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DOCUMENT

WITH THIS EXHIBIT



Doc#: 0329345029
Eugene "Gene" Moore Fee: \$86.00
Cook County Recorder of Deeds
Date: 10/20/2003 12:04 PM Pg: 1 of 1

EXHIBIT

ATTACHED TO

DOCUMENT

WITH THIS EXHIBIT

DOCUMENT

SEE PLAT INDEX

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AMENDMENT TO DECLARATION OF CONDOMINIUM OWNERSHIP AND OF EASEMENTS, RESTRICTIONS, COVENANTS AND BY-LAWS FOR THE WESTERN-LEXINGTON CONDOMINIUM

**THIS INSTRUMENT PREPARED BY AND
AFTER RECORDING RETURN TO:**

THOMAS S. MOORE, ESQ.
ANDERSON & MOORE, P.C.
111 WEST WASHINGTON STREET
SUITE 1100
CHICAGO, ILLINOIS 60602
312.251.1500 TELEPHONE
312.251.1509 FACSIMILE

**PERMANENT REAL ESTATE INDEX
NUMBER:**

16-13-411-050

ADDRESS OF PROPERTY:

2505 and 2407 West Lexington
746 South Western
Chicago, Illinois 60622

RECORDING FEE 86
DATE 10/20 COPIES 10
OK BY T. Monda

12 PGS

F 86 TA
I.M. (NM)

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THIS AMENDMENT TO THE DECLARATION amends the Declaration of Condominium (original Declaration) previously recorded as Cook County Recorder's Document Number 0311903109 which was made and entered into by **Western-Lexington, LLC**, (hereinafter referred to as the "Developer") and **Cosmopolitan Bank and Trust**, not personally but solely as Trustee under Trust Agreement dated October 22, 2001, and known as Trust No. 31379 (hereinafter referred to as the "Trustee" and the Developer jointly as the "Declarants");

RECITALS:

WHEREAS, the Original Declaration was limited to a parcel of real estate in the City of Chicago, County of Cook, Illinois, which was legally described as:

Parcel 1:

The East 23.75 feet of the West 47.50 feet of Lots 20, 21, 22, 23 and 24 (except the South 2 feet of Lot 24 thereof) in Rawson's Subdivision of the Southeast 1/4 of the Northeast 1/4 of the Southeast 1/4 of Section 13, Township 39 North, Range 13, East of the Third Principal Meridian, in Cook County, Illinois.

Known as: 2405 W. Lexington Street, Chicago, Illinois

Parcel 2:

The West 23.75 feet of Lots 20, 21, 22, 23 and 24 (except the South 2 feet of Lot 24 thereof) in Rawson's Subdivision of the Southeast 1/4 of the Northeast 1/4 of the Southeast 1/4 of Section 13, Township 39 North, Range 13, East of the Third Principal Meridian, in Cook County, Illinois.

Known as: 2407 W. Lexington Street, Chicago, Illinois

WHEREAS, in addition to the above described property the Declarants desire and intend by this AMENDMENT TO DECLARATION to add an additional parcel of real estate situated in the City of Chicago, Cook County, Illinois (hereinafter called the "Parcel") and collectively legally described on *Amended Exhibit A* attached hereto and by this reference made a part hereof; and

WHEREAS, the Declarants desire and intend by this Amendment to Declaration to submit the entire Property, as hereinafter defined, to the provisions of the Condominium Property Act of the State of Illinois, as amended from time to time (hereinafter called the "Act") and desires to establish, for its own benefit and that of all future owners or occupants of the Property,

AmendedDecls.wpd

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and each part thereof, certain easements and rights in, over and upon the Property and certain mutually beneficial restrictions and obligations with respect to the use and maintenance thereof; and

WHEREAS, the name of the resulting combined Condominium shall be the Western-Lexington Condominium; and,

WHEREAS, the Declarants desire and intend that the several owners, mortgagees, occupants, and other persons acquiring any interest in the Property shall at all times enjoy the benefits of, and shall at all times hold their interests subject to, the rights, easements, privileges, and restrictions hereinafter set forth, all of which are declared to be in furtherance of a plan to promote and protect the cooperative aspect of ownership and to facilitate the proper administration of such Property and are established for the purpose of enhancing and perfecting the value, desirability and attractiveness of the Property.

NOW, THEREFORE, the Declarants, as the legal title holder of the Parcel, and for the purposes above set forth, **DECLARES AS FOLLOWS**:

ARTICLE A-1 ORIGINAL DECLARATION

All of the provisions of the Original Declaration recorded under Cook County Recorder No. 0311903109 continue in full force and effect unless specifically amended by this **AMENDMENT TO DECLARATION**.

ARTICLE A-2

The legal description attached hereto as Amended Exhibit A amends and is hereby substituted for the legal description attached to the Original Declaration as Exhibit A.

ARTICLE A-3

The Plat of Survey attached hereto as Amended Exhibit B amends and is hereby substituted for the Plat of Survey attached to the Original Declaration as Exhibit B.

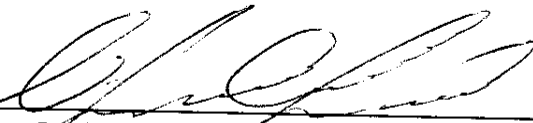
ARTICLE A-4

The Percentage of Ownership attached hereto as Amended Exhibit C amends and is hereby substituted for the Percentage of Ownership attached to the Original Declaration as Exhibit C.

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IN WITNESS WHEREOF, the Declarants have executed this Declaration as of this 8th day of October, 2003.

Developer: Western-Lexington, LLC

By: 
Its Authorized Agent

TRUSTEE

Cosmopolitan Bank and Trust not personally but solely as Trustee under Trust No. 31379 created pursuant to Trust Agreement dated October 22, 2001

** for signatures, notary and exculpatory provisions of the trustee, see rider attached hereto, which is expressly incorporated herein and made a part hereof

ATTEST:

By: see next page

Its:

Its: _____

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This instrument is executed by COSMOPOLITAN BANK AND TRUST, not personally, but solely as Trustee, in exercise of the power and authority conferred upon and vested in it as such Trustee. All the terms, provisions, stipulations, covenants and conditions to be performed by COSMOPOLITAN BANK AND TRUST are undertaken by it solely as Trustee, as aforesaid, and not individually, and all statements herein made are made on information and belief and are to be construed accordingly, and no personal liability shall be asserted or be enforceable against COSMOPOLITAN BANK AND TRUST by reason of any of the terms, provisions, stipulations, covenants, conditions, and/or statements contained in this instrument.

IN WITNESS WHEREOF, COSMOPOLITAN BANK AND TRUST, not personally, but as Trustee as aforesaid, has caused these presents to be signed by its Vice President/Trust Officer and Land Trust Administrator this 8th day of October, 2003.

COSMOPOLITAN BANK AND TRUST,
AS TRUSTEE AS AFORESAID AND NOT PERSONALLY.

ATTEST:

BY:

Jeanne Bohace
Sr. Land Trust Administrator

[Signature]
V.P./Trust Officer

Subscribed and Sworn to before me
this 10th day of Oct, 2003.

Alison Cook
Notary Public



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STATE OF ILLINOIS)
) SS
 COUNTY OF COOK)

I, the undersigned, a notary public in and for said County, in the State aforesaid, DO HEREBY CERTIFY that **Viktor Jakovljevic**, personally known to me to be the same person whose name is subscribed to the foregoing Agreement, appeared before me this day in person and acknowledged that he signed, sealed and delivered said instrument, as his free and voluntary act, for the uses and purposes therein set forth.

GIVEN under my hand and notarial seal this 9th day of October, 2003

Bylle L Skoczek Notary Public



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AMENDED EXHIBIT A

Parcel 1:

The east 23.75 feet of the West 47.50 feet of Lots 20, 21, 22, 23 and 24 (except the South 2 feet of Lot 24 thereof) in Rawson's Subdivision of the Southeast 1/4 of the Northeast 1/4 of the Southeast 1/4 of Section 13, Township 39 North, Range 13, East of the Third Principal Meridian, in Cook County, Illinois.

Known as: 2405 W. Lexington Street, Chicago, Illinois

Parcel 2:

The West 23.75 feet of Lots 20, 21, 22, 23 and 24 (except the South 2 feet of Lot 24 thereof) in Rawson's Subdivision of the Southeast 1/4 of Northeast 1/4 of the Southeast 1/4 of Section 13, Township 39 North, Range 13, East of the Third Principal Meridian, in Cook County, Illinois.

Known as: 2407 W. Lexington Street, Chicago, Illinois

Parcel 3:

The South 2 feet of Lot 24 (except the East 17 feet taken for street widening of South Western Avenue) and Lot 25 (except the South 1 foot and except the East 17 feet taken for street widening of South Western Avenue) in Rawson's Subdivision of the Southeast 1/4 of the Northeast 1/4 of the Southeast 1/4 of Section 13, Township 39 North, Range 13, East of the Third Principal Meridian, in Cook County, Illinois.

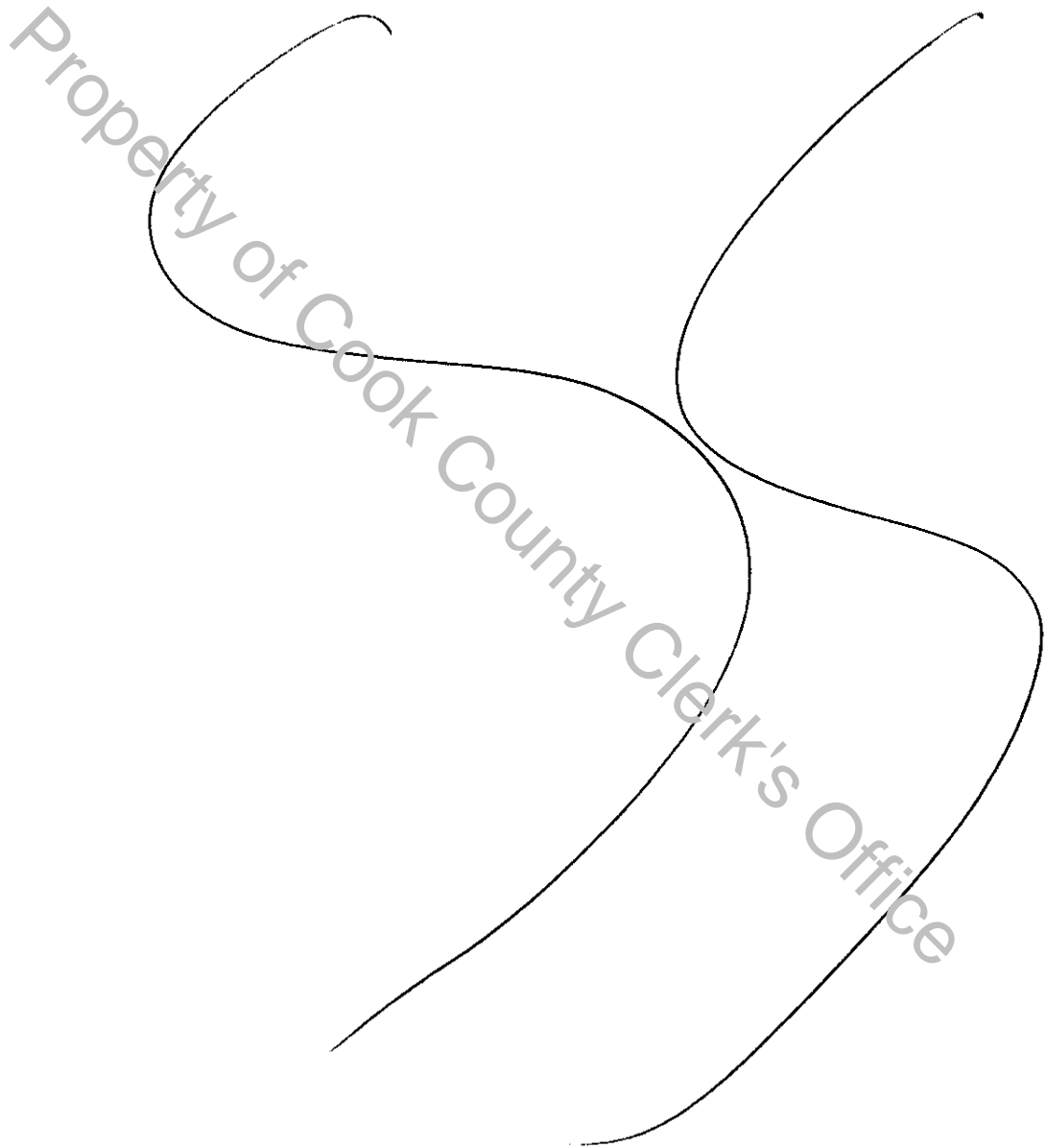
Known as: 746 S. Western Avenue, Chicago, Illinois

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AMENDED EXHIBIT B

SURVEY OF UNITS

(To be attached prior to recording)



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AMENDED EXHIBIT C

PERCENTAGE OF OWNERSHIP

UNIT	PARKING* SPACE	STORAGE* SPACE	PERCENTAGE OF OWNERSHIP
2405-1	P-3 (2405)	S-4	10.56%
2405-2	P-1 (2405)	S-3	7.39%
2405-3	P-2 (2405)	S-2	7.39%
2405-4	P-4 (2405)	S-1	7.39%
2407-1	P-3 (2407)	S-4	10.57%
2407-2	P-1 (2407)	S-3	7.38%
2407-3	P-2 (2407)	S-2	7.38%
2407-4	P-4 (2407)	S-1	7.38%
746-1	P-3 (746)	S-4	11.00%
746-2	P-1 (746)	S-3	7.91%
746-3	P-2 (746)	S-2	7.77%
746-4	P-4 (746)	S-1	7.89%
TOTAL			100%