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0319534102

Eugene "Gene" Moore Fee: \$114.00  
Cook County Recorder of Deeds  
Date: 07/14/2003 01:45 PM Pg: 1 of 19

# EXHIBIT

ATTACHED TO



DOCUMENT

SEE PLAT INDEX

Property of Cook County Clerk's Office

# UNOFFICIAL COPY

THIS INSTRUMENT PREPARED  
BY AND SHOULD BE RETURNED  
TO:

Brian Meltzer  
MELTZER, PURTILL & STELLE LLC  
1515 East Woodfield Road  
Second Floor  
Schaumburg, Illinois 60173-5431  
(847) 330-2400

ABOVE SPACE FOR RECORDER'S USE ONLY

PINS: 03-29-340-024-0000

03-30-419-020-0000

03-30-419-021-0000

03-30-419-043-0000

~~03-30-419-020-0000~~

ADDRESS: 151 and 171 West Wing Street  
Arlington Heights, IL  
60005

RECORDING FEE

DATE

OK BY

114  
7/14/03  
[Signature]

30343\008\0004

07/07/03

## RECHARACTERIZATION AMENDMENT NO. 1 TO DECLARATION FOR THE WING STREET CONDOMINIUM AND PROVISIONS RELATING TO CERTAIN NON-CONDOMINIUM PROPERTY AND SPECIAL AMENDMENT

This Recharacterization Amendment is made by and entered into by Village Green, L.L.C., an Illinois limited liability company ("Declarant").

### RECITALS

Declarant Recorded Declaration for the Wing Street Condominium and Provisions Relating to Certain Non-Condominium Property ("Declaration") on May 28, 2003, in the Office of the Recorder of Deeds for Cook County, Illinois, as Document No. 0314831023. The Declaration affects the Real Estate which is legally described in Exhibit A hereto.

In Article Twelve of the Declaration, Declarant reserved the right and power to add additional portions of the Real Estate to the Condominium Property as "Added Condominium Property" and to submit such portions to the provisions of the Act and to amend the Declaration to, among other things, correct errors in the Declaration or any Exhibit thereto. Declarant desires to exercise the rights and powers reserved in Article Twelve of the Declaration.

NOW, THEREFORE, Declarant hereby amends the Declaration as follows:

1. Terms. All Terms used herein, if not otherwise defined herein, shall have the meanings set forth in the Declaration.

|   |     |   |
|---|-----|---|
| F | 114 | A |
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|   |     |   |

[Signature]

8/17/05 RB

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2. Added Premises/Amendment of Exhibit A. There is no additional Premises which are being added with this Recharacterization Amendment No. 1. Exhibit A to the Declaration is hereby amended and restated to be as set forth in the First Amended and Restated Exhibit A to the Declaration ("First Amended and Restated Exhibit A") attached hereto. The Retail Property Cost Sharing Percentage shall be as set forth in Section C of the First Amended and Restated Exhibit A. That portion of the Premises which is legally described in Section D of the First Amended and Restated Exhibit A is hereby designated as Condominium Property. The Non-Designated Property is hereby recharacterized to be as set forth in Section E of the First Amended and Restated Exhibit A.

3. Added Condominium Property/Amendment of Exhibit B. The portion of the Premises which is legally described in the First Amendment to Exhibit B attached hereto is hereby made part of the Condominium Property as "Added Condominium Property" and is also submitted to the provisions of the Act. Exhibit B to the Declaration is hereby amended to include the Added Condominium Property which is legally described in the First Amendment to Exhibit B attached hereto.

4. The Added Dwelling Units/Amendment of Exhibit C. Exhibit C to the Declaration is hereby amended by adding to and making a part of Exhibit C the plat of the Added Condominium Property which is attached hereto, and designated as First Supplement to Exhibit C. Exhibit C, as hereby amended and supplemented, identifies each Added Unit and each Added Garage Space in the Condominium Property and assigns to it an identifying symbol.

5. Amendment of Exhibit D. To reflect the addition of the Added Units, the list of the Undivided Interests of the Units as shown in Exhibit D to the Declaration is hereby amended to be as set forth in the First Amended and Restated Exhibit D, which is attached hereto.

6. Special Amendment/Clarification of Section 2.04(b). Pursuant to Section 12.02 of the Declaration, Declarant hereby clarifies Section 2.04(b) of the Declaration by adding a new Subsection (b)(v) to read as follows:

“(v) The Retail Property Owner shall have a perpetual easement over the roof and other portions of the Common Elements for the installation, use, maintenance, repair and replacement of equipment used to transmit communication signals including, without limitation, cellular telephone and internet transmissions. The Retail Property Owner shall have the right to enter into leases or licenses with cellular telephone, internet service providers or other communication providers permitting them to install, use, maintain, repair and replace necessary equipment on the roof and/or other portions of the Common Elements pursuant to this easement and any proceeds from such leases or licenses shall be the sole property of the Retail Property Owner and the Condominium Association shall have no right or claim to any such proceeds.”

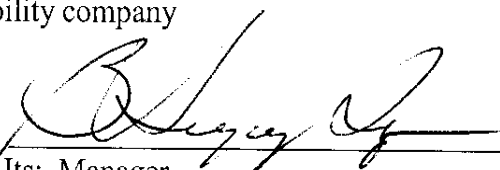
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7. Covenants to Run With Land. The covenants, conditions, restrictions and easements contained in the Condominium Declaration, as amended by this Recharacterization Amendment, shall run with and bind the Condominium Property, including the Added Condominium Property and Added Units.

8. Continuation. As expressly hereby amended, the Declaration shall continue in full force and effect in accordance with its terms.

Dated: July 8, 2003

VILLAGE GREEN, L.L.C., an Illinois limited liability company

By:   
Its: Manager

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**FIRST AMENDED AND RESTATED EXHIBIT A TO  
DECLARATION FOR WING STREET CONDOMINIUM  
AND PROVISIONS RELATING TO CERTAIN NON-CONDOMINIUM PROPERTY**

**The Premises**

**A. THE PREMISES:**

THAT PART OF THE WEST HALF OF THE SOUTHWEST QUARTER OF SECTION 29 AND THE NORTH HALF OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 30, TOWNSHIP 42 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHEAST CORNER OF LOT 4 IN BLOCK 19 IN MINOR'S ADDITION TO DUNTON, BEING A SUBDIVISION OF THE NORTH HALF OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 30; THENCE NORTH 89 DEGREES 50 MINUTES 49 SECONDS WEST 69.04 FEET; THENCE NORTH 00 DEGREES 16 MINUTES 47 SECONDS WEST, 132.55 FEET; THENCE SOUTH 89 DEGREES 51 MINUTES 20 SECONDS EAST, 201.00 FEET; THENCE SOUTH 89 DEGREES 21 MINUTES 53 SECONDS EAST, 39.76 FEET; THENCE SOUTH 00 DEGREES 38 MINUTES 34 SECONDS EAST, 141.79 FEET; THENCE NORTH 89 DEGREES 29 MINUTES 47 SECONDS WEST, 38.84 FEET; THENCE NORTH 89 DEGREES 29 MINUTES 47 SECONDS WEST, 131.98 FEET; THENCE NORTH 00 DEGREES 16 MINUTES 47 SECONDS EAST, 8.45 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS.

**B. THE RETAIL PROPERTY:**

THAT PART OF THE WEST HALF OF THE SOUTHWEST QUARTER OF SECTION 29 AND THE NORTH HALF OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 30, TOWNSHIP 42 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, BETWEEN ELEVATION 697.77 FEET AND ELEVATION 714.43 FEET, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF LOT 4 IN BLOCK 19 IN MINOR'S ADDITION TO DUNTON, BEING A SUBDIVISION OF THE NORTH HALF OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 30; THENCE NORTH 89 DEGREES 50 MINUTES 49 SECONDS WEST, 69.04 FEET; THENCE NORTH 00 DEGREES 16 MINUTES 47 SECONDS EAST, 132.55 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 89 DEGREES 51 MINUTES 20 SECONDS EAST, 201.00 FEET; THENCE SOUTH 89 DEGREES 21 MINUTES 53 SECONDS EAST, 39.76 FEET; THENCE SOUTH 00 DEGREE 38 MINUTES 34 SECONDS WEST, 5.87 FEET; THENCE NORTH 89 DEGREES 21



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MINUTES 26 SECONDS WEST, 6.33 FEET; THENCE SOUTH 00 DEGREES 00 MINUTES 00 SECONDS EAST, 81.00 FEET; THENCE (THE NEXT 14 COURSES WILL BE PERPENDICULAR TO PRECEDING COURSE) WESTERLY 176.33 FEET; THENCE NORTHERLY 11.83 FEET; THENCE EASTERLY 15.82 FEET; THENCE NORTH 33.33 FEET; THENCE WESTERLY 18.25 FEET; THENCE NORTHERLY 23.69 FEET; THENCE EASTERLY 9.17 FEET; THENCE SOUTHERLY 7.85 FEET; THENCE EASTERLY 9.08 FEET; THENCE NORTHERLY 19.00 FEET; THENCE WESTERLY 38.67 FEET; THENCE SOUTHERLY 3.50 FEET; THENCE WESTERLY 30.92 FEET; THENCE NORTHERLY 1.50 FEET; THENCE NORTH 89 DEGREES 43 MINUTES 13 SECONDS WEST, 4.40 FEET; THENCE NORTH 00 DEGREES 16 MINUTES 47 SECONDS EAST, 9.72 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY ILLINOIS.

EXCEPT THE FOLLOWING:

EXCEPTION #1:

COMMENCING AT THE SOUTHEAST CORNER OF LOT 4 IN BLOCK 19 IN MINOR'S ADDITION TO DUNTON, BEING A SUBDIVISION OF THE NORTH HALF OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 30; THENCE SOUTH 00 DEGREES 16 MINUTES 47 SECONDS WEST, 8.45 FEET; THENCE SOUTH 89 DEGREES 21 MINUTES 26 SECONDS EAST, 170.82 FEET; THENCE NORTH 00 DEGREES 38 MINUTES 34 SECONDS EAST, 55.30 FEET; THENCE NORTH 89 DEGREES 21 MINUTES 26 SECONDS WEST, 5.42 FEET; THENCE SOUTH 90 DEGREES 00 MINUTES 00 SECONDS WEST 80.42 FEET; THENCE NORTH 00 DEGREES 00 MINUTES 00 SECONDS EAST 7.00 FEET TO THE POINT OF BEGINNING; THENCE (THE NEXT 8 COURSES WILL BE PERPENDICULAR TO PRECEDING COURSE) WESTERLY 39.17 FEET; THENCE NORTHERLY 17.33 FEET; THENCE EASTERLY 10.92 FEET; THENCE NORTHERLY 46.67 FEET; THENCE EASTERLY 3.00 FEET; THENCE NORTHERLY 13.00 FEET; THENCE EASTERLY 25.25 FEET; THENCE SOUTHERLY 77.00 TO THE POINT OF BEGINNING, IN COOK COUNTY ILLINOIS.

EXCEPTION #2:

COMMENCING AT THE SOUTHEAST CORNER OF LOT 4 IN BLOCK 19 IN MINOR'S ADDITION TO DUNTON, BEING A SUBDIVISION OF THE NORTH HALF OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 30; THENCE SOUTH 00 DEGREES 16 MINUTES 47 SECONDS WEST, 8.45 FEET; THENCE SOUTH 89 DEGREES 21 MINUTES 26 SECONDS EAST, 170.82 FEET; THENCE NORTH 00 DEGREES 38 MINUTES 34 SECONDS EAST, 55.30 FEET; THENCE NORTH 89 DEGREES 21 MINUTES 26 SECONDS WEST, 5.42 FEET; THENCE SOUTH 90 DEGREES 00 MINUTES 00 SECONDS WEST 32.33 FEET; THENCE NORTHERLY 11.83 FEET TO THE POINT OF BEGINNING; THENCE (NEXT 4 COURSES WILL BE PERPENDICULAR TO PRECEDING COURSE) WESTERLY 8.25 FEET; THENCE NORTHERLY 21.33 FEET; THENCE



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EASTERLY 8.25 FEET; THENCE SOUTHERLY 21.33 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY ILLINOIS.

C. RETAIL PROPERTY COST SHARING PERCENTAGE:

Five and four-tenths Percent (5.4%)

D. THE CONDOMINIUM PROPERTY:

The real estate which is legally described on Exhibit B hereto, as Exhibit B may be supplemented and amended from time to time.

E. NON-DESIGNATED PROPERTY:

All of the Premises other than the Retail Property which is legally described in B. above and the Condominium Property which is legally described in D. above.

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**FIRST AMENDED AND RESTATED EXHIBIT D TO  
DECLARATION FOR WING STREET CONDOMINIUM  
AND PROVISIONS RELATING TO CERTAIN NON-CONDOMINIUM PROPERTY**

**Undivided Interests**

| Unit | Storage Area | Undivided Interest |
|------|--------------|--------------------|
| 201  |              | 4.5818%            |
| 202  |              | 4.5818%            |
| 203  |              | 2.8734%            |
| 204  |              | 9.4572%            |
| 205  |              | 3.0858%            |
| 206  |              | 2.9515%            |
| 207  |              | 1.5210%            |
| 208  |              | 3.8322%            |
| 210  |              | 13.6486%           |
|      |              |                    |
| 301  |              | 3.0139%            |
| 302  |              | 2.5111%            |
| 303  |              | 7.0773%            |
| 304  |              | 7.7456%            |
| 305  |              | 4.7130%            |
| 306  |              | 9.6789%            |
| 307  |              | 4.5287%            |
| 308  |              | 8.6732%            |
| 309  |              | 2.5111%            |
| 310  |              | <u>3.0139%</u>     |
|      | TOTAL:       | 100.0000%          |

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**FIRST AMENDMENT TO EXHIBIT B TO  
DECLARATION FOR WING STREET CONDOMINIUM  
AND PROVISIONS RELATING TO CERTAIN NON-CONDOMINIUM PROPERTY**

**The Parcel**

PARCEL 1:

THAT PART OF THE WEST HALF OF THE SOUTHWEST QUARTER OF SECTION 29 AND THE NORTH HALF OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 30, TOWNSHIP 42 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, BELOW ELEVATION 737.56, DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHEAST CORNER OF LOT 4 IN BLOCK 19 IN MINOR'S ADDITION TO DUNTON, BEING A SUBDIVISION OF THE NORTH HALF OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 30; THENCE NORTH 89 DEGREES 50 MINUTES 49 SECONDS WEST, 69.04 FEET; THENCE NORTH 00 DEGREES 16 MINUTES 47 SECONDS EAST, 132.55 FEET; THENCE SOUTH 89 DEGREES 51 MINUTES 20 SECONDS EAST, 201.00 FEET; THENCE SOUTH 89 DEGREES 21 MINUTES 53 SECONDS EAST, 39.76 FEET; THENCE SOUTH 00 DEGREES 38 MINUTES 34 SECONDS WEST, 142.16 FEET; THENCE NORTH 89 DEGREES 21 MINUTES 26 SECONDS WEST, 170.82 FEET; THENCE NORTH 00 DEGREES 16 MINUTES 47 SECONDS EAST, 8.45 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS.

EXCLUDING THE FOLLOWING RETAIL PROPERTY TAKEN AS A TRACT:

THAT PART OF THE WEST HALF OF THE SOUTHWEST QUARTER OF SECTION 29 AND THE NORTH HALF OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 30, TOWNSHIP 42 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, BETWEEN ELEVATION 697.77 FEET AND ELEVATION 714.43 FEET, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF LOT 4 IN BLOCK 19 IN MINOR'S ADDITION TO DUNTON, BEING A SUBDIVISION OF THE NORTH HALF OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 30; THENCE NORTH 89 DEGREES 50 MINUTES 49 SECONDS WEST, 69.04 FEET; THENCE NORTH 00 DEGREES 16 MINUTES 47 SECONDS EAST, 132.55 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 89 DEGREES 51 MINUTES 20 SECONDS EAST, 201.00 FEET; THENCE SOUTH 89 DEGREES 21 MINUTES 53 SECONDS EAST, 39.76 FEET; THENCE SOUTH 00 DEGREE 38 MINUTES 34 SECONDS WEST, 5.87 FEET; THENCE NORTH 89 DEGREES 21 MINUTES 26 SECONDS WEST, 6.33 FEET; THENCE SOUTH 00 DEGREES 00 MINUTES 00 SECONDS EAST, 81.00 FEET; THENCE (THE NEXT 14 COURSES

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WILL BE PERPENDICULAR TO PRECEDING COURSE) WESTERLY 176.33 FEET; THENCE NORTHERLY 11.83 FEET; THENCE EASTERLY 15.82 FEET; THENCE NORTH 33.33 FEET; THENCE WESTERLY 18.25 FEET; THENCE NORTHERLY 23.69 FEET; THENCE EASTERLY 9.17 FEET; THENCE SOUTHERLY 7.85 FEET; THENCE EASTERLY 9.08 FEET; THENCE NORTHERLY 19.00 FEET; THENCE WESTERLY 38.67 FEET; THENCE SOUTHERLY 3.50 FEET; THENCE WESTERLY 30.92 FEET; THENCE NORTHERLY 1.50 FEET; THENCE NORTH 89 DEGREES 43 MINUTES 13 SECONDS WEST, 4.40 FEET; THENCE NORTH 00 DEGREES 16 MINUTES 47 SECONDS EAST, 9.72 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY ILLINOIS.

EXCEPT THE FOLLOWING:

EXCEPTION #1:

COMMENCING AT THE SOUTHEAST CORNER OF LOT 4 IN BLOCK 19 IN MINOR'S ADDITION TO DUNTON, BEING A SUBDIVISION OF THE NORTH HALF OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 30; THENCE SOUTH 00 DEGREES 16 MINUTES 47 SECONDS WEST, 8.45 FEET; THENCE SOUTH 89 DEGREES 21 MINUTES 26 SECONDS EAST, 170.82 FEET; THENCE NORTH 00 DEGREES 38 MINUTES 34 SECONDS EAST, 55.30 FEET; THENCE NORTH 89 DEGREES 21 MINUTES 26 SECONDS WEST, 5.42 FEET; THENCE SOUTH 90 DEGREES 00 MINUTES 00 SECONDS WEST 80.42 FEET; THENCE NORTH 00 DEGREES 00 MINUTES 00 SECONDS EAST 7.00 FEET TO THE POINT OF BEGINNING; THENCE (THE NEXT 8 COURSES WILL BE PERPENDICULAR TO PRECEDING COURSE) WESTERLY 39.17 FEET; THENCE NORTHERLY 17.33 FEET; THENCE EASTERLY 10.92 FEET; THENCE NORTHERLY 46.67 FEET; THENCE EASTERLY 3.00 FEET; THENCE NORTHERLY 13.00 FEET; THENCE EASTERLY 25.25 FEET; THENCE SOUTHERLY 77.00 TO THE POINT OF BEGINNING, IN COOK COUNTY ILLINOIS.

EXCEPTION #2:

COMMENCING AT THE SOUTHEAST CORNER OF LOT 4 IN BLOCK 19 IN MINOR'S ADDITION TO DUNTON, BEING A SUBDIVISION OF THE NORTH HALF OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 30; THENCE SOUTH 00 DEGREES 16 MINUTES 47 SECONDS WEST, 8.45 FEET; THENCE SOUTH 89 DEGREES 21 MINUTES 26 SECONDS EAST, 170.82 FEET; THENCE NORTH 00 DEGREES 38 MINUTES 34 SECONDS EAST, 55.30 FEET; THENCE NORTH 89 DEGREES 21 MINUTES 26 SECONDS WEST, 5.42 FEET; THENCE SOUTH 90 DEGREES 00 MINUTES 00 SECONDS WEST 32.33 FEET; THENCE NORTHERLY 11.83 FEET TO THE POINT OF BEGINNING; THENCE (NEXT 4 COURSES WILL BE PERPENDICULAR TO PRECEDING COURSE) WESTERLY 8.25 FEET; THENCE NORTHERLY 21.33 FEET; THENCE EASTERLY 8.25 FEET; THENCE SOUTHERLY 21.33 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY ILLINOIS.

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PARCEL 2:

THAT PART OF THE WEST HALF OF THE SOUTHWEST QUARTER OF SECTION 29 AND THE NORTH HALF OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 30, TOWNSHIP 42 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, BETWEEN ELEVATION 737.56 FEET AND ELEVATION 746.53 FEET, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF LOT 4 IN BLOCK 19 IN MINOR'S ADDITION TO DUNTON, BEING A SUBDIVISION OF THE NORTH HALF OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 30; THENCE NORTH 89 DEGREES 50 MINUTES 49 SECONDS WEST, 69.04 FEET; THENCE NORTH 00 DEGREES 16 MINUTES 47 SECONDS EAST, 132.55 FEET; THENCE SOUTH 89 DEGREES 51 MINUTES 20 SECONDS EAST, 114.36 FEET; THENCE SOUTH 00 DEGREES 08 MINUTES 40 SECONDS EAST, 2.45 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 90 DEGREES 00 MINUTES 00 SECONDS EAST 40.00 FEET; THENCE (THE NEXT 3 COURSES WILL BE PERPENDICULAR TO PRECEDING COURSE) SOUTHERLY 45.63 FEET; THENCE WESTERLY 40.00 FEET; THENCE NORTHERLY 45.63 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY ILLINOIS.

Cook County Clerk's Office

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**EXHIBIT C TO  
DECLARATION FOR WING STREET CONDOMINIUM  
AND PROVISIONS RELATING TO CERTAIN NON-CONDOMINIUM PROPERTY**

**Plat of Survey**

*[See attached]*

Property of Cook County Clerk's Office