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EXHIBIT

ATTACHED TO

DD2096/860

DOCUMENT NUMBER

8-30-02

SEE PLAT BOOK

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Property of Cook County Clerks Office

15/11/20

15/11/20

EXHIBIT ATTACHED

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AMENDMENT TO
DECLARATION OF CONDOMINIUM
OWNERSHIP AND OF
EASEMENTS, RESTRICTIONS,
COVENANTS AND BY-LAWS FOR
THE WESTERN-POLK
CONDOMINIUM

(Originally Recorded as Document No. 0020418828)

THIS INSTRUMENT PREPARED BY AND
AFTER RECORDING RETURN TO:

THOMAS S. MOORE, ESQ.
ANDERSON & MOORE, P.C.
111 WEST WASHINGTON STREET
SUITE 1100
CHICAGO, ILLINOIS 60602
312.251.1500 TELEPHONE
312.251.1509 FACSIMILE

PERMANENT REAL ESTATE INDEX
NUMBER:

- 17-18-314-004
- 17-18-314-005
- 17-18-314-006
- 17-18-314-007

ADDRESS OF PROPERTY:

811-23 South Western
Chicago, Illinois 60622

F	99	A
P		P
T		V
I		M. Sauer

RECORDING FEE

DATE 8/30/02 COPIES 6

OK BY

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0020961860

THIS AMENDMENT TO DECLARATION amends the Declaration of Condominium (Original Declaration) previously recorded as Cook County Recorder's Document No. 0020418828 which was made and entered into by **Aleksandar Development, Inc., Western Development Co., Inc. and MAG Properties, LLC**, hereinafter collectively referred to as the "Developer") and **Uptown National Bank of Chicago**, not personally but solely as Trustee under Trust Agreements dated September 6, 2000 and known as Trust Nos. 00117, 00118 and 00119 (hereinafter referred to as the "Trustee" and the Developer and Trustee jointly as the "Declarants"); and in addition to the Developer and Trustee as described in the Original Declaration, this **AMENDMENT TO DECLARATION** is made and entered into by **Deva Development, Inc.**, also described as "Developer" and **Prairie Bank and Trust Company**, not personally but solely as Trustee under Trust Agreement dated September 16, 1998 and known as Trust No. 98-088 (hereinafter also included as the "Trustee" and with the Developer and Trustee jointly as the "Declarants").

RECITALS:

WHEREAS, the Original Declaration was limited to a parcel of real estate in the City of Chicago, Cook County, Illinois, which was legally described as:

Lots 34, 35 and the South 4.72 feet of Lot 36 (except from said lots part taken for widening of South Western Avenue in F. W. and J. L. Campbell's subdivision of Block 13 in Morris and others' subdivision of the West 1/2 of the Southwest 1/4 of Section 18, Township 39 North, Range 14, East of the Third Principal Meridian, in Cook County, Illinois.

Known as: 819-823 S. Western Avenue, Chicago, Illinois

Permanent Index Numbers:

17-18-314-005

17-18-314-006

17-18-314-007

WHEREAS, in addition to the above described property the Declarants desire and intend by this **AMENDMENT TO DECLARATION** to add an additional parcel of real estate situated in the City of Chicago, Cook County, Illinois (hereinafter called the "Parcel") and collectively legally described on *Exhibit A* attached hereto and by this reference made a part hereof; and

WHEREAS, the Declarants desire and intend by this Amendment to Declaration to submit the entire Property, as hereinafter defined, to the provisions of the Condominium Property Act of the State of Illinois, as amended from time to time (hereinafter called the "Act") and desires to establish, for its own benefit and that of all future owners or occupants of the Property, and each part thereof, certain easements and rights in, over and upon the Property and certain

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mutually beneficial restrictions and obligations with respect to the use and maintenance thereof;
and

WHEREAS, the name of the resulting combined Condominium shall be the Western-Polk Condominium; and,

WHEREAS, the Declarants desire and intend that the several owners, mortgagees, occupants, and other persons acquiring any interest in the Property shall at all times enjoy the benefits of, and shall at all times hold their interests subject to, the rights, easements, privileges, and restrictions hereinafter set forth, all of which are declared to be in furtherance of a plan to promote and protect the cooperative aspect of ownership and to facilitate the proper administration of such Property and are established for the purpose of enhancing and perfecting the value, desirability and attractiveness of the Property.

NOW, THEREFORE, the Declarants, as the legal title holder of the Parcel, and for the purposes above set forth, **DECLARES AS FOLLOWS**:

ARTICLE A-1 ORIGINAL DECLARATION

All of the provisions of the Original Declaration recorded under Cook County Recorder No. 0020418828 continue in full force and effect unless specifically amended by this **AMENDMENT TO DECLARATION**.

ARTICLE A-2

The legal description attached hereto as Amended Exhibit A amends and is hereby substituted for the legal description attached to the Original Declaration as Exhibit A.

ARTICLE A-3

The Plat of Survey attached hereto as Amended Exhibit B amends and is hereby substituted for the Plat of Survey attached to the Original Declaration as Exhibit B.

ARTICLE A-4

The Percentage of Ownership attached hereto as Amended Exhibit C amends and is hereby substituted for the Percentage of Ownership attached to the Original Declaration as Exhibit C.

IN WITNESS WHEREOF, the Declarant have executed this Declaration as of this 27th day of August, 2002.

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DEVELOPERS:

Aleksandar Development, Inc.

[Signature]
By Dragan Labovic, President

Western Development Co., Inc.

[Signature]
By: Violeta Jakovljevic, President

MAG Properties, LLC

[Signature]
By Zoran Vranjes, Member

TRUSTEE:

Uptown National Bank of Chicago, not personally but solely as Trustee under Trust No. 00117 created pursuant to Trust Agreement dated September 6, 2000.

ATTEST: Barbara Thompson

By: [Signature]

Its: Admin. Asst.

Its: [Signature]

Uptown National Bank of Chicago, not personally but solely as Trustee under Trust No. 00118 created pursuant to Trust Agreement dated September 6, 2000.

ATTEST: Barbara Thompson

By: [Signature]

Its: Admin. Asst.

Its: [Signature]

Uptown National Bank of Chicago, not personally but solely as Trustee under Trust No. 00119 created pursuant to Trust Agreement dated September 6, 2000.

ATTEST: Barbara Thompson

By: [Signature]

Its: Admin. Asst.

Its: [Signature]

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Deva Development, Inc.

[Handwritten Signature]
By Viktor Jakovljevic

ADDITIONAL TRUSTEE:

Prairie Bank and Trust Company, not personally but solely as Trustee under Trust No. 98-088 created pursuant to Trust Agreement dated September 16, 1998.

ATTEST:

BY

[Handwritten Signature]

Its:

Asst. Trust Officer

By:

[Handwritten Signature]

Its:

Trust Officer

EXCULPATORY CLAUSE

[Small, faint, rotated text of the Exculpatory Clause]

PRAIRIE BANK AND TRUST COMPANY

Clerk's Office

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Property of Cook County Clerk's Office

I, the undersigned, a notary public in and for said County, in the State aforesaid, DO HEREBY CERTIFY that Dragon Labovic, Violeta Jakovljevic, Zoran Vranjes and Viktor Jakovljevic, personally known to me to be the same persons whose names are subscribed to the foregoing Agreement, appeared before me this day in person and acknowledged that they signed, sealed and delivered said instrument, as their free and voluntary act, for the uses and purposes therein set forth.

GIVEN under my hand and notarial seal this 29th day of August, 2002.

Bylle L Skoczek
Notary Public

STATE OF ILLINOIS)

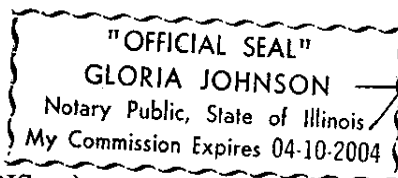
) SS

COUNTY OF COOK)



I, Gloria Johnson, a Notary Public in and for said County and State, do hereby certify that Jay Steiner and Barbara Thompson, the AVP and Admin Asst, respectively of Uptown National Bank of Chicago, as such and appeared before me this day in person and acknowledged that they signed, sealed and delivered said instrument as their free and voluntary act, and as the free and voluntary act of said corporation for the uses and purposes therein set forth.

GIVEN under my hand and notarial seal this 27th day of August, 2002.



Gloria Johnson
Notary Public

STATE OF ILLINOIS)

) SS

COUNTY OF COOK)

I, _____, a Notary Public in and for said County and State, do hereby certify that _____ and _____, the _____ and _____, respectively of Prairie Bank and Trust Company, as such and _____ appeared before me this day in person and acknowledged that they signed, sealed and delivered said instrument as their free and voluntary act, and as the free and voluntary act of said corporation for the uses and purposes therein set forth.

GIVEN under my hand and notarial seal this _____ day of _____, 2002.

see

Notary Public

STATE OF ILLINOIS)

UNOFFICIAL COPY 0020961860

COUNTY OF COOK)

I, the undersigned, a notary public in and for said County, in the State aforesaid, DO HEREBY CERTIFY that Dragon Labovic, Violeta Jakovljevic, Zoran Vranjes and Viktor Jakovljevic, personally known to me to be the same persons whose names are subscribed to the foregoing Agreement, appeared before me this day in person and acknowledged that they signed, sealed and delivered said instrument, as their free and voluntary act, for the uses and purposes therein set forth.

GIVEN under my hand and notarial seal this _____ day of _____, 2002.

Notary Public

STATE OF ILLINOIS)

) SS

COUNTY OF COOK)

I, _____, a Notary Public in and for said County and State, do hereby certify that _____ and _____, the _____ and _____, respectively of Uptown National Bank of Chicago, as such _____ and _____ appeared before me this day in person and acknowledged that they signed, sealed and delivered said instrument as their free and voluntary act, and as the free and voluntary act of said corporation for the uses and purposes therein set forth.

GIVEN under my hand and notarial seal this _____ day of _____, 2002.

Notary Public

STATE OF ILLINOIS)

) SS

COUNTY OF COOK)

I, ~~the undersigned~~ _____, a Notary Public in and for said County and State, do hereby certify that Sandra T. Russell and Barrett H. Finn, the Trust Officer and Asst. Trust Officer, respectively of Prairie Bank and Trust Company, as such Trust Officer and Asst. Trust Officer appeared before me this day in person and acknowledged that they signed, sealed and delivered said instrument as their free and voluntary act, and as the free and voluntary act of said corporation for the uses and purposes therein set forth.

GIVEN under my hand and notarial seal this 28th day of AUGUST, 2002.



peggy crosby

Notary Public

Uptown National Bank of Chicago, a banking association organized and existing under the laws of the state of Illinois, holder of the mortgages on the Property dated November 3, 2000, known as Document No.00870281, dated February 16, 2001 known as Document No. 0010129392 and dated November 3, 2000, known as Document No. 00870277 (the "Mortgages"), hereby consents to the execution and recording of the foregoing Declaration of Condominium Ownership and agrees that such Mortgages are subject thereto and to the provisions of the Condominium Property Act of the State of Illinois.

IN WITNESS WHEREOF, **Uptown National Bank of Chicago**, a corporation organized and existing under the laws of the state of Illinois, has caused this Consent of Mortgagee to be signed by its duly authorized officers on its behalf; all done at Chicago on this 27th day of August, 2002.

Uptown National Bank of Chicago

By: [Signature]
Its: Senior Vice

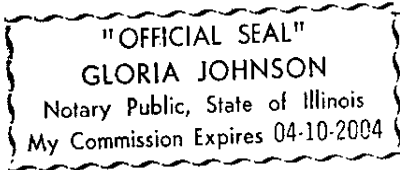
ATTEST:

[Signature]
Its: Admin. Asst.

STATE OF ILLINOIS)
) SS
COUNTY OF COOK)

I, Gloria Johnson, a Notary Public in and for said County and State, do hereby certify that Dan Starzyk and Barbara Thompson, the SVP and AA, respectively of Uptown National Bank of Chicago, as such and, appeared before me this day in person and acknowledged that they signed, sealed and delivered said instrument as their free and voluntary act, and as the free and voluntary act of said corporation, for the uses and purposes therein set forth.

GIVEN under my hand and notarial seal this 27th day of August, 2002.



[Signature]
Notary Public

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Property of Cook County Clerk's Office

Prairie Bank and Trust Company, a banking association organized and existing under the laws of the state of Illinois, holder of the mortgages on the Property dated July 6, 2000, known as Document No. 0561230, and dated June 21, 2001, known as Document No. 0010573710 (the "Mortgages"), hereby consents to the execution and recording of the foregoing Amendment Declaration of Condominium Ownership and agrees that such Mortgages are subject thereto and to the provisions of the Condominium Property Act of the State of Illinois.

IN WITNESS WHEREOF, Prairie Bank and Trust Company, a corporation organized and existing under the laws of the state of Illinois, has caused this Consent of Mortgagee to be signed by its duly authorized officers on its behalf; all done at Bridgeway on this 27th day of August, 2002.

Prairie Bank and Trust Company

By: Mark W. Trebor
Its: EVP

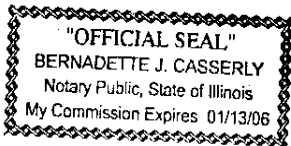
ATTEST:

June A. Novotny
Its: V.P.

STATE OF ILLINOIS)
) SS
COUNTY OF COOK)

I, Bernadette J. Casserly, a Notary Public in and for said County and State, do hereby certify that Mark W. Trebor and June A. Novotny, the Exec. Vice Pres. and Vice Pre, respectively of Prairie Bank and Trust Company, appeared before me this day in person and acknowledged that they signed, sealed and delivered said instrument as their free and voluntary act, and as the free and voluntary act of said corporation, for the uses and purposes therein set forth.

GIVEN under my hand and notarial seal this 27th day of August, 2002.



Bernadette J. Casserly
Notary Public

CERTIFICATE OF COMPLIANCE
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STATE OF ILLINOIS)
) SS
COUNTY OF COOK)

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Dragan Labovic, Violeta Jakovljevic, Zoran Vranjes, and Viktor Jakovljevic, hereby certify that:

1. Aleksandar Development, Inc., Western Development Co., Inc., MAG Properties, LLC, and Deva Development, Inc., are the Developers of The Western-Polk Condominium.

2. That no Notice of Intent ("Notice") as required by the Illinois Condominium Property Act was required to be given to any persons who were tenants of the property described in the Declaration of Condominium to which this Certificate is attached, insofar as the property has been vacant for more than one year prior to the recording of the Declaration of Condominium.

3. Further Affiant sayeth not.

Aleksandar Development, Inc.

[Signature]

By Dragan Labovic, President

Western Development Co., Inc.

[Signature]

By Violeta Jakovljevic, President

MAG Properties, LLC

[Signature]

By Zoran Vranjes, Member

Deva Development, Inc.

[Signature]

By Viktor Jakovljevic

I, the undersigned, a Notary Public in and for said County and State, do hereby certify that Dragan Labovic, Violeta Jakovljevic, Zoran Vranjes and Viktor Jakovljevic, personally known to me to be the same persons whose names are subscribed to the foregoing Certificate as Developers/Declarants, appeared before me this day in person and acknowledged that they signed and delivered said Certificate as their free and voluntary act for the uses and purposes therein set forth.

Given under my hand and notarial seal this 29th day of August, 2002.

"OFFICIAL SEAL"
BYLLE L. SKOCZEK
NOTARY PUBLIC, STATE OF ILLINOIS
MY COMMISSION EXPIRES 7/19/2005
[Signature]

Notary Public

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Property of Cook County Clerk's Office

AMENDED EXHIBIT A
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LEGAL DESCRIPTION OF PROPERTY

Lots 34, 35, 36, 37 and 38 (except part taken for widening of South Western Avenue) in F. W. and J. L. Campbell's subdivision of Block 13 in Morris and others' subdivision of the West 1/2 of the Southwest 1/4 of Section 18, Township 39 North, Range 14, East of the Third Principal Meridian, in Cook County, Illinois.

P.I.N.: 17-18-314-004
17-18-314-005
17-18-314-006
17-18-314-007

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Common Address:

811-823 South Western Avenue
Chicago, Illinois 60622

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AMENDED EXHIBIT B
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SURVEY OF UNITS

(To be attached prior to recording)

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UNIT	PARKING* SPACE	PERCENTAGE OF OWNERSHIP
823-C1	None	3.1%
823-2	P-1	3.0%
823-3	P-2	3.2%
823-4	P-3	4.5%
821-C1	None	3.3%
821-2	P-4	3.2%
821-3	P-5	3.3%
821-4	P-6	4.7%
819-C1	None	3.3%
819-2	P-7	3.2%
819-3	P-8	3.3%
819-4	P-9	4.7%
817-C1	None	3.3%
817-2	P-10	3.2%
817-3	P-11	3.3%
817-4	P-12	4.7%
815-C1	None	3.3%
815-2	P-13	3.2%
815-3	P-14	3.3%
815-4	P-15	4.7%
813-C1	None	3.3%
813-2	P-16	3.2%
813-3	P-17	3.3%
813-4	P-18	4.7%
811-C1	None	3.1%
811-2	P-19	3.0%
811-3	P-20	3.1%
811-4	P-21	4.5%

TOTAL 100%

EXHIBIT ATTACHED

- * Assigned as limited common elements.
- Roof is a limited common element to be owned by Unit 4.