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SECOND AMENDMENT

TO

DECLARATION OF CONDOMINIUM OWNERSHIP AND EASEMENTS, RESTRICTIONS, COVENANTS AND BY-LAWS FOR THE OPTIMA TOWERS EVANSTON COMMERCIAL CONDOMINIUM

THIS INSTRUMENT PREPARED BY AND MAIL TO:

DOON OX

Richard J. Nakon & Associates 121 E. Liberty Street, Suite 3 Wauconda, Illinois 60084 (847) 526-0626 im h

RECORDING FEED DATE OF DATE OF BY

SECOND AMENDMENT

TO

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DECLARATION OF CONDOMINIUM FOR THE OPTIMA TOWERS CONDOMINIUM

THIS AMENDMENT is made and entered into this 20^{th} day of August, 2002, by OPTIMA CENTER EVANSTON LIMITED PARTNERSHIP (the "Declarant").

WITNESSETH:

WHEREAS, by a Declaration of Condominium (the "Declaration") recorded in the Office of the Recorder of Deeds of Cook County, Illinois, as Document Number 0020203493, on March 7, 2002 the Declarant sobmitted certain real estate to the provisions of the Illinois Condominium Property Act (the "Ac."); and,

WHEREAS, the Declaration reserves to the Declarant the right to annex and add to the Parcel (as defined in the Declaration) and thereby add to the Condominium created by the Declaration all or any portion of the Future Development Parcel (as defined in the Declaration); and,

WHEREAS, the Declarant now desires to so annex and add to the Parcel and submit to the provisions of the Act and the Declaration certain real estate (the "Additional Parcel") described in Exhibit "B-1" attached hereto, which Additional I arcel is a portion of said Future Development Parcel.

NOW, THEREFORE, the Declarant does hereby amend the Declaration as follows:

- 1. The Additional Parcel (as described in Exhibit "B-1" attached hereto) is herey annexed to the Parcel as defined in the Declaration, and is hereby submitted to the provisions of the Act as part of the Condominium in accordance with and shall be deemed to be governed in all respects by the terms and conditions of the Declaration.
- 2. Exhibit "B" of the Declaration is hereby amended by deleting sheet 2 of 2 and substituting therefore the attached sheet 2 of 2 dated August 1, 2002.
- 3. Exhibit "C" of the Declaration is hereby amended by deleting said Exhibit "C" and substituting therefore Exhibit "C" that is attached hereto. The Percentage of Ownership in the Common Elements appurtenant to each Unit are hereby shifted to the Percentages set forth in the Exhibit "C" that is attached hereto.
- 4. Exhibit "D" of the Declaration is hereby amended by deleting said Exhibit "D" and substituting therefore Exhibit "D" that is attached hereto.

5. Exhibit "E" of the Declaration is hereby deleted.

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- 6. The Additional Common Elements and Limited Common Elements are hereby granted and conveyed to the grantees of all Units, including the grantees of Units heretofore conveyed, all as set forth in the Declaration.
- 7. Except as expressly set forth herein, the Declaration shall remain in full force and effect in accordance with its terms.

IN WITNESS WHEREOF, OPTIMA CENTER EVANSTON L.P., AN Illinois limited partnership as Declarant has executed this document this 20th day of August, 2002.

OPTIMA CENTER EVANSTON L.P., An Illinois Limited partnership

By: OPTIMA CENTER EVANSTON DEVELOPMENT, L.L.C. An Illinois Limited Liability Company, its General partner

By: Mill Wanager

David C. Hovey Manager

STATE OF ILLINOIS)

) SS

COUNTY OF COOK

I, LOTHING DOCALNS L., a Notary Public in and for said County and State, do hereby certify that DAVID C. HOVEY, Manager of OPTIMA CENTER EVANSTON DEVELOPMENT, L.C.C., General Partner of OPTIMA CENTER EVANSTON L.P., as such Manager, 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 Partnership, for the uses and purposes therein set forth.

Given under my hand and notarial seal this 22rd day of WGUST, 2002.

Notary Public

OFFICIAL SEAL
KATHY ZACZYNSKI
NOTARY PUBLIC, STATE OF ILLINOIS
MY COMMISSION EXPIRES:04/08/08

CONSENT OF MORTGAGEE

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Cole Taylor Bank, a National Banking Association, holder of a Mortgage on the Property dated December 14, 2000, and recorded on December 26, 2000, as Document Number 0001010111, hereby consents to the execution and recording of the within Amendment to Declaration of Condominium Ownership and agrees that said Mortgage is subject thereto and to the provisions of the Condominium Property Act of the State of Illinois.

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to the provisions of the Condominium Property Act of the State of Illinois.
IN WITNESS WHEREOF, Cole Taylor Bay 4, has caused this Consent o
Mortgagee to be signed by its duly authorized officers on its behalf; all done at Chicago, Illinois
on this 20^{ν} day of $A\nu$, $b\nu$, 2002.
Cole Taylor Bank, a National Banking Association
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ATTEST: Warman from Of P
Its: VIII
STATE OF ILLINOIS)
) SS COUNTY OF COOK)
COUNTY OF COOK)
I. Links Hardy , a Notary Public in and for said County and State, do hereby
certify that William Krinsky, and Jilians Clembstrespectively of Cole Taylor Bank
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 Bank, fo
the uses and purposes therein set forth.
Given under my hand and notarial seal this 20th day of Avg vst. 2002.

"OFFICIAL SEAL"
LINDA L. HORCHER
NOTARY PUBLIC STATE OF ILLINOIS
My Corramission Expires 09/18/2002

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EXHIBIT "B-1"

TO SECOND AMENDMENT TO DECLARATION OF CONDOMINIUM OWNERSHIP AND OF

EASEMENTS, RESTRICTIONS, COVENANTS AND BY-LAWS FOR **OPTIMA TOWERS COMMERCIAL CONDOMINIUM**

Underlying Permanent Real Estate Index Number: 11-18-311-037

That part of Plat of Consolidation of part of Block 64 in the Village of Evanston, in the Southwest Quarter of Section 18, Township 41 North, Range 14 East of the Third Principal Meridian, recorded March 24, 1983 as Document 26546834, in Cook County, Illinois, described as follows:

Commencing at the easternmost Southeast corner of said Consolidation; thence N.00ø03'42"E. along the East line thereof, being also the West line of Sherman Avenue, 27.36 feet for a point of beginning; thence West along a line normal to the West line of the Plat of Consolidation aforesaid, 22.11 feet; thence North 11.34 feet; thence West 4.75 feet; thence North 1.58 feet; thence West 13.92 feet; thence North 26.92 feet; thence West 73.75 feet; thence North 24.17 feet; thence West 27.42 feet; thence North 57.23 feet to a point on the North line of said Consolidation; thence S.71ø16'32"E. along said North line, being also the South line of Davis Street, 149.96 feet to the Northeast corner of said Consolidation; thence S.00ø03'42"W. along the East line thereof, being also the West line of Sherman Averue, 73.09 feet to the point of beginning, lying above elevation 21.5 and below elevation 33.5 (Evanston Datum).

Surveys attached only to original Declaration and Amendments thereto Recorded with the Recorder of Deeds of Cook County, Illinois.

EXHIBIT "C"

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TO SECOND AMENDMENT TO THE DECLARATION OF CONDOMINIUM OWNERSHIP AND BY-LAWS, EASEMENTS, RESTRICTIONS AND COVENANTS FOR THE OPTIMA TOWERS EVANSTON COMMERCIAL CONDOMINIUM

PERCENTAGE INTEREST OF UNITS SUBMITTED TO THE ACT

Unit	Percentage Interest
800 Davis Street	12.28
802 Davis Street	14.42
804 Davis Street	35.48
808 Davis Street	20.09
812 Davis Street	17.73
_	100
	0.
	Clork's Office

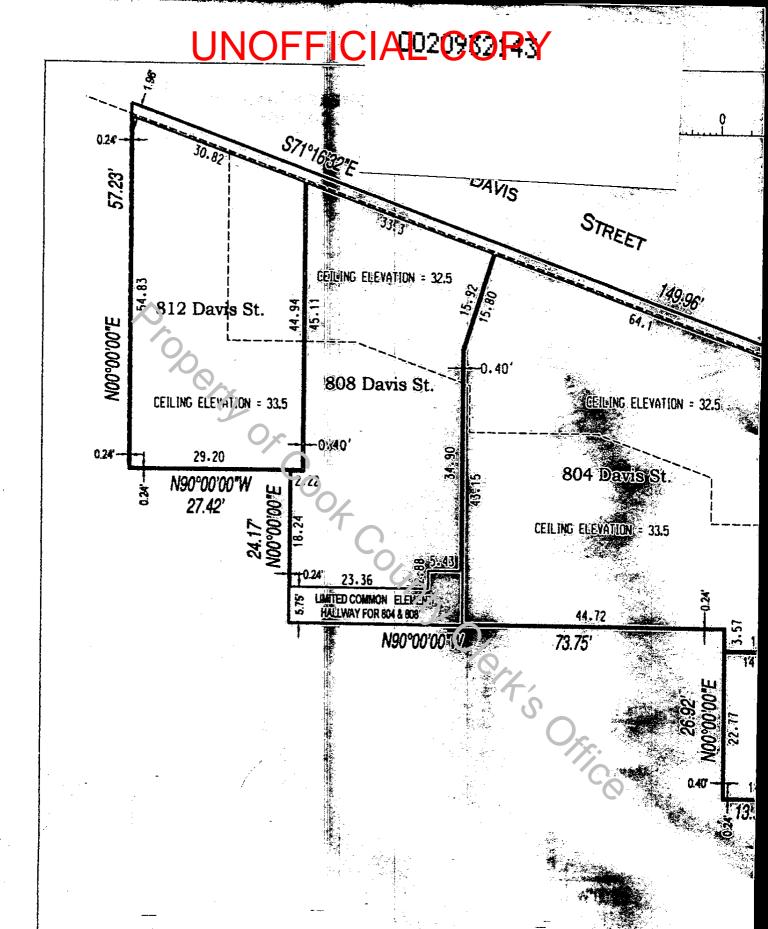
EXHIBIT "D"

0020932143

TO SECOND AMENDMENT TO THE DECLARATION OF CONDOMINIUM OWNERSHIP AND BY-LAWS, EASEMENTS, RESTRICTIONS AND COVENANTS FOR THE OPTIMA TOWERS EVANSTON COMMERCIAL CONDOMINIUM

LIMITED COMMON ELEMENTS

Tan yan	LIMITED COMMON ELEMENT
UNIT	
800 Davis Street	None
802 Davis Street	None
804 Davis Street	Hallway
808 Davis Street	Hallway
812 Davis Street	None
0,	
	County Clark's Office



CEILING ELEVATION STEPS FLOOR ELEVATION = 21.5

ELEVATIONS ARE REFERENCED TO GITVA OF EVANSTON DATUM

DIMENSIONS AND ELEVATIONS ARE IN GEET AND DECIMAL PARTS THEREOF.

HORIZONTAL UNIT BOUNDARIES ARE MEASURED TO THE VERTICAL PLANES OF THE CONCRETE BLOCK AND FINISHED DRYWALL WALLS. VERTICAL UNIT BOUNDARIES ARE MEASURED TO THE HORIZONTAL PLANES OF THE CONCRETE SLAB FLOOR AND CEILLINGS.

