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Doc#: 0325144064
Eugene "Gene" Moore Fee: \$106.00
Cook County Recorder of Deeds
Date: 09/08/2003 10:11 AM Pg: 1 of 17

EXHIBIT

ATTACHED TO

DOCUMENT

SEE PLAT INDEX

Property of Cook County Clerk's Office

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THIRD AMENDMENT TO Declaration of Condominium Ownership and of Easements, Restrictions, Covenants and By-laws For *The Metro Condominium* and the *The Metro Condominium Association*

This Instrument Prepared by
and after Recording Return to
David S. Dordek and Glenn Seiden
Dordek, Rosenberg & Associates, P.C.,
8424 Skokie Boulevard, Skokie, Illinois
60077

Permanent Real Estate Tax Numbers:
17-17-105-022 through 17-17-105-028

Address of Property
1200 West Monroe Street
Chicago, Illinois 60607-2509

Send Tax Bills to
The Metro, LLC
5000 West Roosevelt
Chicago, Illinois 60644

THIS THIRD AMENDMENT TO DECLARATION OF CONDOMINIUM FOR "*The Metro Condominium*" (this "THIRD AMENDMENT") is made this September 2nd, 2003 by The Metro, LLC, an Illinois Limited Liability Company ("Declarant") and Oculus Development, LLC., an Illinois Limited Liability Company ("Developer")

RECITALS

- I. The Declaration of Condominium for The Metro Condominium (the "Original Declaration") was recorded in the Office of the Recorder of Deeds of Cook County, Illinois (the "Recorder's Office") on May 30, 2003, as Document No. 0315027090
- II. The First Amendment to the Declaration of Condominium for *The Metro Condominium* was recorded in the Recorder's Office on July 10, 2003 as document 0319110056 (the "First Amendment")
- III. The Second Amendment to the Declaration of Condominium for *The Metro Condominium* was recorded in the Recorder's Office on August 19, 2003 as document 0323119059 (the "Second Amendment")
- IV. Capitalized terms used in this Third Amendment but not otherwise defined in this Third Amendment shall have the same meanings ascribed to such terms in the Declaration.
- V. Pursuant to Section 13.12 of the Declaration, Declarant reserved the right to modify the

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RECORDING FEE _____

DATE 9/8/03

OK BY [Signature]

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- Declaration to correct clerical or typographical errors in the Declaration and to amend the Plat to reflect the actual location, dimensions and elevations of those Units and Limited Common Elements located on the Property which were not substantially completed by Declarant on the date of recording of the Declaration or any Amendment thereto.
- V. Pursuant to Article 14 of the Declaration, Declarant reserved the right to add-on and annex to the Property the Additional Parcel, and to reallocate percentage interests in the Common Elements by recording an amendment to the Declaration. ✓
- VI. Declarant desires to add-on and annex to the Property a Sixth Floor to the condominium, so that the Parcel is now legally described as set forth in this Third Amended Exhibit D, and platted as set forth in the Third Amended Exhibit B both attached hereto and made a part hereof, and to submit the new property to the provisions of the Act, and to reallocate the percentage interests of the Unit Owners in the Common Elements, as set forth in Third Amended Exhibit C, attached hereto and made part hereof, all in accordance with the provisions of Article 14 of the Declaration. Declarant has the right pursuant to the Declaration to make corrections. ✓
- VII. Declarant is the owner of the property which is being added.
- VIII. Pursuant to the provisions of Section 28(e) of the Declaration, the Unit Owners and their mortgagees have consented to this Second Amendment. ✓

NOW, THEREFORE, Declarant hereby declares as follows:

The foregoing recitals are hereby incorporated in and made a part of this Amendment.

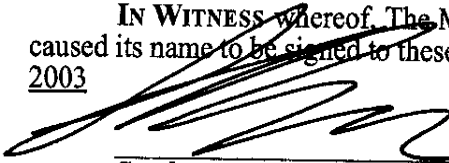
1. The Plat attached as Exhibit B to the Declaration is hereby deleted and replaced by Third Amended Exhibit B Fourth Floor (Pages 1 to 6)
2. Exhibit C to the Declaration is hereby deleted and replaced by Third Amended Exhibit C.
3. Exhibit D to the Declaration is hereby deleted and replaced by Third Amended Exhibit D.
4. The Declaration, as modified and amended by this Second Amendment and all prior Amendments, is hereby ratified and confirmed, and is in full force and effect.

[SIGNATURE PAGES FOLLOW]

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Declarant's Signature

IN WITNESS whereof, The Metro LLC,, an Illinois Limited Liability Company has caused its name to be signed to these presents by its Manager, this 4th Day of September, 2003


Stephen E. Barron, Manager, The Metro, LLC

ACKNOWLEDGMENT

State of Illinois

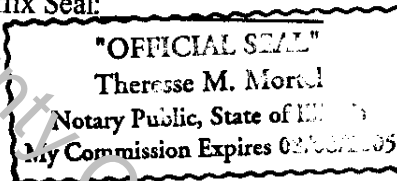
SS

County of Cook

I, Therese Mordel, a Notary Public, in and for the County and State aforesaid, DO HEREBY CERTIFY that Stephen E Barron, as Manager of The Metro, LLC, an Illinois 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 to me that he, being thereunto duly authorized, signed and delivered said instrument as the free and voluntary act of said Limited Liability Company and as (his/her/their) own free and voluntary act, for the uses and purposes set forth therein.

GIVEN under my hand and notarial seal this ___ day of September, 2003

Notary: Therese Mordel Affix Seal:



Certificate of Developer

Oculus Development, LLC, an Illinois Limited Liability Company hereby certifies that prior to the execution by it or its agent of any agreement for the sale of a Unit, no Notice of Intent was required by the Act as there were no tenants of the Property.

Dated 9-4-03

By: 
Stephen Barron, its Manager

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Consent of Mortgagee

INDYMAC BANK, FSB d/b/a Construction Lending Corporation of America holder of the mortgage on the Property dated November 7, 2001 and recorded on November 14, as document no 0011068415, hereby consents to the execution and recording of the within **THIRD AMENDMENT TO DECLARATION OF CONDOMINIUM OWNERSHIP AND OF EASEMENTS, RESTRICTIONS, COVENANTS AND BY-LAWS FOR THE METRO CONDOMINIUM AND THE METRO CONDOMINIUM ASSOCIATION**

In witness whereof the undersigned, Steven F. Rosen a Vice President has caused this Consent of Mortgagee to be signed by its duly authorized officers on its behalf; all done at Chicago, Illinois on this 4 day of SEPTEMBER, 2003.

By



Its Vice President

ACKNOWLEDGMENT

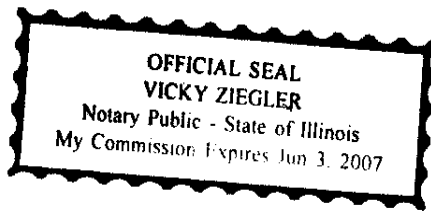
State of Illinois }

SS

County of Cook }

I, Vicky Ziegler, a Notary Public, in and for the County and State aforesaid, DO HEREBY CERTIFY that Steven F. Rosen as Vice President of INDYMAC BANK, FSB d/b/a Construction Lending Corporation of America, personally known to me to be the same person(s) whose name(s) (is/are) subscribed to the foregoing instrument, appeared before me this day in person and (severally) acknowledged to me that (he/she/they) being thereunto duly authorized, signed and delivered said instrument as the free and voluntary act of said entity and as his own free and voluntary act, for the uses and purposes set forth therein.

Vicky Ziegler
Notary, My commission expires 6-3-07



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THIRD AMENDED EXHIBIT C UNIT

OWNER'S PERCENTAGE OF OWNERSHIP IN THE COMMON ELEMENTS

<u>Unit Number</u>	<u>Limited Common Element Parking Space</u>	<u>Percentage Ownership</u>
301	LCEPS-46	1.65336%
302	LCEPS-139	1.40556%
303	LCEPS-142	1.40556%
304	LCEPS-140	1.40556%
305	LCEPS-99	1.40556%
306	LCEPS-98	1.40556%
307	LCEPS-96	1.40556%
308	LCEPS-131	1.62636%
309	LCEPS-147	0.95486%
310	LCEPS-123	1.08106%
311	LCEPS-30	1.14866%
312	LCEPS-64	0.97296%
313	LCEPS-124	1.12166%
314	LCEPS-152	1.02246%
315	LCEPS-78	1.02246%
316	LCEPS-151	1.02246%
317	LCEPS-145	1.02246%
318	LCEPS-150	1.02246%
319	LCEPS-85, 85A	1.06744%
320	LCEPS-95	1.59926%
401	LCEPS-156	1.56326%
402	LCEPS-73	1.43256%
403	LCEPS-117	1.43256%
404	LCEPS-135	1.43256%
405	LCEPS-104	1.43256%
406	LCEPS-103	1.43256%
407	LCEPS-61	1.43256%
408	LCEPS-153	1.65336%
409	LCEPS-74	0.98196%
410	LCEPS-146	1.10806%
411	LCEPS-102	1.19376%
412	LCEPS-100	0.99996%
413	LCEPS-148	1.14866%
414	LCEPS-75	0.95486%
415	LCEPS-138	0.95486%
416	LCEPS-92	0.95486%
417	LCEPS-118	0.95486%
418	LCEPS-125	0.95486%
419	LCEPS-91	0.95486%
420	LCEPS-93, 93A	1.55414%

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<u>Unit Number</u>	<u>Limited Common Element: Parking Space</u>	<u>Percentage Ownership</u>
501	LCEPS-37	1.58576%
502	LCEPS-50	1.45506%
503	LCEPS-154	1.45506%
504	LCEPS-114	1.45506%
505	LCEPS-56	1.45506%
506	LCEPS-112	1.45506%
507	LCEPS-55	1.45506%
508	LCEPS-113	1.67586%
509	LCEPS-76	0.99546%
510	LCEPS-105	1.13066%
511	LCEPS-66	1.21626%
512	LCEPS-127	1.02246%
513	LCEPS-149	1.17116%
514	LCEPS-86	0.96836%
515	LCEPS-87	0.96836%
516	LCEPS-88	0.96836%
517	LCEPS-89	0.96836%
518	LCEPS-90	0.96836%
519	LCEPS-20	0.96836%
520	LCEPS-115	1.53166%
601	LCEPS-59	1.61736%
602	LCEPS-110	1.48666%
603	LCEPS-109	1.48666%
604	LCEPS-108	1.48666%
605	LCEPS-130	1.48666%
606	LCEPS-72	1.48666%
607	LCEPS-62	1.48666%
608	LCEPS-4	2.16036%
609	LCEPS-122	1.59026%
611	LCEPS-31	1.24776%
612	LCEPS-120	1.04506%
613	LCEPS-111	1.19376%
614	LCEPS-83	0.98646%
615	LCEPS-82	0.98646%
616	LCEPS-81	0.98646%
617	LCEPS-80	0.98646%
618	LCEPS-79	0.98646%
619	LCEPS-19	0.98646%
620	LCEPS-155	1.55446%
PSU-60		0.11266%
PSU-97		0.11266%

UNOFFICIAL COPY**THIRD AMENDED EXHIBIT D Legal Description of Condominium Property**

Units 301 through 320 and 401 through 420 and 501 through 520 and 601 through 609 and 611 through 620 and parking units PSU 60, 97, 116, 121 and 143 in the Metro Condominium as delineated on a survey of the following described real estate:

LOTS 13 AND 14 IN ASSESSOR'S DIVISION OF BLOCK 3 AND SUB-LOTS 2, 3 AND 4 IN ASSESSOR'S DIVISION OF LOT 1 IN BLOCK 3, LYING BELOW A HORIZONTAL PLANE OF +78.94 CITY OF CHICAGO DATUM, IN CANAL TRUSTEES' SUBDIVISION OF THE WEST HALF OF THE WEST HALF OF THE NORTHEAST QUARTER OF SECTION 17, TOWNSHIP 39 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, (EXCEPT THAT PART THEREOF LYING BELOW A HORIZONTAL PLANE OF +26.65 CITY OF CHICAGO DATUM AND LYING ABOVE A HORIZONTAL PLANE OF +15.35 CITY OF CHICAGO DATUM, DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT 14; THENCE WEST ALONG THE SOUTH LINE OF SAID LOT 14, A DISTANCE OF 20.88 FEET TO THE POINT OF BEGINNING; THENCE NORTH 00 DEGREES 00 MINUTES 00 THIRDS EAST, A DISTANCE OF 28.34 FEET; THENCE NORTH 90 DEGREES 00 MINUTES 00 THIRDS WEST, A DISTANCE OF 10.29 FEET; THENCE NORTH 00 DEGREES 00 MINUTES 00 THIRDS EAST, A DISTANCE OF 26.46 FEET; THENCE NORTH 90 DEGREES 00 MINUTES 00 THIRDS WEST, A DISTANCE OF 24.53 FEET; THENCE SOUTH 00 DEGREES 00 MINUTES 00 THIRDS WEST, A DISTANCE OF 15.98 FEET; THENCE NORTH 90 DEGREES 00 MINUTES 00 THIRDS WEST, A DISTANCE OF 2.07 FEET; THENCE SOUTH 00 DEGREES 00 MINUTES 00 THIRDS WEST, A DISTANCE OF 38.82 FEET TO A POINT ON THE SOUTH LINE OF SAID LOTS 13 AND 14; THENCE SOUTH 90 DEGREES 00 MINUTES 00 THIRDS EAST, A DISTANCE OF 36.80 FEET TO THE POINT OF BEGINNING, ALL IN COOK COUNTY, ILLINOIS.

V:\WPdocs\OCULUS\Racine & Monroe\Condo Docs\THE METRO THIRD AMENDMENT TO DECLARATION9-3-03.wpd