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EXHIBIT

ATTACHED TO

0011182379

DOCUMENT NUMBER

12-13-01

SEE PLAT BOOK

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10-81-81

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2001-12-13 12:16:28
Cook County Recorder 95.00

FIRST AMENDMENT
TO
DECLARATION OF CONDOMINIUM OWNERSHIP
FOR
420 W. ONTARIO RESIDENTIAL CONDOMINIUM

NAME: 420 W. Ontario Residential Condominium

ADDRESS: 420 West Ontario Street
Chicago, Illinois 60610

EXHIBIT ATTACHED

Permanent Real Estate Index Numbers:

Residential

- 17-09-127-037-1001
- 17-09-127-037-1002
- 17-09-127-037-1003

Parking

17-09-127-031-1312	17-09-127-031-1335	17-09-127-031-1403
17-09-127-031-1313	17-09-127-031-1339	17-09-127-031-1404
17-09-127-031-1314	17-09-127-031-1379	17-09-127-031-1405
17-09-127-031-1315	17-09-127-031-1380	17-09-127-031-1406
17-09-127-031-1316	17-09-127-031-1381	17-09-127-031-1421
17-09-127-031-1317	17-09-127-031-1384	17-09-127-031-1422
17-09-127-031-1318	17-09-127-031-1399	17-09-127-031-1423
17-09-127-031-1319	17-09-127-031-1400	17-09-127-031-1424
17-09-127-031-1320	17-09-127-031-1401	17-09-127-031-1425
17-09-127-031-1321	17-09-127-031-1402	17-09-127-031-1426

THIS INSTRUMENT PREPARED BY
AND AFTER RECORDING MAIL TO:

Arnold M. Schwartz, Esq.
Davidson & Schwartz
111 N. Canal St., Suite 394
Chicago, IL 60606-7203

RECORDING FEE 95
DATE 2/13/01 COPIES 6
OK BY [Signature]

1ST AMERICAN TITLE Order #

DC01205
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**FIRST AMENDMENT
TO
DECLARATION OF CONDOMINIUM OWNERSHIP
FOR
420 W. ONTARIO RESIDENTIAL CONDOMINIUM
420 West Ontario Street
Chicago, Illinois 60610**

This First Amendment to Declaration of Condominium Ownership for 420 W. Ontario Residential Condominium made and entered into on this 9th day of October, 2001, by ONTARIO STREET LOFTS, L.L.C., an Illinois Limited Liability Company (hereinafter referred to as the "Residential Owner/Developer"):

WITNESSETH:

WHEREAS, the Residential Owner/Developer has heretofore purchased all units in the Residential Condominium from LASALLE BANK NATIONAL ASSOCIATION, a national banking association, not personally, but solely as Trustee under the provisions of a Trust Agreement dated May 11, 1993 and known as Trust Number 117901 (hereinafter referred to as the "Declarant"). The Declarant and ONTARIO STREET LOFTS, L.L.C., an Illinois Limited Liability Company (hereinafter referred to as the "Developer") filed the Declaration of Condominium Ownership for 420 W. Ontario Residential Condominium (the "Residential Declaration") pursuant to the *Condominium Property Act* with the Cook County Recorder of Deeds on October 6, 1999 and recorded as Document 99947221, wherein Declarant was the Owner and Residential Owner/Developer succeeded to ownership in fee simple and development rights of certain real estate in Chicago, Cook County, Illinois, which real estate is part of a mixed use residential/commercial/retail/restaurant condominium development legally described as:

~~_____~~

UNITS 420-1, 420-2, AND 420-3, IN THE 420 W. ONTARIO RESIDENTIAL CONDOMINIUM, AS DELINEATED ON THE SURVEY OF CERTAIN LOTS OR PARTS THEREOF IN YOUNG'S SUBDIVISION OF PART OF "KINGSBURY TRACT" IN THE EAST ½ OF THE NORTHWEST QUARTER OF SECTION 9, TOWNSHIP 39 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, LYING EAST OF THE CHICAGO RIVER, IN COOK COUNTY, ILLINOIS, WHICH SURVEY IS ATTACHED AS EXHIBIT "D" TO THE DECLARATION OF CONDOMINIUM OWNERSHIP RECORDED OCTOBER 06, 1999 AS DOCUMENT 99947221, IN COOK COUNTY, ILLINOIS, TOGETHER WITH AN UNDIVIDED PERCENTAGE INTEREST IN THE COMMON ELEMENTS APPURTENANT TO SAID UNIT, AS SET FORTH IN SAID DECLARATION.

~~_____~~

~~PARCEL TWO:~~

~~PARKING UNITS P402, P403, P404, P405, P406, P407, P408, P409, P410, P411, P425, P429, P526, P527, P528, P531, P603, P604, P605, P606, P607, P608, P609, P610, P625, P626, P627, P628, P629, AND P630 IN ERIE CENTRE CONDOMINIUM, AS DELINEATED ON THE SURVEY OF CERTAIN LOTS OR PARTS THEREOF IN BLOCK 1 OF THE ASSESSOR'S DIVISION, OF THAT PART SOUTH OF ERIE STREET AND EAST OF THE CHICAGO RIVER OF THE EAST ½ OF THE NORTHWEST ¼ OF SECTION 9, TOWNSHIP 89 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS; WHICH SURVEY IS ATTACHED AS AN EXHIBIT TO THE DECLARATION OF CONDOMINIUM AS AMENDED FROM TIME TO TIME, RECORDED SEPTEMBER 29, 1997 AS DOCUMENT 97719786, TOGETHER WITH ITS UNDIVIDED PERCENTAGE INTEREST IN THE COMMON ELEMENTS APPURTENANT TO SAID UNIT, AS SET FORTH IN SAID DECLARATION.~~

WHEREAS, Residential Owner/Developer has retained fee simple title to all Residential Condominium Units, has not yet subdivided them into individual Units, and has not relinquished control of the Association to an Owner Board of Managers; and

WHEREAS, pursuant to waiver of any notice, the Board of Managers of the Residential Condominium has heretofore called a special meeting for the purpose of changing or modifying the Condominium instruments as herein set forth; and

WHEREAS, the Board of Managers of the Residential Condominium has been duly authorized to act on behalf of all Unit Owners through its Managing Agent, B.J.B. PARTNERS L.L.C., an Illinois Limited Liability Company, formerly known as BARRY PROPERTIES, L.L.C., an Illinois Limited Liability Company; and

WHEREAS, §27 of the Illinois *Condominium Property Act*, 605 ILCS 27(b)(1) provides as follows:

"If there is an omission or error in the declaration, bylaws or other condominium instrument, the association may correct the error or omission by an amendment to the declaration, bylaws or other condominium instrument in such respects as may be required to conform to this Act, and any other applicable statute or to the declaration by vote of two-thirds of the members of the Board of Managers or by a majority vote of the unit owners at a meeting called for this purpose, unless the Act or the condominium instruments specifically provide for greater percentages or different procedures."

and

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WHEREAS, all members of the Residential Owner/Developer and Board of Managers of the Condominium have unanimously approved the modifications contained herein; and

WHEREAS, the Board of Managers consents to the terms of this First Amendment to modify the Condominium instruments to bring the Declaration into compliance with the Act by correcting clerical or typographical errors in the Declaration; and

WHEREAS, the Residential Owner/Developer elects to exercise its rights to modify the Declaration pursuant to Article XV thereof; and

WHEREAS, the original recorded Plat of Residential Condominium described Units 420-1, 420-2, and 420-3 as containing space which was meant to be set aside as Residential Condominium Common Area for the purpose of access for all the proposed units to be subdivided at a later time ("Proposed Unit") and the Proposed Units have not yet been built or occupied by any residents; and

WHEREAS, the original recorded Plat of Residential Condominium was intended to contain additional space to provide for an elevator pit, elevator shaft, stairwells, lobby, and utility service area for the common use of the Residential Condominium Units; and

WHEREAS, there are no other individual Unit Owners to be notified of this Amendment to Residential Condominium Declaration; and

WHEREAS, the Residential Owner/Developer has executed this document to evidence its consent to this Amendment and as legal and beneficial owner of the deeded parking space units described herein.

NOW, THEREFORE, pursuant to the authority granted in the aforesaid Residential Declaration of Condominium Ownership, the Developer, Residential Owner/Developer, and Board of Managers of the 420 W. Ontario Residential Condominium amend said Declaration by executing and recording this First Amendment to Declaration of Condominium Ownership for the purpose of including the description of the space erroneously included in the Commercial Condominium to provide for an elevator pit, elevator shaft, stairwells, lobby, and utility service area for the common use of the Residential Condominium Units and accurately depicting final boundaries of the common area for the elevator, lobby and stairwells to be included in the Residential Declaration of Condominium Ownership.

Attached hereto as Exhibit A and incorporated herein are revised Amended Plat/Survey pages, showing the revised common areas, together with their proposed dimensions, which is the sole subject matter of this First Amendment to Condominium Declaration.


In all respects not herein modified, Developer and Residential Owner/Developer hereby ratify and confirm all provisions of the original Declaration of Condominium Ownership.

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IN WITNESS WHEREOF, the said Residential Owner/Developer of the Residential Condominium has caused its name to be signed to these presents on the day and year first above written.

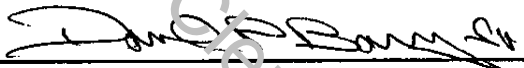
RESIDENTIAL OWNER/DEVELOPER:

ONTARIO STREET LOFTS, L.L.C., an Illinois Limited Liability Company

By: 
DONAL P. BARRY, SR.
Its Managing Member

420 W. ONTARIO RESIDENTIAL CONDOMINIUM ASSOCIATION

BY B.J.B. PARTNERS L.L.C., an Illinois Limited Liability Company formerly known as BARRY PROPERTIES, L.L.C., an Illinois Limited Liability Company,
Its Managing Agent

By: 
DONAL P. BARRY, SR.
Its Managing Member

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STATE OF ILLINOIS)
) SS:
COUNTY OF COOK)

The undersigned, a Notary Public in and for said County and State, does hereby certify that DONAL P. BARRY, SR., who is the Managing Member of ONTARIO STREET LOFTS, L.L.C., an Illinois Limited Liability Company, and is the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that he signed, sealed and delivered said instrument as his free and voluntary act, and as the free and voluntary act of ONTARIO STREET LOFTS, L.L.C., an Illinois Limited Liability Company, for the uses and purposes therein set forth.

Given under my hand and Notarial Seal this 9th day of October, 2001.



Notary Public

My Commission Expires:

8/31/04



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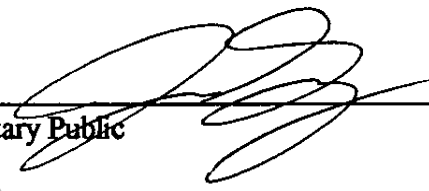
11182379

STATE OF ILLINOIS)
) SS:
COUNTY OF COOK)

The undersigned, a Notary Public in and for said County and State, does hereby certify that DONAL P. BARRY, SR., as the Managing Member of B.J.B. PARTNERS, L.L.C., an Illinois Limited Liability Company, formerly known as BARRY PROPERTIES, L.L.C., Managing Agent of 420 W. ONTARIO RESIDENTIAL CONDOMINIUM ASSOCIATION, is personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that he signed, sealed and delivered said instrument as his free and voluntary act, and as the free and voluntary act of said Association, for the uses and purposes therein set forth.

Given under my hand and Notarial Seal this 9th day of October, 2001.

Notary Public



My Commission Expires:

8/31/04



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CONSENT OF MORTGAGEE

LASALLE BANK NATIONAL ASSOCIATION, a National Banking Association, holder of a mortgage on the Property dated October 22, 1999 and recorded October 29, 1999 as Document 09021603, as amended on December 23, 1999 and recorded as Document 09189988, hereby consents to the execution and recording of the within First Amendment to Declaration of Condominium Ownership for 420 W. Ontario Residential Condominium, and agrees that said mortgage is subject to the provisions of said Declaration and the *Condominium Property Act* of the State of Illinois.

IN WITNESS WHEREOF, the said LASALLE BANK NATIONAL ASSOCIATION, has caused this instrument to be signed by its duly authorized officers on its behalf at Chicago, Illinois, on this 4th day of October, 2001.

LASALLE BANK NATIONAL ASSOCIATION,
a National Banking Association

By: 

Name: PATRICK BETTING

Its: A.V.P.

ATTEST:


Name: Ron Dawson
Its: OFFICER

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STATE OF ILLINOIS)
) *will*
COUNTY OF COOK)

SS:

11182379

The undersigned, a Notary Public in and for said County, in the State aforesaid, does hereby certify that Patrick Buehring, the AVP, and Ron Dawson, the OFFICER, of LASALLE BANK NATIONAL ASSOCIATION, a national banking association, personally known to me to be the same persons whose names are subscribed to the foregoing instrument, respectively appeared before me this day in person and acknowledged that they signed and delivered the within instrument as their own free and voluntary act, and as the free and voluntary act of LASALLE BANK NATIONAL ASSOCIATION, for the uses and purposes therein set forth.

Given my hand and Notarial Seal this 9th day of October, 2001.

Janet O'Grady
Notary Public

My Commission Expires:



(SEAL)

EXHIBIT ATTACHED