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0020367357

# EXHIBIT

ATTACHED TO

0020367357

DOCUMENT NUMBER

4/1/02

SEE PLAT BOOK

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Property of Cook County Clerk's Office

0040991327

7/1/05

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MTC 2030405

**FIRST AMENDMENT TO THE  
DECLARATION OF CONDOMINIUM  
PURSUANT TO THE ILLINOIS  
CONDOMINIUM PROPERTY ACT**

0020367357

2836/0073 40 001 Page 1 of 14  
**2002-04-01 11:06:10**  
Cook County Recorder 91.00

**2300 WEST ST. PAUL CONDOMINIUMS**

This First Amendment of the Declaration is made and entered into on This 22<sup>nd</sup> of March, 2002, by WEST ST. PAUL LAND DEVELOPMENT, LLC ("Developer"), as Beneficiary of Midwest Trust Services, Inc., as Trustee U/T/N 99-3-7584 dated October 15, 1999.

This First Amendment to the Declaration of Condominium for 2300 West St. Paul Condominium dated January 14th, 2002 and recorded with the Recorder of Deeds, Cook County, Illinois on January 22, 2002 as Document No. 0020088327 is executed by 2300 West St. Paul Land Development LLC (hereinafter referred to as "Developer")

**WITNESSETH:**

**WHEREAS**, Developer is the legal title holder of certain real estate, hereinafter described on Exhibit "A" attached hereto, located in the City of Chicago, Cook County, Illinois; and

**WHEREAS**, Developer desires to amend and rerecord the Survey to reflect two additional parking spaces, one in Building D and one in Building C, in which parking space PD-4 & PC-4 shall be split and renamed parking space number PD-4A & PD-4B and PC-4A & PC-4B, and indicated on Page 3 & 11 of the Survey attached hereto as Exhibit "B"; and

**WHEREAS**, Developer desires to amend and rerecord the Survey to reflect a correction of the Building C storage room labeling so that all storage spaces are labeled as SC, as indicated on Page 10 of the Survey attached hereto as Exhibit "B"; and

**WHEREAS**, Developer desires to amend the Percentage of Ownership Interest in the Common Elements to reflect the additional Parking spaces as stated herein and attached as Exhibit "C".

**NOW, THEREFORE**, 2300 West St. Paul Land Development LLC, as the legal title holder of the Property, and for the purposes above set forth, **DECLARES AS FOLLOWS:**

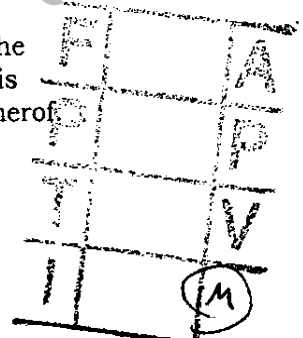
- I. Those certain pages of Exhibit "B" of the Declaration as stated above of the Survey, Plat of Condominium of 2300 West St. Paul Condominiums, is deleted and an amended Exhibit "B" attached hereto is substituted therefor.

This Instrument Prepared By and Return To:

Ezgur, Wallach & Braun, P.C.  
25 East Washington, St., #925  
Chicago, IL 60602

PIN: 14-31-318-012-0000  
Illinois

Common Address: 2330 & 2320 West St. Paul, Chicago,



**EXHIBIT ATTACHED**

RECORDING FEE 91.00  
DATE 4/1/02  
BY JM  
14 pgs.

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- II. Exhibit "C" of the Declaration, "Approximate Percentage of Ownership Interest in the Common Elements, is deleted and an amended Exhibit "C: attached hereto is substituted thereof.
- III. Except as herein specifically amended, the Declaration is ratified and confirmed. In the event of any inconsistency between this First Amendment and the Declaration or any amendment thereto, this First Amendment shall control.
- IV. All Amendments made in accordance with Paragraph XXIII of the Declaration of Condominium for 2300 West St. Paul Condominium dated January 14th, 2002 and recorded with the Recorder of Deeds, Cook County, Illinois, on January 22, 2002 as Document No. 0020088327.

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IN WITNESS WHEREOF, Developer has caused its corporate seal to be affixed hereunto and has caused its name to be signed to these presents on the day and year first above written.

SEE EXCULPATORY RIDER  
ATTACHED TO AND  
MADE PART HEREOF.

MIDWEST BANK AND TRUST COMPANY,  
AS SUCCESSOR TRUSTEE TO  
Midwest Trust Services, Inc., as Trustee U/T/N  
99-3-7584 dated October 15, 1999, WEST ST.  
PAUL LAND DEVELOPMENT, LLC, an Illinois  
Limited Liability Company, Beneficiary

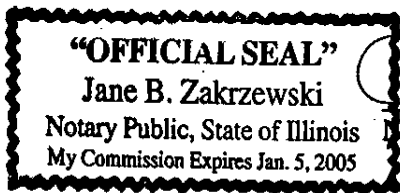
By: John S. Spear

By: Mary M. Henthorn

STATE OF ILLINOIS )  
                                  ) ss  
COUNTY OF COOK )

I, JANE B. ZAKRZEWSKI, a Notary Public in and for said County, in the State aforesaid, DO HEREBY CERTIFY that JOHN S. SPEAR, personally known to me to be the SENIOR VP of Midwest Trust Services, Inc., and MARY M. HENTHORN, personally known to me to be the SENIOR VP of Midwest Trust Services, Inc. whose names are subscribed to the within instrument appeared before me this day in person and severally acknowledged that as such officers of said Company they signed and delivered the said instrument of writing as such SENIOR VP and SENIOR VP of said Midwest Trust Services, Inc. and caused the seal of said Midwest Trust Services, Inc. to be thereunto affixed, as their free and voluntary act and as the free and voluntary act and deed of said Midwest Trust Services, Inc. for the uses and purposes therein set forth.

GIVEN under my hand and Notarial Seal this 26TH day of MARCH, 2002.



Jane B. Zakrzewski  
Notary Public

My Commission Expires:

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CERTIFICATE OF DEVELOPER **20367357**

WEST ST. PAUL LAND DEVELOPMENT, LLC, certifies that, prior to the execution by it or its agent of any agreement for the sale of a Unit, the tenants were given the notice required under Section 13-72-060 of the Condominium Ordinance of the City of Chicago.

Dated: MARCH 22, 2002.

IN WITNESS WHEREOF, Developer has caused its corporate seal to be affixed hereunto and has caused its name to be signed to these presents on the day and year first above written.

2300 WEST ST. PAUL CONDOMINIUMS

By: WEST ST. PAUL LAND DEVELOPMENT, LLC, an Illinois Limited Liability Company

By: TURNBERRY PROPERTIES, LLC, an Illinois Limited Liability Company, Managing Member

By: [Signature]  
David T. Wallach, Managing Member

Attest: [Signature]  
Gregory A. Braun, Managing Member

I, CHRISTIE L BAUER, a Notary Public in and for said County, in the State aforesaid, DO HEREBY CERTIFY that David T. Wallach personally known to me to be the Managing Member of WEST ST. PAUL LAND DEVELOPMENT, LLC, and Gregory A. Braun, personally known to me to be the Managing Member of WEST ST. PAUL LAND DEVELOPMENT, LLC whose names are subscribed to the within instrument, appeared before me this day in person and severally acknowledged that as such officers of said Company they signed and delivered the said instrument of writing as such Managing Members of said Company and caused the seal of said Company to be thereunto affixed, as their free and voluntary act and as the free and voluntary act and deed of said Company for the uses and purposes therein set forth.

GIVEN under my hand and Notarial Seal this 22 day of MARCH, 2002.

[Signature]  
Notary Public

My Commission Expires:



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## DIRECTION TO EXECUTE

MIDWEST BANK AND TRUST COMPANY  
 LAND TRUST DEPARTMENT  
 1606 N. Harlem Avenue  
 Elmwood Park, IL 60707  
 708-456-7840 FAX: 708-456-4979

DATE: 3/26/02

Note: An extra copy of each document to be signed should be included for the Trustee.  
DO NOT USE THIS FORM FOR A TRUSTEE'S DEED. The appropriate form will be issued upon request.

TRUSTEE: You are hereby authorized and directed to execute the following described document(s) in your capacity as Trustee, under your Trust No. 99-3-7584.

### DESCRIPTION OF DOCUMENT(S):

FRIST AMENDMENT TO THE DECLARATION OF  
 CONDOMINIUM PURSUANT TO THE ILLINOIS  
 CONDOMINIUM PROPERTY ACT

In making this direction, the undersigned certify and warrant that all of the allegations, representations and certifications set forth in the document(s) hereinabove referred to are true and correct statements.

2300 W.St. Paul Land Development LLC

\_\_\_\_\_  
 Signature

BY: *Dab*  
 Signature ITS MANAGING MEMBER

\_\_\_\_\_  
 Deliver/Mail Executed Document(s) to:

\_\_\_\_\_  
 MIDWEST BANK AND TRUST COMPANY  
 CONSENT OF COLLATERAL  
 ASSIGNEE: (If Applicable):

RECEIVED above described document(s)  
 this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_

Assignee  
 X *John Spear*  
 Name and Title JOHN SPEAR, SVP



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EXHIBIT 'A'

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## LEGAL DESCRIPTION

2300 WEST ST. PAUL CONDOMINIUMS, UNITS C-201, C-202, C-203, C-204, C-301, C-302, C-303, C-304, C-401, C-402, C-403, C-404, C-501, C-502, C-503, C-504, C-601, C-602, C-603, C-604, PC-1, PC-2, PC-3, PC-4, PC-5, PC-6, PC-7, PC-8, PC-9, PC-10, PC-11, PC-12, PC-13, PC-14, PC-15, PC-16, PC-17, PC-18, PC-19, PC-20, PC-21, PC-22, PC-23, PC-24, PC-25, PC-26, PC-27, AND PC-28, UNITS D-201, D-202, D-203, D-204, D-301, D-302, D-303, D-304, D-401, D-402, D-403, D-404, D-501, D-502, D-503, D-504, D-601, D-602, D-603, D-604, PD-1, PD-2, PD-3, PD-4, PD-5, PD-6, PD-7, PD-8, PD-9, PD-10, PD-11, PD-12, PD-13, PD-14, PD-15, PD-16, PD-17, PD-18, PD-19, PD-20, PD-21, PD-22, PD-23, PD-24, PD-25, PD-26, PD-27, AND PD-28 IN THE 2300 ST PAUL CONDOMINIUMS AS DEPICTED IN THE PLAT OF SURVEY OF THE FOLLOWING DESCRIBED PARCEL OF REAL ESTATE:

LOTS 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, AND 17 (EXPECT THE EAST .34 FEET THEREOF) TOGETHER WITH A STRIP 3.00 FEET WIDE FROM THE NORTH TO THE SOUTH LYING NORTH OF AND ADJACENT TO LOTS 7, 8, 9, 10, 11, AND 12 IN BLOCK 2 IN ISHAM'S SUBDIVISION OF THE NORTH ½ OF SOUTH ½ OF THE SOUTHWEST ¼ OF SECTION 31, TOWNSHIP 40 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN IN COOK COUNTY, ILLINOIS; WHICH SURVEY IS ATTACHED TO THE DECLARATION OF CONDOMINIUM RECORDED AS DOCUMENT 0020088327, TOGETHER WITH AN UNDIVIDED PERCENTAGE INTEREST ON THE COMMON ELEMENTS.

COMMON ADDRESS: 2330 & 2320 WEST ST. PAUL, CHICAGO, ILLINOIS

PIN: 14-31-318-012-0000

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## EXHIBIT "B"

PLAT OF CONDOMINIUM OF 2300 WEST ST. PAUL CONDOMINIUMS

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## EXHIBIT "C"

### APPROXIMATE PERCENTAGE OF OWNERSHIP INTEREST IN THE COMMON ELEMENTS

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| UNIT NO. | PERCENTAGE INTEREST |
|----------|---------------------|
| C-201    | 2.2814%             |
| C-202    | 1.9960%             |
| C-203    | 2.2814%             |
| C-204    | 2.2814%             |
| C-301    | 2.3289%             |
| C-302    | 2.0435%             |
| C-303    | 2.3289%             |
| C-304    | 2.3289%             |
| C-401    | 2.3765%             |
| C-402    | 2.0911%             |
| C-403    | 2.3765%             |
| C-404    | 2.3765%             |
| C-501    | 2.4241%             |
| C-502    | 2.1387%             |
| C-503    | 2.4241%             |
| C-504    | 2.4241%             |
| C-601    | 2.4716%             |
| C-602    | 2.1862%             |
| C-603    | 2.4716%             |
| C-604    | 2.4716%             |
| D-201    | 1.9960%             |
| D-202    | 2.2814%             |
| D-203    | 2.2805%             |
| D-204    | 2.2805%             |
| D-301    | 2.0435%             |
| D-302    | 2.3289%             |
| D-303    | 2.3289%             |
| D-304    | 2.3289%             |
| D-401    | 2.0911%             |
| D-402    | 2.3765%             |
| D-403    | 2.3765%             |
| D-404    | 2.3765%             |
| D-501    | 2.1387%             |
| D-502    | 2.4241%             |
| D-503    | 2.4241%             |
| D-504    | 2.4241%             |
| D-601    | 2.1862%             |
| D-602    | 2.4716%             |
| D-603    | 2.4716%             |
| D-604    | 2.4716%             |
| PD-1     | 0.1662%             |
| PD-2     | 0.1661%             |
| PD-3     | 0.1661%             |
| PD-4A    | 0.1662%             |
| PD-4B    | 0.1662%             |
| PD-5     | 0.1661%             |
| PD-6     | 0.1661%             |
| PD-7     | 0.1661%             |
| PD-8     | 0.1661%             |

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|       |         |
|-------|---------|
| PD-9  | 0.1661% |
| PD-10 | 0.1661% |
| PD-11 | 0.1661% |
| PD-12 | 0.1661% |
| PD-13 | 0.1661% |

|       |            |
|-------|------------|
| PD-14 | 0.1048133% |
| PD-15 | 0.1048133% |
| PD-16 | 0.1048133% |
| PD-17 | 0.1048133% |
| PD-18 | 0.1048133% |
| PD-19 | 0.1048133% |
| PD-20 | 0.1048133% |
| PD-21 | 0.1048133% |
| PD-22 | 0.1048133% |
| PD-23 | 0.1048133% |
| PD-24 | 0.1048133% |
| PD-25 | 0.1048133% |
| PD-26 | 0.1048133% |
| PD-27 | 0.1048133% |
| PD-28 | 0.1048138% |

|       |         |
|-------|---------|
| PC-1  | 0.1662% |
| PC-2  | 0.1661% |
| PC-3  | 0.1661% |
| PC-4A | 0.1662% |
| PC-4B | 0.1662% |
| PC-5  | 0.1661% |
| PC-6  | 0.1661% |
| PC-7  | 0.1661% |
| PC-8  | 0.1661% |
| PC-9  | 0.1661% |
| PC-10 | 0.1661% |
| PC-11 | 0.1661% |
| PC-12 | 0.1661% |
| PC-13 | 0.1661% |

|       |            |
|-------|------------|
| PC-14 | 0.1048133% |
| PC-15 | 0.1048133% |
| PC-16 | 0.1048133% |
| PC-17 | 0.1048133% |
| PC-18 | 0.1048133% |
| PC-19 | 0.1048133% |
| PC-20 | 0.1048133% |
| PC-21 | 0.1048133% |
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| PC-23 | 0.1048133% |
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| PC-26 | 0.1048133% |
| PC-27 | 0.1048133% |
| PC-28 | 0.1048138% |

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**THIS RIDER IS ATTACHED TO AND MADE A PART OF A CERTAIN  
FIRST AMENDMENT TO THE DECLARATION OF  
CONDOMINIUM PURSUANT TO THE ILLINOIS CONDOMINIUM  
PROPERTY ACT, DATED MARCH 26, 2002,  
AND EXECUTED BY  
MIDWEST BANK AND TRUST COMPANY, AS SUCCESSOR  
TRUSTEE TO MIDWEST TRUST SERVICES, INC.  
UNDER TRUST AGREEMENT NUMBER 99-3-7584**

It is expressly understood and agreed by and between the parties hereto that each and all of the warranties, indemnities, representations, covenants, and undertakings and agreements herein made on the part of the trustee are made and intended, not as personal warranties, indemnities, representations, covenants, undertakings and agreements of MIDWEST BANK AND TRUST COMPANY, AS SUCCESSOR TRUSTEE TO MIDWEST TRUST SERVICES, INC., but are made and intended for the sole purpose of binding the trust property, and this document is executed and delivered by said MIDWEST BANK AND TRUST COMPANY, AS SUCCESSOR TRUSTEE TO MIDWEST TRUST SERVICES, INC., not in its own rights, but as trustee solely in the exercise of the power that conferred upon it as such trustee and no personal liability or personal responsibility is assumed by, nor shall at any time be asserted or be enforceable against MIDWEST BANK AND TRUST COMPANY, AS SUCCESSOR TRUSTEE TO MIDWEST TRUST SERVICES, INC., on account of any warranties, indemnities, representations, covenants, undertaking or agreement therein contained, whether expressed or implied, all such personal liability, if any, being expressly waived and released by the parties hereto and by all persons claiming by, through and under them.

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**EXHIBIT ATTACHED**