



Eugene "Gene" Moore Fee: \$40.00
Cook County Recorder of Deeds
Date: 05/07/2003 11:46 AM Pg: 1 of 9

FIRST AMENDMENT TO
AMENDED & RESTATED
REDEVELOPMENT AGREEMENT

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This First Amendment to Amended and Restated Redevelopment Agreement, New Homes for Chicago Program, Hearts United Homes Limited Partnership ("First Amendment"), dated as of April 23, 2003 is made by and between the City of Chicago, an Illinois municipal corporation, having its offices at City Hall, 121 North LaSalle Street, Chicago, Illinois 60602 ("City") and Hearts United Homes Limited Partnership, an Illinois limited partnership, having its principal office c/o Bonheur Development Corporation at 400 East 41st Street, Suite 101, Chicago, Illinois 60653 ("Developer").

RECITALS

A. The City Council of the City ("City Council"), by Ordinance adopted June 7, 1990 (C.J.P. pgs. 17038-17045), as amended and restated by that certain ordinance adopted June 6, 2001 (C.J.P. pgs. 59917-59928), established the New Homes for Chicago Program ("New Homes Program") to assist with the construction of affordable, new, high-quality, owner-occupied housing.

B. The City Council, by Ordinance adopted June 9, 1999

g/kj

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(C.J.P. pgs. 5236-5242), approved the selection of Developer for participation in the New Homes Program ("Designation Ordinance").

C. In accordance with the provisions described the Designation Ordinance, the City and Developer executed that certain Amended and Restated Redevelopment Agreement, New Homes for Chicago Program, Hearts United Homes Limited Partnership ("Redevelopment Agreement") dated as of September 26, 2001 and recorded with the Office of the Recorder of Deeds of Cook County, Illinois on October 31, 2001 as document #0011017902.

D. Subsequent to the execution of the Redevelopment Agreement by the parties, the City Council, by Ordinance adopted September 4, 2002 (C.J.P. pgs. 92197-92199), amended the Designation Ordinance by authorizing the inclusion of that certain parcel of land presently owned by the City in the universe of City Lots available for redevelopment by Developer, and the deletion of that certain parcel of land from the universe of City Lots. Both parcels are legally described on Exhibit A attached hereto.

E. The parties accordingly seek to amend the Redevelopment Agreement by: (1) including that certain parcel listed on Exhibit A for inclusion in the list of City Lots available for redevelopment pursuant to the New Homes Program, and deleting that certain parcel also listed on Exhibit A in said list of City Lots; (2) extending the Term of the Redevelopment Agreement, as

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provided for below; and (3) attaching a revised construction schedule for the Project.

NOW, THEREFORE, in consideration of the mutual agreements and covenants contained herein, the parties agree that the Redevelopment Agreement shall be amended as follows:

1. Exhibit A is hereby amended to include the following lot as a City Lot to be made available for redevelopment by Developer pursuant to the New Homes Program and the Redevelopment Agreement:

| <u>Parcel</u> | <u>PIN</u> |
|----------------------------------|--------------------|
| 647 East 41 st Street | 20-03-214-021-0000 |

Exhibit A is further amended to delete the following lot as a City Lot to be made available for redevelopment by Developer pursuant to the New Homes Program and the Redevelopment Agreement:

| <u>Parcel</u> | <u>PIN</u> |
|-----------------------|--------------------|
| 610 East Bowen Avenue | 20-03-214-030-0000 |

Both of the afore-mentioned lots are legally described on Exhibit A to this First Amendment.

2. The term of the Redevelopment Agreement is hereby extended to December 31, 2003.

3. Exhibit F is hereby superceded in its entirety by Exhibit B attached to this First Amendment.

4. All of the other provisions of the Redevelopment Agreement shall remain in full force and effect.

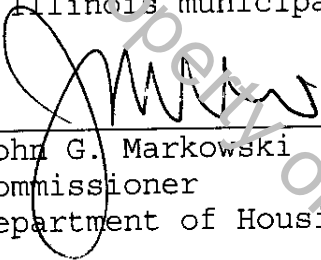
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5. The First Amendment to Redevelopment Agreement shall be executed in triplicate, each of which shall constitute an original instrument.

IN WITNESS WHEREOF, the parties hereto have executed or caused the First Amendment to be executed, all as of the date first written above.

CITY OF CHICAGO,
an Illinois municipal corporation


By: _____


John G. Markowski
Commissioner
Department of Housing

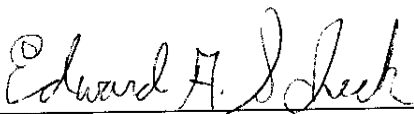
HEARTS UNITED HOMES LIMITED PARTNERSHIP,
an Illinois limited partnership

By: BONHEUR DEVELOPMENT CORPORATION,
an Illinois corporation
The General Partner

By: _____


Fred L. Bonner
President and Treasurer

By: _____


Edward Scheck
Secretary

Property of Cook County Clerk's Office

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STATE OF ILLINOIS)

) SS

COUNTY OF COOK)

I, Patricia E. Walton, a Notary Public in and for said County, in the State aforesaid, do hereby certify that John G. Markowski, personally known to me to be the Commissioner of the Department of Housing of the City of Chicago, a municipal corporation, and 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 being first duly sworn by me acknowledged that as such Commissioner, he signed and delivered the said instrument, pursuant to authority given by the City of Chicago, as his free and voluntary act and as the free and voluntary act and deed of said City, for the uses and purposes therein set forth.

GIVEN under my hand and notarial seal this 23rd day of April, 2003.

Patricia E. Walton
Notary Public

(SEAL)

OFFICIAL SEAL
PATRICIA E WALTON

NOTARY PUBLIC, STATE OF ILLINOIS
My Commission expires 7/06/03
COMMISSION EXPIRES: 07/06/03

Clerk's Office

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STATE OF ILLINOIS)
) SS
 COUNTY OF COOK)

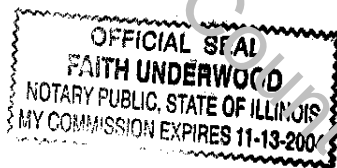
I, _____, a Notary Public in and for said County, in the State aforesaid, do hereby certify that Fred L. Bonner, personally known to me to be the President and Treasurer of Bonheur Development Corporation, an Illinois corporation and the general partner of Hearts United Homes Limited Partnership, an Illinois limited partnership, and 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 being first duly sworn by me acknowledged that as such President and Treasurer, he signed and delivered the said 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 17 day of April, 2003.

Faith Underwood

 Notary Public

(SEAL)



My Commission expires _____

Clerk's Office

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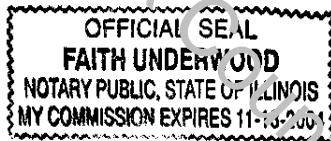
STATE OF ILLINOIS)
) SS
 COUNTY OF COOK)

I, _____, a Notary Public in and for said County, in the State aforesaid, do hereby certify that Edward Scheck, personally known to me to be the Secretary of Bonheur Development Corporation, an Illinois corporation and the general partner of Hearts United Homes Limited Partnership, an Illinois limited partnership, and 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 being first duly sworn by me acknowledged that as such Secretary, he signed and delivered the said 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 17 day of April, 2003.

Faith Underwood
 Notary Public

(SEAL)



My Commission expires _____

County Clerk's Office

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EXHIBIT A

LEGAL DESCRIPTION OF THE LOTS

LOT TO BE DELETED FROM THE LIST OF THE UNIVERSE OF CITY LOTS
AVAILABLE TO DEVELOPER PURSUANT TO THE REDEVELOPMENT AGREEMENT:

THE EAST 20 FEET OF THE WEST 60 FEET OF THE SOUTH 120.5 FEET OF
LOT 22 IN DOBBINS SUBDIVISION OF THE NORTH HALF OF THE SOUTH EAST
QUARTER OF THE NORTH EAST QUARTER OF SECTION 3, TOWNSHIP 38
NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK
COUNTY, ILLINOIS,

ADDRESS: 610 East Bowen Avenue, Chicago, Illinois

PIN: 20-03-214-030-0000

LOT TO BE INCLUDED IN THE LIST OF THE UNIVERSE OF CITY LOTS
AVAILABLE TO DEVELOPER PURSUANT TO THE REDEVELOPMENT AGREEMENT:

THE WEST 22 1/2 FEET OF LOT 2 AND THE EAST 2 1/4 FEET OF LOT 3 IN
SUBDIVISION OF LOTS 27 AND 28 IN DOBBIN'S SUBDIVISION OF THE
NORTH 1/2 OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 3,
TOWNSHIP 38 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL
MERIDIAN, IN COOK COUNTY, ILLINOIS,

ADDRESS: 647 East 41st Street, Chicago, Illinois

PIN: 20-03-214-021-0000

UNOFFICIAL COPY**EXHIBIT B****Estimated Construction Schedule for Hearts United Homes**

| Address | Start Date | Completion Date | |
|--------------------------------|------------|-----------------|---------------|
| 708 E. Bowen Drive | | June 2002 | |
| 651 E. Bowen Drive | | July 2002 | |
| 516 E. 41 st Street | | December 2002 | |
| 525 E. 41 st Street | | August 2002 | |
| 531 E. Bowen Drive | | March 2003 | |
| 715 E. Bowen Drive | | March 2003 | |
| 658 E. 42 nd Street | March 2003 | August 2003 | Permitted |
| 647 E. Bowen Drive | March 2003 | August 2003 | Permitted |
| 605 E. Bowen Drive | March 2003 | September 2003 | Permitted |
| 631 E. Bowen Drive | April 2003 | October 2003 | Not Permitted |
| 646 E. Bowen Drive | April 2003 | October 2003 | Not Permitted |
| 647 E. Bowen Drive | May 2003 | November 2003 | Not Permitted |
| 660 E. 42 nd Street | May 2003 | November 2003 | Not Permitted |
| 700 E. Bowen Drive | June 2003 | December 2003 | Not Permitted |

Office of Cook County Clerk's Office