

EXHIBIT

ATTACHED TO

0021045662

DOCUMENT NUMBER

9-24-02

SEE PLAT BOOK

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THIRD AMENDMENT
TO:

DECLARATION OF
CONDOMINIUM
OWNERSHIP AND
OF EASEMENTS,
RESTRICTIONS,
COVENANTS AND
BY-LAWS FOR THE
MAGNOLIA SQUARE I
CONDOMINIUM
ASSOCIATION

EXHIBIT ATTACHED

THIS THIRD AMENDMENT TO the Declaration of Condominium Ownership and of Easements, Covenants and By-Laws for the Magnolia Square I Condominium Association is made and entered into by A & J Development, Inc., an Illinois corporation (the "Developer" as defined in the Declaration of Condominium) and Albany Bank and Trust Company, N.A., not individually but solely as Trustee under Trust Agreement dated October 16, 2000 and known as Trust Number 11-5693 (the "Declarant" as defined in the Declaration of Condominium).

WITNESSETH:

WHEREAS, by a Declaration of Condominium (the "Declaration") recorded in the office of the Cook County Recorder of Deeds on February 11, 2002, as Document Number 0020169553; by a First Amendment to the Declaration recorded March 26, 2002 as Document Number 0020340848; and by a Second Amendment to the Declaration recorded July 12, 2002 as Document Number 0020763068 the Declarant thereunder submitted certain real estate to the provisions of the Illinois Condominium Property Act (the "Act"); and

WHEREAS, the Declaration reserves to the Developer (as defined in the Declaration) the right to annex and add to the Property (as defined in the Declaration) and thereby add to the condominium created by the Declaration all or any portion of the additional property described at "Exhibit D" to the Declaration; and

WHEREAS, the Developer now desires to so annex and add to said Property and submit to the provisions of the Act and the Declaration certain Additional Property (the "Additional Property") described in the Amended Exhibit "A" attached hereto.

THIS INSTRUMENT PREPARED BY
AND AFTER RECORDING MAIL TO:

PAUL A. KOLPAK
KOLPAK & LERNER
6767 N. MILWAUKEE AVE. SUITE 202
NILES, IL 60714

PROPERTY ADDRESS AND P.I.N.

6251, 6253 & 6259 N. MAGNOLIA
1215, 1217, 1219, & 1221 W. ROSEMONT
CHICAGO, ILLINOIS 60660

DATE 14-05-01 15:00-0000

OK BY

OK BY

DATE

RECORDED

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NOW THEREFORE, the Declarant and Developer, for the purposes above set forth, DECLARE AS FOLLOWS:

1. The Additional Property is hereby annexed to the Parcel and Property as defined in the Declaration and is hereby submitted to the provisions of the Act as a part of the Condominium in accordance with and governed in all respects by the terms and provisions of the Declaration.

2. Exhibit "A" of the First Amendment to the Declaration is hereby amended by substituting therefore the Amended Exhibit "A" attached hereto which consists of the legal description of the land already submitted to the provisions of the Act to include the additional property being annexed and a separate legal description of such addition.

3. Exhibit "A" of the Declaration is hereby amended by adding thereto the Amended Exhibit "A" attached hereto which consists of a Plat of Survey showing the boundaries of such additional Property and of the entire Parcel as amended.

4. Exhibit "B" of the Declaration is hereby amended by substituting therefore the Amended Exhibit "B" attached hereto. The percentage of ownership in the common elements for each Unit is hereby amended to the percentages set forth in the Amended Exhibit "B".

5. Except as expressly set forth herein, the Declaration shall remain in full force and effect in accordance with its terms.

6. This Third Amendment is executed by ALBANY BANK AND TRUST COMPANY, N.A., as Trustee aforesaid, in the exercise of power and authority conferred upon and vested in it as such Trustee (and said Trustee hereby warrants that it possesses full power and authority to execute this instrument). It is expressly understood and agreed by every person, firm or corporation hereafter claiming any interest under this Third Amendment that said Trustee as aforesaid, and not personally, has joined in the execution of this Third Amendment for the sole purpose of subjecting the title holding interest and the trust estate under said Trust Number 11-5693 to the terms of this Third Amendment; that any and all obligations, duties, covenants and agreements of every nature herein set forth by said, Trustee, as aforesaid, to be kept or performed, are intended to be kept, performed and discharged by the beneficiaries under said trust or their successors, and not the said Trustee personally, and further, that no duty shall rest upon ALBANY BANK AND TRUST COMPANY, N.A., either personally or as such Trustee, to sequester trust assets, rentals avails or proceeds of any kind, or otherwise to see to the fulfillment or discharge of any obligation, express or implied, arising under the terms of this Third Amendment, except where said Trustee is acting pursuant to direction as provided by the terms of said trust, and after the Trustee has first been supplied with funds required for the purpose. In event of a conflict between the terms of this paragraph and of the remainder of the Third Amendment on any questions of apparent liability or obligation resting upon said Trustee, the exculpatory provisions hereof shall be controlling.

IN WITNESS WHEREOF, the said ALBANY BANK AND TRUST COMPANY, N.A., as Trustee as aforesaid and not individually, has caused its corporate seal to be affixed hereunto and caused its name to be signed in these presence by its Assistant Vice President and attested by its Secretary this 23rd day of September, 2002.

ALBANY BANK AND TRUST COMPANY, N.A.,
as Trustee, aforesaid, and not
individually,

BY:

B. Helms

Attest:

John C. S.

0021045662

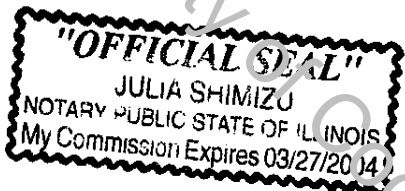
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STATE OF ILLINOIS)
) SS.
COUNTY OF COOK)

I, the undersigned, a Notary Public in and for said County in the State aforesaid, do hereby certify that Brenda Helms ^{Trust Officer} Assistant Vice President, of ALBANY BANK AND TRUST COMPANY, N.A., and John Schellinger, VP, Assistant Secretary of said Bank, who are personally known to me to be the same persons whose names are subscribed to the foregoing instrument as such Assistant Vice President and Secretary, signed and delivered the said instrument as their own free and voluntary act and the free and voluntary act of said Bank, as Trustee as aforesaid, for the uses and purposes therein set forth, and the said Secretary then and there acknowledged that she, as custodian of the corporate seal of said Bank, did affix the corporate seal of said Bank to said instrument as her own free and voluntary act and as the free and voluntary act of said Bank, as Trustee aforesaid, for the uses and purposes therein set forth.

GIVEN under my hand and notarial seal this 23rd day of September, 2002.



Julia Shimizu
Notary Public

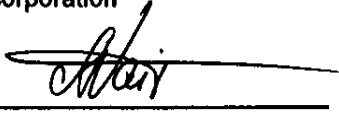
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IN WITNESS WHEREOF, the said A & J Development, Inc., an Illinois corporation, has caused its name to be signed in these presents by its President this _____ day of September, 2002.

A & J DEVELOPMENT, INC., an
Illinois corporation

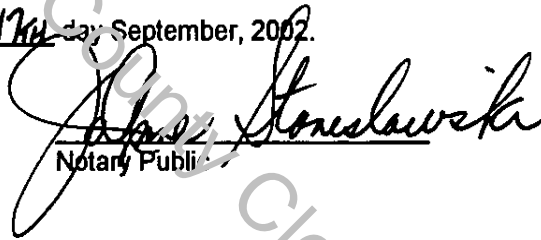
By: 
its President

STATE OF ILLINOIS)
) SS
COUNTY OF COOK)

I, Jo Anne Stanislawski, a Notary Public in and for the County and State aforesaid, do hereby certify that Alex Jaisman, personally known to me to be the President of A and J Development, Inc., an Illinois corporation and to be the same person whose name is subscribed to the foregoing instrument as such _____, appeared before me this day in person and acknowledged that he signed and delivered the said instrument as his own 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 seal this 17th day, September, 2002.




Notary Public

Clerk's Office

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AMENDED EXHIBIT A

Exhibit "A" of the First Amendment to the Declaration is hereby amended by substituting therefore this Amended Exhibit "A" which consists of the legal description of the land and property already submitted to the provisions of the Act and includes the additional property being added.

LEGAL DESCRIPTION

UNITS 6251-1, 6251-2, 6251-3, 6251-G; 6253-1, 6253-2, 6253-3, 6253-G; 6259-1, 6259-2, 6259-3, 6259-G; P-1 AND P-2; 1219-G, 1219-1, 1219-2, 1219-3; 1221-1, 1221-2, 1221-3; 1215-1, 1215-2, 1215-3, 1215-G; 1217-1, 1217-2, AND 1217-3 IN THE MAGNOLIA SQUARE I CONDOMINIUMS

LOTS 23 AND 24 IN BLOCK 1 IN BROCKHAUSEN AND FISCHER'S FIRST ADDITION TO EDGEWATER, BEING A SUBDIVISION OF THE NORTH 60 RODS OF THE EAST ½ OF THE NORTHWEST ¼ OF SECTION 5, TOWNSHIP 40 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

LEGAL DESCRIPTION OF ADDED PROPERTY

UNITS 1215-1, 1215-2, 1215-3, 1215-G; 1217-1, 1217-2, AND 1217-3 IN THE MAGNOLIA SQUARE I CONDOMINIUMS

LOTS 23 AND 24 IN BLOCK 1 IN BROCKHAUSEN AND FISCHER'S FIRST ADDITION TO EDGEWATER, BEING A SUBDIVISION OF THE NORTH 60 RODS OF THE EAST ½ OF THE NORTHWEST ¼ OF SECTION 5, TOWNSHIP 40 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

PROPERTY ADDRESS:

6251, 6253 and 6259 N. MAGNOLIA
1215, 1217, 1219 and 1221 W. ROSEMONT
CHICAGO, IL 60660

PERMANENT INDEX NUMBER:

14-05-115-001

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THIRD AMENDED EXHIBIT C

PERCENTAGE INTEREST IN COMMON ELEMENTS OF MAGNOLIA SQUARE I CONDOMINIUM ASSOCIATION

<u>UNIT #</u>	<u>% INTEREST</u>	<u>UNIT #</u>	<u>% INTEREST</u>
6259-1	4.281%	1215-1	4.217%
6259-2	4.325%	1215-2	4.262%
6259-3	4.370%	1215-3	4.303%
6259-G	2.351%	1215-G	2.463%
6251-1	4.172%	1217-1	4.172%
6251-2	4.217%	1217-2	4.217%
6251-3	4.262%	1217-3	4.262%
6251-G	2.688%		
6253-1	4.172%		
6253-2	4.217%	TOTAL	100.000%
6253-3	4.262%		
6253-G	2.913%		
P-1	0.673%		
P-2	0.673%		
1219-1	3.767%		
1219-2	3.812%		
1219-3	3.857%		
1219-G	3.138%		
1221-1	3.273%		
1221-2	3.318%		
1221-3	3.363%		

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EXHIBIT ATTACHED

Office