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Doc#: 0329010159
Eugene "Gene" Moore Fee: \$86.00
Cook County Recorder of Deeds
Date: 10/17/2003 01:47 PM Pg: 1 of 12

AMENDMENT TO DECLARATION OF CONDOMINIUM OWNERSHIP

This Amendment to the Declaration of Condominium of **823 North Winchester Condominiums** (the "Amendment") is entered into by and between **823 N Winchester LLC**, an Illinois limited liability company ("the "Declarant"), and **Jennifer Tyma, Jon Tauber and Christian West** (collectively the "Unit Owners") as of this 15th day of October, 2003.

WITNESSETH

WHEREAS, the property located at 823 North Winchester in Chicago, Illinois and legally described on Exhibit A attached hereto has heretofore been subjected to the Illinois Condominium Property Act (765 ILCS 605/1 et seq.) (the "Act") pursuant to the Declaration of Condominium of 823 North Winchester Condominiums dated July 22, 2003, and recorded in the Office of the Recorder of Deeds of Cook County, Illinois on July 22, 2003 as Document 0320311289 (the "Declaration"); and

WHEREAS, the Declaration provides in the last sentence of Section 4 Paragraph (b) that "Limited Common Elements shall include, but shall not be limited to, the interior surface of the perimeter walls, ceilings and floor which define the boundary planes of a Unit."; and

WHEREAS, the Declarant and the Unit Owners have agreed to amend the Declaration to cause the last sentence of Section 4 Paragraph (b) to be amended to provide that "Limited Common Elements shall include, but shall not be limited to, the interior surface of the perimeter walls, ceilings and floor which define the boundary planes of a Unit and the porch appurtenant to each Unit as indicated on the Plat. "; and

WHEREAS, the plat of survey originally attached as Exhibit A to the Declaration did not reflect the existence of Limited Common Element porches appurtenant to each Unit as aforesaid; and

WHEREAS, the Declarant and the Unit Owners have agreed to amend the Declaration to replacing the Plat of Survey attached to the Declaration with the amended Plat of Survey attached hereto and incorporated herein as Exhibit B (the "Plat")

CHICAGO TITLE D-12-MAR-8135913

RECORDING FEE 86
DATE 10/17/03 COPIES 0
OK [Signature]

[Signature]
[Signature]
[Signature]

12

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AGREEMENT

NOW THEREFORE, in consideration of Ten Dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties hereto do hereby agree as follows:

1. Preambles. The preambles to this Amendment form a part hereof as the mutual representations and agreements of the parties as fully and with the same effect as if set forth herein at length.

2. Amendment to Declaration. The Declaration is hereby amended, in accordance with the provisions of Section 17 of the Act, so that, from and after the recordation date hereof, the porch adjacent to each Unit shall be a Limited Common Element appurtenant to that Unit.

3. Certificate of Delivery. The Declarant and Unit Owners hereto certifies that a copy of this Amendment has been delivered to the Board of Directors of the Association and all Unit Owners.

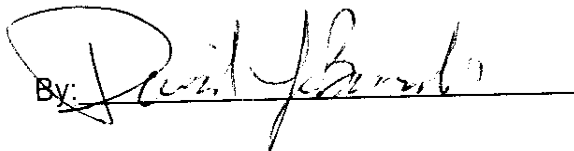
4. Plat. The Plat attached hereto and incorporated herein as Exhibit B shall be deemed to supercede and replace the plat of survey originally attached as Exhibit A to the Declaration.

5. Miscellaneous. This Amendment may be executed in one or more counterparts by the parties, all of which, when taken together, shall constitute one and the same instrument.

IN WITNESS WHEREOF, this Amendment has been executed as of the day and year first above written.

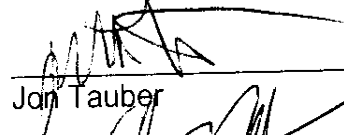
Declarant:

**823 N Winchester LLC,
an Illinois limited liability company**

By: 

Unit Owners:

Jennifer Tyma



Jon Tauber



Christian West

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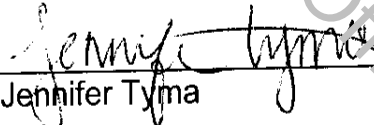
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Declarant:

823 N Winchester LLC,
an Illinois limited liability company

By: _____

Unit Owners:



Jennifer Tyma

Jon Tauber

Christian West

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STATE OF ILLINOIS)
)SS.
COUNTY OF COOK)

I, Gail Candela, a Notary Public in and for the County and State aforesaid, do hereby certify that David Labonski, a Manager of **823 N Winchester LLC, an Illinois limited liability company**, personally known to me to be the same person whose name is subscribed to the foregoing instrument as such Manager, appeared before me this day in person and acknowledged that he signed and delivered the said instrument as his own free and voluntary act, and as the free and voluntary act of said limited liability company, for the uses and purposes therein set forth.

Given under my hand and Notarial Seal this 15th day of October, 2003.

Gail L. Candela
Notary Public

My commission expires:



**THIS INSTRUMENT WAS PREPARED BY
AND SHOULD BE RETURNED TO:**
Ari J. Rotenberg
Field and Goldberg, LLC
10 South LaSalle Street, Suite 2910
Chicago, IL 60603

Property of Cook County Clerk's Office

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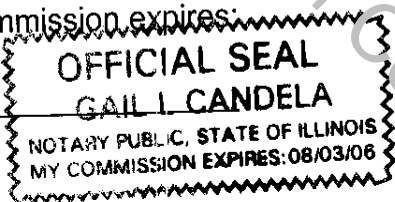
STATE OF ILLINOIS)
)SS.
COUNTY OF COOK)

I, Gail L. Candela, a Notary Public in and for the County and State aforesaid, do hereby certify that **Jon Tauber** 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 and delivered the said instrument as his own 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 15th day of October, 2003.

Gail L. Candela
Notary Public

My commission expires:



Property of Cook County Clerk's Office

UNOFFICIAL COPY

STATE OF ILLINOIS)
)SS.
COUNTY OF COOK)

I, Gail L. Candela, a Notary Public in and for the County and State aforesaid, do hereby certify that **Christian West** 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 and delivered the said instrument as his own 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 15th day of October, 2003.

Gail L. Candela
Notary Public

My commission expires:



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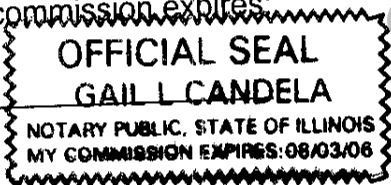
STATE OF ILLINOIS)
)SS.
COUNTY OF COOK)

I, Gail L. Candela, a Notary Public in and for the County and State aforesaid, do hereby certify that **Jennifer Tyma** 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 she signed and delivered the said instrument as her own 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 15th day of October, 2003.

Gail L. Candela
Notary Public

My commission expires:



Property of Cook County Clerk's Office

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EXHIBIT A

Legal Description

UNIT 1, UNIT 2 AND UNIT 3 IN THE 823 N. WINCHESTER CONDOMINIUM AS DELINEATED ON A SURVEY OF THE FOLLOWING DESCRIBED REAL ESTATE:

THE NORTH 27 1/2 FEET OF THE SOUTH 55 FEET OF THE NORTH 105 FEET OF SUBDIVISION OF BLOCK 7 IN SUPERIOR COURT PARTITION OF BLOCKS 2, 4, AND 7 AND THE WEST 1/2 OF BLOCK 3 AND THE SOUTH 1/2 OF BLOCK 8 IN COCHRAN AND OTHER'S SUBDIVISION OF THE WEST 1/2 OF THE SOUTH EAST 1/4 OF SECTION 6, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS

WHICH SURVEY IS ATTACHED AS APPENDIX "B" TO THE DECLARATION OF CONDOMINIUM RECORDED AS DOCUMENT 0320311289 TOGETHER WITH ITS UNDIVIDED PERCENTAGE INTEREST IN THE COMMON ELEMENTS, ALL IN COOK COUNTY, ILLINOIS

Cook County Clerk's Office