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# EXHIBIT

ATTACHED TO

00230045

DOCUMENT NUMBER

4-3-00

SEE PLAT BOOK

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00230045

42/0057 32 001 Page 1 of 15  
2000-04-03 12:19:45  
Cook County Recorder 95.00



EXHIBIT ATTACHED

Property of Cook County Clerk's Office

FIRST AMENDMENT TO DECLARATION OF  
CONDOMINIUM OWNERSHIP FOR  
FULTON COURT CONDOMINIUM

THIS DOCUMENT PREPARED BY  
AND AFTER RECORDING RETURN TO:

Charles E. Alexander, P.C.  
400 West Huron Street  
Chicago, Illinois 60610

STREET ADDRESS:  
300 N. Desplaines Street  
Chicago, Illinois 60606

PERMANENT INDEX NUMBERS:  
17-09-308-001  
17-09-308-002

015

015  
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B

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## FIRST AMENDMENT TO DECLARATION OF CONDOMINIUM OWNERSHIP FOR FULTON COURT CONDOMINIUM 00230045

This First Amendment to Declaration of Condominium Ownership for Fulton Court Condominium (hereinafter referred to as the "First Amendment") is made as of the 1<sup>st</sup> day of April, 2000 by Garage, L.L.C., an Illinois limited liability company (hereinafter referred to as the "Developer").

### RECITALS:

- A. Developer has heretofore recorded that certain Declaration of Condominium Ownership for Fulton Court Condominium (hereinafter referred to as the "Original Declaration") with the Recorder of Cook County, Illinois on February 22, 2000 as document number 00128664 whereby the Developer submitted certain real estate in Cook County, Illinois to the provisions of the Illinois Condominium Property Act (hereinafter referred to as the "Act").
- B. The Original Declaration reserved to the Developer the right to annex and add to the Condominium Parcel (as defined in the Original Declaration) and thereby add to the condominium created by the Original Declaration all or any portion of the Additional Condominium Area (as defined in the Original Declaration) for the purpose of constructing additional Units.
- C. The Developer now desires to so annex and add to the Condominium Parcel and submit to the provisions of the Act and the Original Declaration certain real estate described in First Revised Exhibit B - Part II attached hereto and incorporated herein by this reference (hereinafter referred to as the "Additional Property").

NOW, THEREFORE, the Developer does hereby amend the Original Declaration as follows:

1. Recitals. The foregoing recitals are incorporated in this First Amendment as though fully set forth herein.
2. Additional Property. The Additional Property is hereby annexed to the Condominium Parcel as defined in the Original Declaration, and is hereby submitted to the provisions of the Act as a part of Fulton Court Condominium in accordance with and shall be deemed governed by the terms and provisions of the Original Declaration.
3. Amendments. The Original Declaration is further amended as follows:

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- (a) Exhibit B of the Original Declaration (Legal Description of the Condominium Parcel) is hereby amended by deleting said Exhibit B and substituting First Revised Exhibit B attached hereto in lieu thereof.
- (b) Exhibit C of the Original Declaration (Plat of Survey) is hereby amended by deleting said Exhibit C and substituting First Revised Exhibit C attached hereto in lieu thereof.
- (c) Exhibit D of the Original Declaration (Percentage of Interest in the Common Elements) is hereby amended by deleting said Exhibit D and substituting First Revised Exhibit D attached hereto in lieu thereof. The percentage of ownership in the common elements appurtenant to each unit is hereby shifted to the percentages set forth in Revised Exhibit D attached hereto.
- (d) Exhibit G of the Original Declaration (Additional Condominium Area) is hereby amended by deleting said Exhibit G and substituting Revised Exhibit G attached hereto in lieu thereof.

#### 4. Common Elements.

- (a) The additional Common Elements annexed by this instrument are hereby granted and conveyed to the grantees of all Units, including the grantees of Units heretofore conveyed, all as set forth in the Original Declaration.
- (b) Section 11.1 of the Original Declaration is hereby amended with respect to the Common Elements to permit the Owners of Units 1 through 16, inclusive, to install at their own expense a security gate at the stairway from the terrace area leading to said Units. The installation and design of the security gate shall be subject to the simple majority vote of Unit Owners of Units 1 through 16, inclusive, with each Unit having one (1) vote for purposes of such approval. The cost of the security gate shall be equally apportioned among the Unit Owners consenting to the installation of the security gate.
- (c) Section 11.1 of the Original Declaration is hereby further amended with respect to the Common Elements to permit the enclosure of the brick terrace wall if permitted by applicable law and upon approval of plans by the simple majority of Unit Owners at a special meeting called for such purpose, or at a regular meeting of the Association. Notice of such meeting shall be given to all Unit Owners which notice shall include on the meeting agenda the proposal to enclose the Common Element brick terrace together with a drawing or other plan

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identifying the area to be enclosed.

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

IN WITNESS WHEREOF, the Developer has executed this First Amendment as of the date above first written.

Garage, L.L.C., an Illinois  
limited liability company

By: Charles Alexander  
Its: Attorney-in-fact

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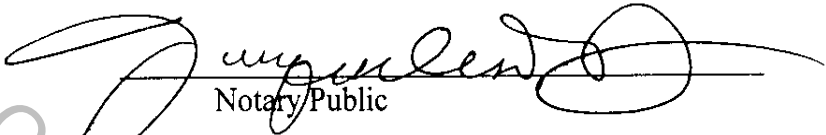
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STATE OF ILLINOIS     )  
                                  )  
COUNTY OF COOK     )

I,   Jacqueline Dunbar  , a Notary Public in and for said County, in the State aforesaid, do hereby certify that Charles E. Alexander, as Attorney-in-fact for Garage, L.L.C., who is personally known to me to be the same person whose name is subscribed to the foregoing instrument as such Attorney-in-fact of said limited liability company, appeared before me this day in person and acknowledged that he signed and delivered said instrument as his own free and voluntary act and as the free and voluntary act of said limited liability company for the uses and purposes therein set forth.

Given under my hand and notarial seal this   1<sup>ST</sup>   day of April, 2000.

  
Notary Public



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## FIRST AMENDED EXHIBIT B

### LEGAL DESCRIPTION OF THE CONDOMINIUM PARCEL

That part of Lots 12 to 22, lying above a horizontal plane of 22.23 feet above Chicago City Datum in Block 62 in Canal Trustee's Subdivision of part of the Southwest Quarter of Section 9, Township 39 North, Range 14, East of the Third Principal Meridian (except from said Lots, taken as a tract, that part thereof described as follows: commencing at the Northeast corner of said tract; thence North 89 degrees, 59' 58" West along the North line of said tract 43.71 feet to the point of beginning; thence South 00 degrees, 00' 00" West 87.44 feet to the North line of the South 82.50 feet of said tract; thence North 90 degrees West along the North line of the South 82.50 feet aforesaid 208.54 feet; thence north 00 degrees, 00' 00" West 87.47 feet to the North line of said tract; thence South 89 degrees, 59' 58" East along said North line 208.54 feet to the point of beginning) in Cook County, Illinois.

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**UNOFFICIAL COPY****FIRST AMENDED EXHIBIT B - PART II****LEGAL DESCRIPTION OF THE ADDITIONAL PROPERTY**

That part of Lots 12 to 22, lying above a horizontal plane of 22.23 feet above Chicago City Datum in Block 62 in Canal Trustee's Subdivision of part of the Southwest quarter of Section 9, Township 39 North, Range 14, East of the Third Principal Meridian (except from said Lots, taken as a tract, that part thereof described as follows: commencing at the Northeast corner of said tract; thence North 89 degrees 59' 58" West along the North line of said tract 43.71 feet to the point of beginning; thence South 00 degrees 00' 00" West 87.44 feet to the North line of the South 82.50 feet of said tract; thence North 90 degrees West along the North line of the South 82.50 feet aforesaid 208.54 feet; thence North 00 degrees 00' 00" West 87.47 feet to the North line of said tract; thence South 89 degrees 59' 58" East along said North line 208.54 feet to the point of beginning and also except the South 82.50 feet thereof) in Cook County, Illinois.

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## FIRST REVISED EXHIBIT D

### PERCENTAGE OF INTEREST IN THE COMMON ELEMENTS

<u>UNIT</u>	<u>PERCENTAGE OF OWNERSHIP</u>
1	4.69%
2	3.78%
3	4.02%
4	3.98%
5	4.18%
6	4.18%
7	3.86%
8	4.02%
9	4.02%
10	3.86%
11	4.18%
12	4.18%
13	3.98%
14	4.02%
15	3.86%
16	4.77%
17	3.66%
18	2.68%
19	2.76%
31	2.68%
32	3.86%
33	4.58%
34	3.24%
35	3.33%
47	3.24%
48	<u>4.39%</u>
	100.00%

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## FIRST REVISED EXHIBIT G

### ADDITIONAL CONDOMINIUM AREA

That part of Lots 12 to 22, lying above a horizontal plane of 22.23 feet above Chicago 2111 datum in Block 62 in Canal Trustee's Subdivision of part of the Southwest Quarter of Section 9, Township 39 North, Range 14, East of the Third Principal Meridian, taken as a tract, described as follows: commencing at the Northeast corner of said tract; thence North 89 degrees, 59' 58" West along the North line of said tract 43.71 feet to the point of beginning; thence South 00 degrees 00' 00" West 87.44 feet to the North line of the South 82.50 feet of said tract; thence North 90 degrees West along the North line of the South 82.50 feet aforesaid 208.54 feet; thence North 00 degrees 00' 00" West 87.47 feet to the North line of said tract; thence South 89 degrees 59' 58" East along said North line 208.54 feet to the point of beginning) in Cook County, Illinois.

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CONSENT OF MORTGAGEE

The undersigned, as holder of that certain Construction Mortgage, Assignment of Leases and Rents, and Security Agreement dated May 10, 1999 and recorded June 11, 1999 as Document Number 99564701, as amended from time to time, and as the holder of that certain Collateral Assignment of Leases and Rents dated May 10, 1999 and recorded June 11, 1999 as Document Number 99564702, hereby consents to the recording of the attached First Amendment to Declaration of Condominium Ownership for Fulton Court Condominium and agrees that said instruments shall be subject and subordinate to the provisions of the attached Declaration.

IN WITNESS WHEREOF, the undersigned has caused this instrument to be signed by its duly authorized officers, at Chicago, Illinois, on this 3<sup>rd</sup> day of March, 2000.

BANK OF AMERICA NATIONAL ASSOCIATION  
(FKA. Bank of America National Trust and Savings)  
Association

By: [Signature]  
Name: GARY J. KATUMB  
Title: SENIOR VICE PRESIDENT

ATTEST:  
By: [Signature]  
Name: STEVE SHOCKEY  
Title: ASSISTANT VICE PRESIDENT

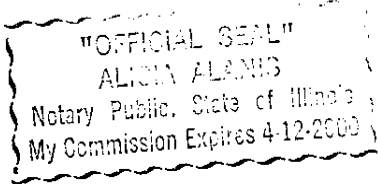
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STATE OF ILLINOIS )  
 ) SS.  
COUNTY OF COOK )

I, Alicia Alanis, a Notary Public in and for said County, in the State  
aforementioned, do hereby certify that Gary J. Katunas, personally known to me to be the Senior  
Vice President of Bank of America National Trust and Savings Association and Steve Shockey  
\_\_\_\_\_, personally known to me to be the Assistant Vice President of said banking association, and  
personally known to me to be the same persons whose names are subscribed to the foregoing  
instrument, appear before me this day in person and acknowledged that they signed and delivered  
the said instrument as Sr. VP and Asst V.P. of said banking association, pursuant to authority  
given by the Board of Directors of said banking association, as their free and voluntary act and as  
the free and voluntary act and deed of said banking association, for the uses and purposes therein set  
forth.

GIVEN under my hand and notarial seal, this 30<sup>th</sup> day of March, 2000

(NOTARY SEAL)



Alicia Alanis

Notary Public

My Commission Expires: 4-12-2000

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