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2002-12-17 11:41:15
Cook County Recorder 114.00

EXHIBIT

ATTACHED TO



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DOCUMENT NUMBER

12-17-02

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This Document is Prepared By,
and Upon Recordation, Return to:

Stephen S. Messutta, Esq.
Joanne Gleason, Esq.
Library Courte, L.L.C.
7458 North Harlem Avenue
Chicago, IL 60631

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EXHIBIT ATTACHED

(This Space for Recorder's Use Only)

THIRD AMENDMENT TO DECLARATION OF CONDOMINIUM OWNERSHIP FOR LIBRARY COURTE CONDOMINIUMS

THIS THIRD AMENDMENT TO DECLARATION OF CONDOMINIUM OWNERSHIP FOR LIBRARY COURTE CONDOMINIUMS ("Third Amendment") is made and entered into by Library Courte, L.L.C., an Illinois limited liability company ("Declarant").

WITNESSETH:

RECORDING FEE

DATE
BY

114
JAMES Declarant recorded the Declaration of Condominium Ownership and of Easements, Restrictions, Covenants and By-Laws for the Library Courte Condominium (the "Condominium Declaration") on August 3, 2001, as Document No. 0010707755, by which the following described real estate ("Original Property") was submitted to the Illinois Condominium Property Act:

The Northeasterly 120.15 feet (as measured at right angles) of Lot 5 in Library Plaza Subdivision, being a subdivision of that part of Section 17, Township 41 North, Range 12 East of the Third Principal Meridian, as Recorded in the Office of the Recorder of Deeds of Cook County, on August 17, 1999 as Document Number 99784926, being situated in the City of Des Plaines, Cook County, Illinois.

P.I.N. No.: 09-17-419-036

Commonly known as: 750 & 770 South Pearson
Des Plaines, Illinois 60018; and

B. Declarant Recorded a First Amendment to Declaration of Condominium Ownership for Library Courte Condominiums ("First Amendment") on March 6, 2002, as Document No. 0020252104; and

C. Declarant Recorded a Second Amendment to Declaration of Condominium Ownership for Library Courte Condominiums ("Second Amendment") on October 23, 2002, as Document No. 0021164120, whereby the following described real estate ("First Additional Parcel") was submitted to the Illinois Condominium Property Act:

The Southwesterly 83.00 feet of the Northeasterly 203.15 feet (as measured at right angles) of Lot 5 and the Non-exclusive perpetual easement for access over and upon Lot 7, all in Library Plaza Subdivision, being a subdivision of that part of Section 17, Township 41 North, Range 12 East of the Third Principal Meridian, as recorded in the Office of the Recorder of Deeds of Cook County, on August 17, 1999 as Document Number 99784926, being situated in the City of Des Plaines, Cook County, Illinois.

P.I.N. No.: Part of 09-17-419-036

Commonly known as: 750 & 770 South Pearson
Des Plaines, Illinois 60018; and

D. Declarant reserved the right to add-on and annex to the Original Property, all or any portion of the property legally described as the Future Development Parcel, all pursuant to the terms and conditions of Section 22 of the Condominium Declaration; and

E. Declarant is the owner of the following described real estate located in the County of Cook, and State of Illinois, and which is a portion of the Future Development Parcel ("Second Additional Parcel"), to-wit:

Lot 5 (excepting therefrom the Northeasterly 203.15 feet thereof, as measured at right angles) and the Non-exclusive perpetual easement for access over and upon Lot 7, all in Library Plaza Subdivision, being a subdivision of that part of Section 17, Township 41 North, Range 12 East of the Third Principal Meridian, as recorded in the Office of the Recorder of Deeds of Cook County, on August 17, 1999 as Document Number 99784926, being situated in the City of Des Plaines, Cook County, Illinois.

P.I.N. No.: Part of 09-17-419-036

Commonly known as: 770 South Pearson
Des Plaines, Illinois 60018; and

F. Declarant intends to and does hereby submit the above described Second Additional Parcel, together with all buildings, improvements and other permanent fixtures of whatsoever kind constructed and being thereon and all rights and privileges belonging to or pertaining thereto, and owned by Declarant (collectively hereinafter referred to as "Additional Property") to the provisions of the Illinois Condominium Property Act; and

G. Declarant is further desirous of extending for its own benefit and for the mutual benefit of all future Owners or occupants of the Property, or any part thereof, the easements and rights in, over and upon said premises and certain mutually beneficial restrictions and obligations with respect to the property use, conduct and maintenance thereof as set forth in the Condominium Declaration; and

H. Declarant desires and intends that the Unit Owners, mortgagees, occupants, and all other persons hereafter acquiring any interest in the Property shall at all times enjoy the benefits of, and shall hold their interests subject to the rights, easements, privileges, and

restrictions set forth in the Condominium Declaration, all of which are declared to be in furtherance of the plan to promote and protect the cooperative aspect of the development and were established for the purpose of enhancing and perfecting the value, desirability and attractiveness of the Property, all as set forth in the Condominium Declaration;

NOW, THEREFORE, Library Courte, L.L.C., an Illinois limited liability company, as Declarant of the Second Additional Parcel, and for the purposes above set forth, DECLARES AS FOLLOWS:

1. All terms defined in the Condominium Declaration (as heretofore amended by the First Amendment and the Second Amendment, collectively the "Declaration") shall remain and be defined terms for the purposes of this Amendment unless a contrary intent clearly appears in this Amendment;

2. The Second Additional Parcel is hereby annexed to the Original Property (as previously annexed thereto by the First Additional Parcel) and henceforth shall be referred to collectively as the Property;

3. The attached First Amended Exhibit A hereby replaces and supersedes Declaration Exhibit A which is hereby deleted, and sets forth the amended percentages of ownership interest in the Common Elements to include the Common Elements attributable to those portions of the Units located on the Second Additional Parcel, allocable to every Unit including all existing Units and additional Units added by this Amendment. First Amended Exhibit A shall become effective, only upon Recording of this Amendment. In determining the amended percentages of ownership interest in the Common Elements:

a. The Common Elements as amended by this Amendment are deemed to consist of the Common Elements existing immediately prior to the Recording of this Amendment ("Existing Common Elements") together with the Common Elements added by this Amendment ("Added Common Elements");

b. The Units as amended by this Amendment shall be deemed to consist of the Units existing immediately prior to the Recording of this Amendment ("Existing Units") and the Units added by this Amendment ("Added Units");

c. The value of the Added Units (which value shall be determined by Declarant) shall be added to the value of the Existing Units (which value shall be determined by Declarant) and the total of all such values shall be deemed to be the new value of the Units as a whole. Values shall be determined by Declarant as of the date of Recording of this Amendment and such values as determined by Declarant shall be unconditionally binding on and conclusive for all purposes notwithstanding the sale price of any Unit or Units;

d. The percentage of ownership interest in the entire Common Elements (both the Existing Common Elements and the Added Common Elements) to be allocated

among all of the Units (both the Existing Units and the Added Units) have been computed by dividing the value of every Unit (as determined by Declarant as described in the preceding subparagraph c.) by the value of the Units as a whole (as determined by Declarant in the preceding subparagraph c.);

e. The Existing Units shall be entitled to their respective percentages of ownership interest in the Common Elements as set forth in First Amended Exhibit A, in and to the Added Common Elements and in and to the Existing Common Elements; and

f. The Added Units shall be entitled to their respective percentages of ownership interest in the Common Elements as set forth in First Amended Exhibit A, in and to the Added Common Elements and in and to the Existing Common Elements.

4. The attached 3rd Amended Exhibit B hereby amends and supplements both the 1st Amendment to Exhibit B attached to the First Amendment as well as the 2nd Amendment to Exhibit B attached to the Second Amendment, by delineating the Second Additional Parcel and delineating and describing the Units thereon to be conveyed and Parking Spaces and Storage Spaces Limited Common Elements thereon to be assigned to Unit Owners.

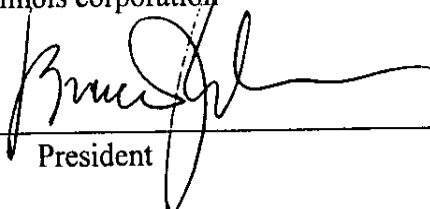
5. All of the provisions of the Declaration, as amended by this Amendment, shall be deemed to apply to all of the Units (both the Added Units and the Existing Units) and to all of the Common Elements (both the Added Common Elements and the Existing Common Elements).

6. The Recording of this Third Amendment shall not alter or affect the amount of any lien for Common Expenses due from Unit Owners prior to such Recording, nor the respective amounts assessed to or due from the Unit Owners for Common Expenses or other assessments levied or assessed prior to such Recording.

7. There being no portion of the Future Development Parcel remaining, Declarant hereby relinquishes its rights under Section 22 of the Condominium Declaration.

8. Except as modified, altered and amended by this Third Amendment, the Condominium Declaration as amended by the First Amendment and Second Amendment is declared to be and shall continue in full force and effect in accordance with its terms.

Dated: Tuesday, October 29, 2002 LIBRARY COURTE, L.L.C.,
By its Manager:
NORWOOD BUILDERS, INC.,
an Illinois corporation

By: 

President

STATE OF ILLINOIS)
) SS.
COUNTY OF COOK)

I, Stephen S. Messutta, a Notary Public in and for said County and State, do hereby certify that Bruce J. Adreani, President of Norwood Builders, Inc., Manager of Library Courte, L.L.C., appeared before me this day in person and acknowledged that he signed and delivered the within instrument as his 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 1st day of November, 2002.



Notary Public



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THIRD AMENDMENT
TO DECLARATION OF CONDOMINIUM OWNERSHIP AND OF EASEMENTS,
RESTRICTIONS, COVENANTS AND BY-LAWS FOR THE LIBRARY COURTE
CONDOMINIUM ASSOCIATION

[First Amended Exhibit A to the Declaration –
Amended Percentages of Ownership Interest in the Common Elements]
[See Attached]

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Library Condo Condominium Association
 Percentage of Ownership Interest

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750 - 770 South Pearson - Combined

Unit #	Percentage
1-212	0.3762%
1-312	0.3762%
1-412	0.3762%
1-512	0.3762%
1-612	0.3762%
1-712	0.3762%
1-812	0.3762%
1-209	0.4175%
1-309	0.4175%
1-409	0.4175%
1-509	0.4175%
1-609	0.4175%
1-709	0.4175%
1-809	0.4175%
1-201	0.4663%
1-301	0.4663%
1-401	0.4663%
1-501	0.4663%
1-601	0.4663%
1-701	0.4663%
1-801	0.4663%
1-311	0.5900%
1-411	0.5900%
1-511	0.5900%
1-611	0.5900%
1-711	0.5900%
1-811	0.5900%
1-911	0.5900%
1-202	0.6581%
1-302	0.6581%
1-402	0.6581%
1-502	0.6581%
1-602	0.6581%
1-702	0.6581%
1-802	0.6581%
1-902	0.6581%
1-206	0.9036%
1-306	0.9036%
1-406	0.9036%
1-506	0.9036%
1-606	0.9036%
1-706	0.9036%
1-806	0.9036%
1-906	0.9036%
1-305	0.6060%

Unit #	Percentage
1-405	0.6060%
1-505	0.6060%
1-605	0.6060%
1-705	0.6060%
1-805	0.6060%
1-905	0.6060%
1-207	0.6101%
1-307	0.6101%
1-407	0.6101%
1-507	0.6101%
1-607	0.6101%
1-707	0.6101%
1-807	0.6101%
1-907	0.6101%
1-205	0.5811%
1-211	0.5717%
1-208	0.5561%
1-308	0.5561%
1-408	0.5561%
1-508	0.5561%
1-608	0.5561%
1-708	0.5561%
1-808	0.5561%
1-210	0.5319%
1-310	0.5319%
1-410	0.5319%
1-510	0.5319%
1-610	0.5319%
1-710	0.5319%
1-810	0.5319%
1-204	0.8127%
1-304	0.8127%
1-404	0.8127%
1-504	0.8127%
1-604	0.8127%
1-704	0.8127%
1-804	0.8127%
1-904	0.8127%
1-203	0.6935%
1-303	0.6935%
1-403	0.6935%
1-503	0.6935%
1-603	0.6935%
1-703	0.6935%
1-803	0.6935%

Unit #	Percentage
1-903	0.6935%
1-901	0.8462%
1-908	0.8433%
1-910	0.6920%
2-205	0.3661%
2-305	0.3661%
2-405	0.3661%
2-505	0.3661%
2-605	0.3661%
2-705	0.3661%
2-805	0.3661%
2-212	0.3769%
2-312	0.3769%
2-412	0.3769%
2-512	0.3769%
2-612	0.3769%
2-712	0.3769%
2-812	0.3769%
2-202	0.4388%
2-302	0.4574%
2-402	0.4574%
2-502	0.4574%
2-602	0.4574%
2-702	0.4574%
2-802	0.4574%
2-208	0.4383%
2-308	0.4574%
2-408	0.4574%
2-508	0.4574%
2-608	0.4574%
2-708	0.4574%
2-808	0.4574%
2-201	0.4760%
2-301	0.4760%
2-401	0.4760%
2-501	0.4760%
2-601	0.4760%
2-701	0.4760%
2-801	0.4760%
2-206	0.4976%
2-306	0.4976%
2-406	0.4976%
2-506	0.4976%
2-606	0.4976%
2-706	0.4976%

Unit #	Percentage
2-806	0.4976%
2-207	0.4980%
2-307	0.4980%
2-407	0.4980%
2-507	0.4980%
2-607	0.4980%
2-707	0.4980%
2-807	0.4980%
2-211	0.4980%
2-311	0.4980%
2-411	0.4980%
2-511	0.4980%
2-611	0.4980%
2-711	0.4980%
2-811	0.4980%
2-210	0.5535%
2-310	0.5535%
2-410	0.5535%
2-510	0.5535%
2-610	0.5535%
2-710	0.5535%
2-810	0.5535%
2-209	0.5691%
2-309	0.5691%
2-409	0.5691%
2-509	0.5691%
2-609	0.5691%
2-709	0.5691%
2-809	0.5691%
2-203	0.5691%
2-303	0.5691%
2-403	0.5691%
2-503	0.5691%
2-603	0.5691%
2-703	0.5691%
2-803	0.5691%
2-204	0.7196%
2-304	0.7196%
2-404	0.7196%
2-504	0.7196%
2-604	0.7196%
2-704	0.7196%
2-804	0.7196%

TOTAL 100.0000%

THIRD AMENDMENT
TO DECLARATION OF CONDOMINIUM OWNERSHIP AND OF EASEMENTS,
RESTRICTIONS, COVENANTS AND BY-LAWS FOR THE LIBRARY COURTE
CONDOMINIUM ASSOCIATION

[3rd Amendment to Exhibit "B" to the Declaration –
Plat of the Second Additional Parcel]
[See Attached]

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EXHIBIT ATTACHED