CITY DATUM DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF SUB LOT 4 IN CANAL TRUSTEES

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## **UNOFFICIAL COPY**

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 16.23 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 1.52 FEET; THENCE NORTH ALONG A LINE, PERPENDICULAR TO THE LAST DESCRIBED LINE, FOR A DISTANCE OF 19.54 FEET; THENCE WEST ALONG A LINE, PERPENDICULAR TO THE LAST DESCRIBED LINE, FOR A DISTANCE OF 2.93 FEET; THENCE NORTH ALONG A LINE, PERPENDICULAR TO THE LAST DESCRIBED LINE, FOR A DISTANCE OF 1.10 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 ADONG A LINE, PERPENDICULAR TO THE LAST DESCRIBED LINE, FOR A DISTANCE OF 4.02 FEFT; THENCE WEST ALONG A LINE, PERPENDICULAR TO THE LAST DESCRIBED LINE, FOR A DISTANCE OF 6.96 FEET; THENCE SOUTH ALONG A LINE, PERPENDICULAR TO THE LAST DESCRIBED LINE, FOR A DISTANCE OF 7.14 FEET THENCE WEST ALONG A LINE, PERPENDICULAR TO THE LAST DESCRIBED LINE, FOR A DISTANCE OF 7.37 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, 2.49 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 TO CIEPTS OFFICE OF SUB LOT 4, FOR A DISTANCE OF 40.61 FEET TO SAID POINT OF BEGINNING.

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## **UNOFFICIAL COPY**

SECOND 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]

## SECOND 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	2.156%
	502	A70	2.975%
	503	A98	2.289%
)	504	A63	3.014%
	505	B34	4.444%
	506	B76	3.853%
	507	A16	3.242%
	508	A10	3.490%
	51,0	A49	2.975%
	510	B11	4.825%
	512	A2	4.120%
	513	B84	4.349%
	601	A55	3.185%
	602	A69	2.975%
	603	A95	2.289%
	606	B91	3.853%
	607	A4J	3.242%
	608	A36	3.490%
	609	A67	2.975%
	612	B89	4.120%
	701	A93	2.156%
	702	A102	2.041%
	703	A96	2 289%
	704	A59	3 (14%
	706	B93	3.853%
	707	A30	3.376%
	708	A37	3.490%
	709	A68	2.975%
	710	B33	4.825%
	712	B80	<u>4.120</u> %
			100.000%

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EXHIBIT ATTACHED

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