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THIRD AMENDMENT TO DECLARATION OF CONDOMINIUM OWNERSHIP FOR 420 W. ONTARIO RESIDENTIAL CONDOMINIUM ASSOCIATION

NAME: 420 W. Ontario Residential Condominium

ADDRESS: 420 W. Ontario Street, Chicago, Illinois 60610

Permanent Real Estate Index Numbers:

17-09-127-037-1001
17-09-127-037-1002
17-09-127-037-1003



Eugene "Gene" Moore Fee: \$86.00
Cook County Recorder of Deeds
Date: 04/30/2003 02:24 PM Pg: 0

01-19402 L.L.C. CK

THIS INSTRUMENT PREPARED BY AND AFTER RECORDING MAIL TO:



Nick Helmer Jr.
420 Lofts LLC
420 W. Ontario, Management Office
Chicago, IL 60610

RECORDING FEE _____
DATE 4/30/03 _____
BY _____

Lawyers Title Insurance Corporation

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THIRD AMENDMENT TO DECLARATION OF CONDOMINIUM OWNERSHIP FOR 420 W. ONTARIO RESIDENTIAL CONDOMINIUM ASSOCIATION

This **THIRD AMENDMENT TO DECLARATION OF CONDOMINIUM OWNERSHIP FOR 420 W. ONTARIO RESIDENTIAL CONDOMINIUM ASSOCIATION** ("Third Amendment") made and entered into on this 28th day of April, 2003, by **420 LOFTS LLC**, an Illinois limited liability company, the Second Successor Declarant as provided for below (hereinafter referred to as the "Residential Owner/Developer").

WITNESSETH:

WHEREAS, LASALLE BANK NATIONAL ASSOCIATION, a national banking association, not personally, but solely as Trustee under the provisions of a Trust Agreement dated May 11, 1993 and know as Trust No. 117901 ("Original Declarant") previously filed that certain Declaration of Condominium Ownership for 420 W. Ontario Residential Condominium pursuant to the Illinois Condominium Property Act with the Cook County Recorder's Office ("Recorder's Office") on October 6, 1999 as Document No. 99947221 ("Original Declaration") to convert to condominium ownership certain sections of real estate located at 420 W. Ontario, Chicago, Illinois 60610 ("Residential Property") and legally described as:

SEE ATTACHED EXHIBIT A

WHEREAS, ONTARIO STREET LOFTS, L.L.C., an Illinois limited liability company ("Ontario L.L.C."), purchased the entire Residential Property from Original Declarant and subsequently, as successor to Original Declarant ("Successor Declarant"), amended the Original Declaration by that certain First Amendment to Declaration of Condominium Ownership for 420 W. Ontario Residential Condominium recorded on December 13, 2001 as Document No. 0011182379 ("First Amendment");

WHEREAS, RESIDENTIAL OWNER/DEVELOPER, as successor by sale to Ontario L.L.C., previously purchased the entire Residential Property from Ontario L.L.C. on November 15, 2001;

WHEREAS, Residential Developer/Owner amended the Original Declaration and the First Amendment by that certain Second Amendment to Declaration of Condominium Ownership for 420 W. Ontario Residential Condominium recorded on October 8, 2002 as Document No. 0021164860 ("Second Amendment"). The Original Declaration, First Amendment and Second Amendment are collectively referred to herein as the "Declaration".

WHEREAS, Article XIV and Article XIV(d) of the Original Declaration states:

"In addition to any rights or powers reserved or granted to the Developer under the Act, this Declaration, or the By-Laws, the Developer shall have the rights and powers

RECORDING FEE _____
DATE 4/30/03 _____
OK BY [Signature] _____

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set forth in this Article. In the event of a conflict between the provisions of this Article and any other provision of this Declaration or the By-Laws, the provisions of this Article shall govern.”

“(d) Developer shall also have the right to divide the roof Limited Common Elements appurtenant thereto as herein provided.”

WHEREAS, Paragraph 4 of the Second Amendment states:

“Pursuant to Article XIV(d), Second Successor Declarant reserves the right to amend the Declaration at a future date to allocate specific ownership of the limited common areas located on the roof area of the Residential Property.”

WHEREAS, all members of the Second Successor Declarant and Board of Directors of the Condominium have unanimously approved the modifications contained in this Third Amendment to allocate specific ownership of the limited common areas located on the roof area of the Residential Property; and

NOW, THEREFORE, pursuant to the authority granted in the Declaration, the Second Successor Declarant and Board of Directors of the 420 W. Ontario Residential Condominium amend the Declaration by executing and recording this Amendment.

- 1) The Roof Page on the Plat attached to the Declaration is hereby amended with the Roof Page attached hereto as **Exhibit B**.
- 2) In all respects not herein modified, Developer and Residential Owner/Developer hereby ratify and confirm all provisions of the Declaration.

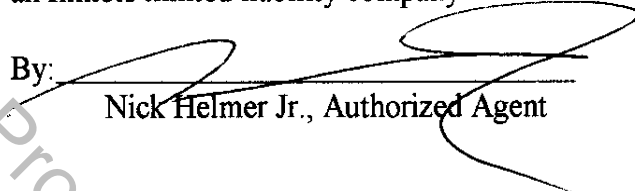
[SIGNATURES ON FOLLOWING PAGE]

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IN WITNESS WHEREOF, the following parties have executed this Second Amendment on the date first written above.

RESIDENTIAL OWNER/DEVELOPER:

420 LOFTS LLC,
an Illinois limited liability company

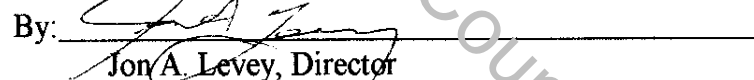
By: 

Nick Helmer Jr., Authorized Agent

420 W. ONTARIO RESIDENTIAL CONDOMINIUM ASSOCIATION,
an Illinois not for profit corporation

By: 

Nick Helmer Jr., Director

By: 

Jon A. Levey, Director

By: 

Anthony Jacob, Director

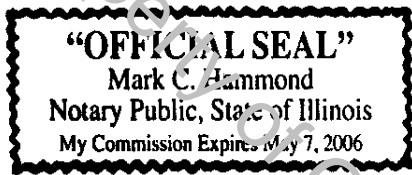
Property of Cook County Clerk's Office

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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 Nick Helmer Jr., personally known to me to be an authorized agent of 420 Lofts LLC, an Illinois limited liability company, whose name is subscribed to the foregoing instrument, appeared before me this day in person and acknowledged to me that he, being thereunto duly authorized, signed and delivered said instrument as of his own free and voluntary act, for the use and purposes set forth therein.

GIVEN under my hand and notarial seal this 28th day of April, 2002.



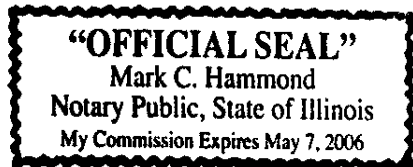
Mark C. Hammond
Notary Public

My Commission Expires:

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 Nick Helmer Jr., Jon A. Levey and Anthony Jacob, each personally known to me to constitute the Board of Managers/Directors of the 420 W. Ontario Residential Condominium, an Illinois not for profit corporation, whose name is subscribed to the foregoing instrument, appeared before me this day in person and acknowledged to me that they, being thereunto duly authorized, signed and delivered said instrument as their own free and voluntary act, for the use and purposes set forth therein.

GIVEN under my hand and notarial seal this 28th day of April, 2003.



Mark C. Hammond

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CONSENT OF MORTGAGEE

COMMERCIAL LOAN CORPORATION, an Illinois corporation, holder of the mortgage on the Property dated October 26, 2001 and recorded in the Cook County Recorder's Office on December 13, 2001 as Document No. 0011182381, hereby consents to the execution and recording of the within Third Amendment and agrees that said mortgage is subject to the provisions of the Declaration as amended herein.

IN WITNESS WHEREOF, Commercial Loan Corporation has caused this instrument to be signed by its duly authorized officer on its behalf on this 24TH day of April, 2003.

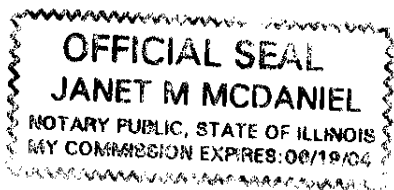
COMMERCIAL LOAN CORPORATION,
an Illinois corporation

By: *Peter Hueser*
Peter Hueser, President

STATE OF ILLINOIS)
) SS.
COUNTY OF DuPage)

I, Janet m mcdaniel, a notary public, in and for the County and State aforesaid, DO HEREBY CERTIFY that Peter Hueser, in his capacity as President of Commercial Loan Corporation, an Illinois corporation, whose name is subscribed to the foregoing instrument, appeared before me this day in person and acknowledged to me that he, being thereunto duly authorized, signed and delivered said instrument as his own free and voluntary act, for the use and purposes set forth therein.

GIVEN under my hand and notarial seal this 24 day of April, 2003.



Janet M. McDaniel
Notary Public

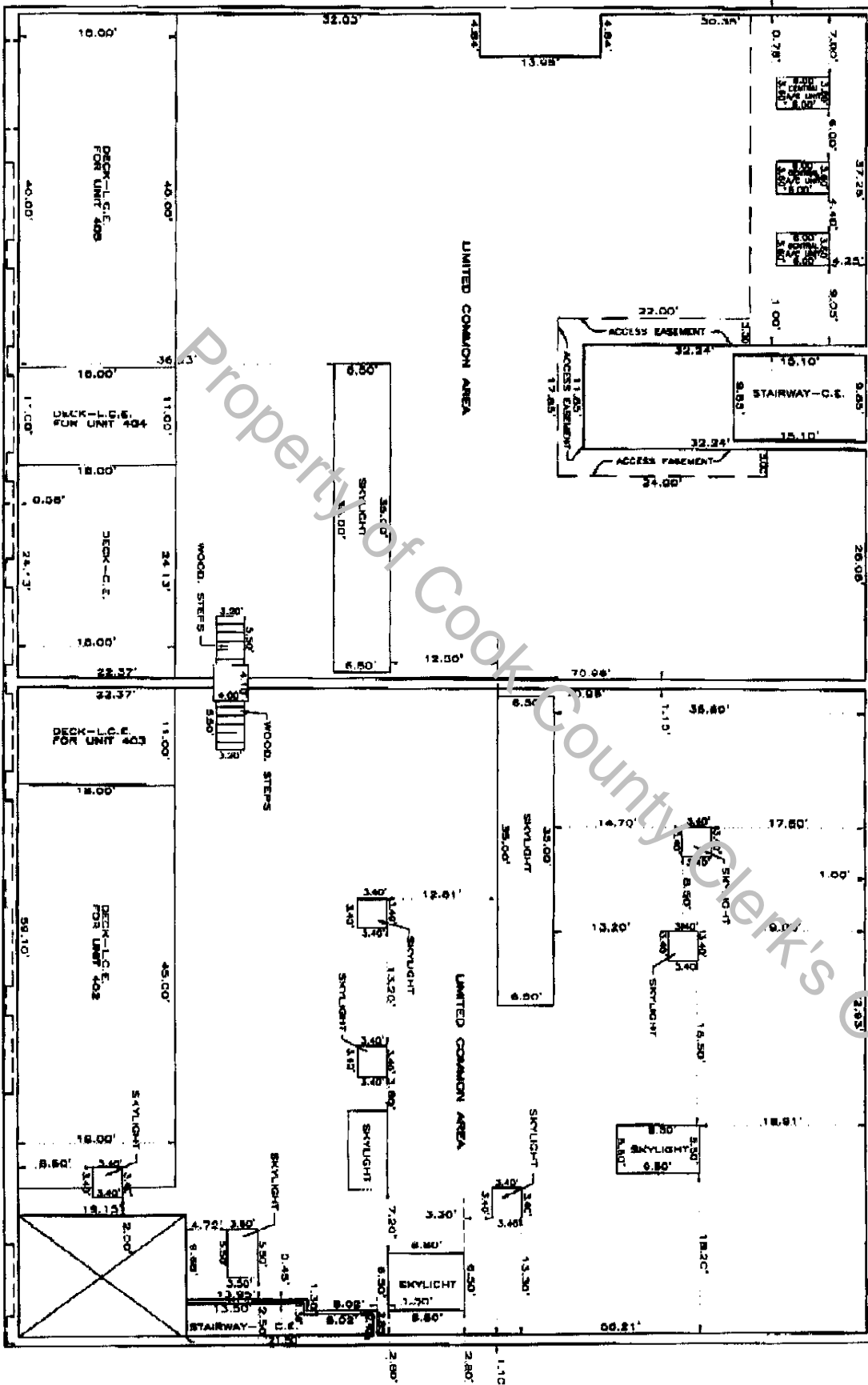
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EXHIBIT A LEGAL DESCRIPTION

UNITS 420-1, 420-2, AND 420-3, IN THE 420 W. ONTARIO RESIDENTIAL CONDOMINIUM, AS DELINEATED ON THE SURVEY OF CERTAIN LOTS OR PARTS THEREOF IN YOUNG'S SUBDIVISION OF PART OF "KINGSBURY TRACT" IN THE EAST ½ OF THE NORTHWEST QUARTER OF SECTION 9, TOWNSHIP 39 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, LYING EAST OF THE CHICAGO RIVER, IN COOK COUNTY, ILLINOIS, WHICH SURVEY IS ATTACHED AS EXHIBIT "D" TO THE DECLARATION OF CONDOMINIUM OWNERSHIP RECORDED OCTOBER 06, 1999 AS DOCUMENT 99947221, IN COOK COUNTY, ILLINOIS, TOGETHER WITH AN UNDIVIDED PERCENTAGE INTEREST IN THE COMMON ELEMENTS APPURTENANT TO SAID UNIT, AS SET FORTH IN SAID DECLARATION.

Cook County Clerk's Office

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