

UNOFFICIAL COPY



0030263399

EXHIBIT

ATTACHED TO

0030263399

DOCUMENT NUMBER

W-25-03

This instrument prepared by
and after recording return to:

Elka Nelson
Nelson Silver LLC
Suite 550
20 N. Clark St.
Chicago IL 60602

EXHIBIT ATTACHED

Address Of Property:
2800 N. Orchard Ave.
Chicago, Illinois 60657

PIN:
14-28-115-038-0000
14-28-115-039-0000
14-28-115-040-0000
14-28-115-043-0000
14-28-115-044-0000
14-28-115-045-0000
14-28-115-046-0000

**THIRD AMENDMENT TO DECLARATION OF CONDOMINIUM OWNERSHIP
FOR 2800 NORTH ORCHARD CONDOMINIUM
AND DECLARATION OF COVENANTS, RESTRICTIONS AND CROSS-
EASEMENTS**

This amendment to the Declaration of Condominium Ownership
for 2800 North Orchard Condominium and Declaration of Covenants, Restrictions
and Cross-Easements is made and entered into this 13th day of February,
2003.

1. To provide for the reconfiguration of units 901 and 902.
2. To amend Exhibit B of the Declaration to accurately represent the reconfiguration of certain units as conveyed in order to comply with Section 765 ILCS 605/5 of the Condominium Property Act of the State of Illinois.

REC. 62
DATE 2-25-03 6
BY S

F 62 A
P P
T V
II

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WITNESSETH:

WHEREAS, the Declaration of Condominium Ownership for 2800 North Orchard Condominium and Declaration of Covenants, Restrictions and Cross-Easements (hereinafter "Declaration") was recorded in the office of the Recorder of Deeds of Cook County, Illinois on June 6, 2002 as document number 0020635931 and

WHEREAS, attached hereto as Exhibit "A" is a legal description of the property subject to this amendment; and

WHEREAS, Section 18.5 of the Declaration provides that: **30263399**

Declarant reserves the right and power to record a special amendment ("Special Amendment") to this Declaration at any time and from time to time which amends this Declaration (i) to comply with the requirements of the Federal National Mortgage Association, the Government National Mortgage Association, the Federal Home Loan Mortgage Corporation, the Department of Housing and Urban Development, the Federal Housing Association, the Veteran's Administration, or any other governmental agency or any other public, quasi-public, or private entity which performs (or may in the future perform) functions similar to those currently performed by such entities; (ii) to induce any of such agencies or entities to make, purchase, sell, insure or guarantee first mortgages covering Unit Ownerships; (iii) to bring this Declaration into compliance with the Act; (iv) to correct clerical or typographical errors in this Declaration or any Exhibit hereto or any supplement or amendment thereto; or (v) to provide for the combination, division, reconfiguration or resubdivision of Units owned by the Declarant or the creation of new Units therefrom and adjustment in the respective interests in the Common Elements of such Units, provided that such adjustment does not change the interest of any other Unit Owner in the Common Elements or the aggregate interest in the Common Elements of all such Units so combined, divided, reconfigured, resubdivided or created. In furtherance of the foregoing, a power coupled with an interest is hereby reserved and granted to the Declarant to vote in favor of, make and consent to a Special Amendment on behalf of each Unit Owner as proxy or attorney-in-fact, as the case may be. Each deed, mortgage, trust deed, or other evidence of obligation, or other instrument affecting a Unit, and the acceptance thereof shall be deemed a grant and acknowledgment of, and consent to the reservation of the power to Declarant to vote in favor of, make, execute and record Special Amendments. The power of the Declarant to act pursuant to rights reserved or granted under this Section shall terminate as of the initial meeting of the Unit Owners.

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and;

WHEREAS, Declarant seeks to amend the Declaration.

NOW, THEREFORE, upon action signed and acknowledged by the Declarant the Declaration is amended as follows:

1. Exhibit "B" attached to the Declaration shall be amended to reflect the reconfiguration of units 901 and 902 in accordance with the attached survey.
2. Except as expressly set forth herein, the Declaration shall remain in full force and effect in accordance with its terms.

IN WITNESS WHEREOF the Declarant has caused its name to be signed to these presents on the dates herein stated.

30263399

2/13/03
Date

Robert Kroupa
Robert Kroupa, Managing Member of
Declarant, 2800 North Orchard LLC

STATE OF ILLINOIS)
) SS
COUNTY OF COOK)

I, the undersigned, a Notary Public in and for the County and State aforesaid, DO HEREBY CERTIFY THAT Robert Kroupa, the Manager of 2800 North Orchard LLC, a limited liability company, personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that he signed, sealed and delivered the said instrument as the free and voluntary act of said limited liability company, pursuant to authority given by said company for the uses and purposes therein set forth.

GIVEN under my hand and seal this 13th day of February 2003.

"OFFICIAL SEAL"
LAURA MORENO
Notary Public State of Illinois
My Commission Expires 05/03/2005

Laura Moreno
Notary Public

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CONSENT OF MORTGAGEE

NORTH COMMUNITY BANK, holder of a certain Mortgage recorded February 6, 2002 as Document No. 20155526 and an Assignment of Rents recorded February 6, 2002 as Document No. 20155527 hereby consents to the execution and recordation of the within Amendment to the Declaration of Condominium Ownership of 2800 North Orchard Condominium, Chicago, Illinois, and agrees that said Mortgage and Assignment of Rents are subject to the provisions of said Declaration.

IN WITNESS WHEREOF, the said NORTH COMMUNITY BANK has caused this instrument to be executed by its duly authorized officers on its behalf at Chicago, Illinois

This 13th day of February, 2003

NORTH COMMUNITY BANK

By: [Signature]

Its Vice Pres. - 30263299

Attest:

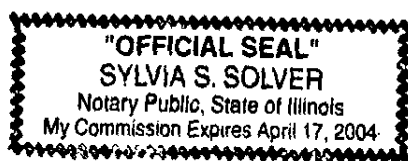
[Signature]

Its Vice - President

I, the undersigned, a Notary Public in and for said County and State aforesaid, do hereby certify that Brian W. Mickey and Ronald J. Ludwig, of North Community Bank, personally known to me to be the same persons whose names are subscribed to the foregoing instrument as such and respectively, 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 North Community Bank, for the uses and purposes therein set forth.

GIVEN under my hand and notarial seal this

13th day of February, 2003.



[Signature]

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EXHIBIT "A"

LEGAL DESCRIPTION

UNIT NO. 901 AND UNIT NO. 902 IN 2800 NORTH ORCHARD CONDOMINIUM,
AS DELINEATED ON A SURVEY OF PART OF THE FOLLOWING DESCRIBED
REAL ESTATE:

LOT 24 IN L.S. WARNER'S SUBDIVISION OF LOTS 17 AND 18 IN BICKERDIKE
AND STEELE'S SUBDIVISION OF THE WEST ½ OF THE NORTHWEST ¼ OF
SECTION 28, TOWNSHIP 40 NORTH, RANGE 14 EAST OF THE THIRD
PRINCIPAL MERIDIAN, TOGETHER WITH LOT 14 (EXCEPT THAT PART OF
SAID LOT WHICH LIES EAST OF A LINE 40 FEET WEST OF AND PARALLEL
WITH THE EAST LINE OF N. ORCHARD STREET, BEING THE EAST 18 FEET OF
SAID LOT) AND ALL OF LOTS 15 AND 16 IN L.J. HALSEY'S SUBDIVISION OF
LOT 9 IN BICKERDIKE AND STEELE'S SUBDIVISION AFORESAID, TOGETHER
WITH LOTS 3, 4 AND 5 IN ABBOTT'S SUBDIVISION OF THE WEST PART OF
THE SOUTH ½ OF LOT 10 IN BICKERDIKE AND STEELE'S SUBDIVISION
AFORESAID, TOGETHER WITH THE PRIVATE ALLEY SOUTH AND
SOUTHWESTERLY OF AND ADJOINING SAID LOT 3 AS CREATED BY AND AS
DESIGNATED ON PLAT OF ABBOTT'S SUBDIVISION RECORDED IN THE
RECORDER'S OFFICE ON MARCH 10, 1884 AS DOCUMENT 529937, IN BOOK
10, PAGE 86, ALL IN COOK COUNTY, ILLINOIS

30263399

WHICH SURVEY IS ATTACHED AS EXHIBIT "B" TO THE DECLARATION OF
CONDOMINIUM RECORDED JUNE 6, 2002 AS DOCUMENT NUMBER
0020635931, TOGETHER WITH ITS UNDIVIDED PERCENTAGE INTEREST IN
THE COMMON ELEMENTS.

PINs:

14-28-115-038-0000
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14-28-115-040-0000
14-28-115-043-0000
14-28-115-044-0000
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