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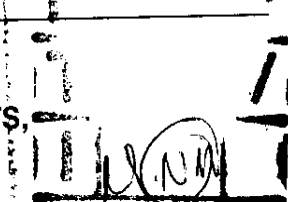
Doc#: 0401331130
Eugene "Gene" Moore Fee: \$108.00
Cook County Recorder of Deeds
Date: 01/13/2004 01:32 PM Pg: 1 of 17

This Document is prepared by, and upon recordation, return to:

Mark D. Pearlstein, Esq.
Howard S. Dakoff, Esq.
LEVENFELD PEARLSTEIN
2 N. LaSalle Street - Ste. 2100
Chicago, IL 60602

Handwritten initials

AMENDMENT NO. 1 TO DECLARATION OF CONDOMINIUM OWNERSHIP AND OF EASEMENTS, RESTRICTIONS, COVENANTS AND BY-LAWS FOR THE MADISON PLACE CONDOMINIUM ASSOCIATION



This Amendment No. 1 ("Amendment") is made and entered into by Madison Place LLC, an Illinois limited liability company ("Declarant"):

WITNESSETH:

Declarant Recorded the Declaration Of Condominium Ownership And Of Easements, Restrictions, Covenants And By-Laws For The Madison Place Condominium Association ("Declaration") in the office of the Recorder of Deeds of Cook County, Illinois on November 25, 2002 as Document No. 0021302667, by which the following described real estate was submitted to the Illinois Condominium Property Act:

1409-8193071

The Easterly Most 178 Feet (as measured at right angles) of Lot 1 in Madison Place Condominiums, being a Resubdivision of part of the Southeast Quarter of Section 21, Township 41 North, Range 13 East of the Third Principal Meridian, according to the Plat thereof Recorded in the Office of the Recorder of Deeds on January 7, 2002 as Document #0020023393, in Cook County, Illinois ("Original Property");

commonly known as 5055 West Madison Street, Skokie, Illinois 60077

and having recently assigned P.I.N. No.: 10-21-405-061-0000;

Declarant reserved the right to add-on and annex to the Property, all or any portion of the property legally described as the Future Development Parcel, all pursuant to the terms and conditions of Section 22 of the Declaration;

Declarant is the owner of the following described real estate located in the County of Cook, and State of Illinois, and which is a portion of the Future Development Parcel ("First Additional Parcel"), to-wit:

The Southerly 194.00 Feet (as measured at right angles) of Lot 1 in Madison Place Condominiums, being a Resubdivision of part of the Southeast Quarter of Section 21, Township 41 North, Range 13 East of the Third Principal Meridian, according to the Plat thereof Recorded January 7, 2002 as Document

RECORDING FEE 106.-

DATE 1/13/04 COPIES 3

OK BY [Signature]

1796

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#0020023393, except the Easterly Most 178.00 Feet (as measured at right angles) of said Lot 1, in Cook County, Illinois.

commonly known as 5105 West Madison Street, Skokie, Illinois 60077

and having P.I.N. Nos.: Part of recently assigned: 10-21-405-060; and

and

Declarant intends to and does hereby submit the above-described First Additional Parcel, together with all buildings, improvements and other permanent fixtures of whatsoever kind constructed and being thereon and all rights and privileges belonging to or pertaining thereto, and owned by Declarant (collectively hereinafter referred to as additional Property) to the provisions of the Illinois Condominium Property Act;

Declarant is further desirous of extending for its own benefit and for the mutual benefit of all future Owners or occupants of the Property, or any part thereof, the easements and rights in, over and upon said premises and certain mutually beneficial restrictions and obligations with respect to the property use, conduct and maintenance thereof as set forth in the Declaration; and

Declarant desires and intends that the Unit Owners, mortgagees, occupants, and all other persons hereafter acquiring any interest in the Property shall at all times enjoy the benefits of, and shall hold their interests subject to the rights, easements, privileges, and restrictions set forth in the Declaration, all of which are declared to be in furtherance of the plan to promote and protect the cooperative aspect of the development and were established for the purpose of enhancing and perfecting the value, desirability and attractiveness of the Property, all as set forth in the Declaration;

Declarant desires and intends to modify and amend other particulars of the Declaration as provided in this Amendment, including clarifying an omitted definition of Limited Common Elements in Section 1, Subsection (l) of the Declaration and clarifying omitted Use and Occupancy Restrictions relative thereto in Article V, Section 4 of the By-Laws for the Madison Place Condominium Association, both of which may be made pursuant to Section 23 of the Declaration and/or Section 27 (b)(1) of the Illinois Condominium Property Act;

NOW, THEREFORE, Madison Place LLC, an Illinois limited liability company, as Declarant of the First Additional Parcel, and for the purposes above set forth, **DECLARES AS FOLLOWS:**

1. All terms defined in the Declaration shall remain and be defined terms for the purposes of this Amendment unless a contrary intent clearly appears in this Amendment;
2. The First Additional Parcel is hereby annexed to the Original Property and henceforth shall be referred to collectively as the Property;
3. The attached **First Amended Exhibit A** hereby replaces and supersedes Declaration Exhibit A which is hereby deleted, and sets forth the amended percentages of ownership interest in the Common Elements to include the Common Elements attributable to those portions of the Units located on the First Additional Parcel, allocable to every Unit

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including all existing Units and additional Units added by this Amendment. First Amended Exhibit A shall become effective, only upon Recording of this Amendment. In determining the amended percentages of ownership interest in the Common Elements:

a. The Common Elements as amended by this Amendment are deemed to consist of the Common Elements existing immediately prior to the Recording of this Amendment ("Existing Common Elements") together with the Common Elements added by this Amendment ("Added Common Elements");

b. The Units as amended by this Amendment shall be deemed to consist of the Units existing immediately prior to the Recording of this Amendment ("Existing Units") and the Units added by this Amendment ("Added Units");

c. The value of the Added Units (which value shall be determined by Declarant) shall be added to the value of the Existing Units (which value shall be determined by Declarant) and the total of all such values shall be deemed to be the new value of the Units as a whole. Values shall be determined by Declarant as of the date of Recording of this Amendment and such values as determined by Declarant shall be unconditionally binding on and conclusive for all purposes notwithstanding the sale price of any Unit or Units;

d. The percentage of ownership interest in the entire Common Elements (both the Existing Common Elements and the Added Common Elements) to be allocated among all of the Units (both the Existing Units and the Added Units) have been computed by dividing the value of every Unit (as determined by Declarant as described in the preceding subparagraph c.) by the value of the Units as a whole (as determined by Declarant in the preceding subparagraph c.);

e. The Existing Units shall be entitled to their respective percentages of ownership interest in the Common Elements as set forth in First Amended Exhibit A, in and to the Added Common Elements and in and to the Existing Common Elements; and

f. The Added Units shall be entitled to their respective percentages of ownership interest in the Common Elements as set forth in First Amended Exhibit A, in and to the Added Common Elements and in and to the Existing Common Elements.

4. The attached **First Amendment to Exhibit B** hereby supplements Declaration Exhibit B by delineating the First Additional Parcel and delineating and describing the Units thereon to be conveyed and Parking Spaces and Storage Spaces Limited Common Elements thereon to be assigned to Unit Owners for the First Additional Parcel.

5. All of the provisions of the Declaration, as amended by this Amendment, shall be deemed to apply to all of the Units (both the Added Units and the Existing Units) and to all of the Common Elements (both the Added Common Elements and the Existing Common Elements).

6. The Recording of this Amendment shall not alter or affect the amount of any lien for Common Expenses due from the Owners of the Existing Units prior to such Recording, nor the respective amounts assessed to or due from the Owner or Owners of Existing Units for Common Expenses or other assessments levied or assessed prior to such Recording.

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7. Declarant hereby reserves its rights under Section 22 of the Declaration as to those portions of the Future Development Parcel not added and annexed to the Property pursuant to this Amendment.

8. Section 1, Subsection (l) of the Declaration is modified to add "roof terraces," in the fourth line after "balconies," and before "Unit entryways".

9. Article V, Section 4 of the By-Laws for the Madison Place Condominium Association is modified to add the following additional paragraph to the end of said Section:

"The Unit Owner of a Unit with an appurtenant roof terrace shall (a) include, in the Unit Owner's own insurance, liability coverage for the use of the terrace and the theft or damage to any property located on it from time to time, (b) keep the roof terrace and divider fencing in a clean and maintained condition, (c) be responsible jointly with the Unit Owner of a Unit with an adjacent roof terrace for the maintenance, repair and replacement of the fence dividing said roof terraces whenever the Board, in its sole discretion, determines that such care, maintenance, repair or replacement is required, (d) not anchor and/or affix any personal property whatsoever on or to the terrace or any exterior parapet or wall forming a border of the terrace or any Common Element, (e) not overload the load capacities of the terrace or cause damage to the terrace system, or allow any personal property to blow off the terrace, (f) not create any nuisance thereon, as determined in the sole discretion of the Board and (g) not allow any use of the roof terrace that will result in unreasonable sounds traveling through the roof terrace system to Unit(s) below

10. Except as modified, altered and amended by this Amendment, the Declaration is declared to be and shall continue in full force and effect in accordance with its terms.

Dated: January 7, 2004

MADISON PLACE LLC, an Illinois limited liability company

By: Norwood Construction, Inc., its Manager,

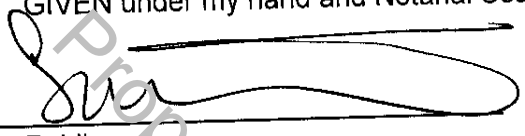
By: [Signature]
President

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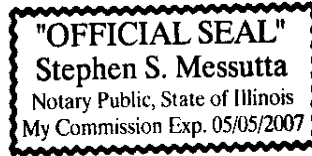
STATE OF ILLINOIS)
)SS.
COUNTY OF COOK)

I, Stephen S. Messutta, a Notary Public in and for said County and State, do hereby certify that Bruce J. Adreani, President of Norwood Construction, Inc., Manager of Madison Place LLC, appeared before me this day in person and acknowledged that he signed and delivered the within 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 7th day of January, 2004.



Notary Public



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CONSENT OF MORTGAGEE

Parkway Bank and Trust Company, which is the holder of a first mortgage dated as of APRIL 26 2003 and recorded on MAY 9 2003 as Document No. 0312918036, hereby consents to the recording of the within Amendment and agrees that its mortgage shall be subject to the terms of the Declaration as so amended.

Dated: JANUARY 8, 2004

PARKWAY BANK AND TRUST COMPANY

By: Marianne L. Wagener VP
Marianne L. Wagener
~~Assistant~~ Vice President

ATTEST:

[Signature]

STATE OF ILLINOIS)
)SS.
COUNTY OF COOK)

I, Sandy Auriemma a Notary Public in and for said County and State, do hereby certify that Marianne L. Wagener and David F. Hyde III, respectively, the ~~Assistant~~ Vice Presidents of Parkway Bank and Trust Company ("Mortgagee"), appeared before me this day in person and acknowledged that they signed, sealed and delivered the within instrument as their free and voluntary act, and as the free and voluntary act of the Mortgagee, for the uses and purposes therein set forth.

GIVEN under my hand and Notarial Seal this 8 day of JANUARY, 2004.

Sandy Auriemma
Notary Public



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**AMENDMENT NO. 1
TO DECLARATION OF CONDOMINIUM OWNERSHIP AND OF EASEMENTS,
RESTRICTIONS, COVENANTS AND BY-LAWS FOR
THE MADISON PLACE CONDOMINIUM ASSOCIATION**

[Attach First Amended Exhibit A]
[Amended % Ownership]

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First Amended Exhibit A

to Declaration of Condominium Ownership, etc. for Madison Place Condominiums
Percentage of Ownership of the Common Elements

UNIT	Percentage	UNIT	Percentage	UNIT	Percentage
1-201	0.82%	1-601	0.83%	2-501	0.83%
1-202	0.71%	1-602	0.73%	2-502	0.73%
1-203	0.92%	1-603	0.92%	2-503	0.92%
1-204	1.17%	1-604	1.16%	2-504	0.93%
1-205	0.56%	1-605	0.57%	2-505	0.82%
1-206	0.82%	1-606	0.82%	2-506	0.82%
1-207	0.83%	1-607	0.84%	2-507	0.84%
1-208	0.69%	1-608	0.72%	2-508	0.72%
1-209	0.92%	1-609	0.92%	2-509	0.92%
1-210	1.17%	1-610	1.16%	2-510	1.18%
1-211	0.58%	1-611	0.57%	2-511	0.57%
1-212	0.77%	1-612	0.78%	2-512	0.77%
1-301	0.83%	2-201	0.83%	2-601	0.82%
1-302	0.73%	2-202	0.71%	2-603	1.67%
1-303	0.92%	2-203	0.93%	2-604	1.63%
1-304	1.17%	2-204	0.93%	2-606	0.82%
1-305	0.57%	2-205	0.82%	2-607	0.83%
1-306	0.82%	2-206	0.82%	2-609	1.65%
1-307	0.84%	2-207	0.84%	2-610	1.63%
1-308	0.72%	2-208	0.70%	2-612	0.77%
1-309	0.92%	2-209	0.92%	TOTAL:	100.00%
1-310	1.17%	2-210	1.19%		
1-311	0.58%	2-211	0.58%		
1-312	0.77%	2-212	0.77%		
1-401	0.83%	2-301	0.83%		
1-402	0.72%	2-302	0.73%		
1-403	0.92%	2-303	0.92%		
1-404	1.17%	2-304	0.93%		
1-405	0.56%	2-305	0.82%		
1-406	0.81%	2-306	0.82%		
1-407	0.83%	2-307	0.84%		
1-408	0.73%	2-308	0.72%		
1-409	0.92%	2-309	0.92%		
1-410	1.17%	2-310	1.18%		
1-411	0.57%	2-311	0.58%		
1-412	0.78%	2-312	0.77%		
1-501	0.83%	2-401	0.83%		
1-502	0.72%	2-402	0.72%		
1-503	0.92%	2-403	0.92%		
1-504	1.17%	2-404	0.92%		
1-505	0.57%	2-405	0.82%		
1-506	0.82%	2-406	0.81%		
1-507	0.84%	2-407	0.83%		
1-508	0.72%	2-408	0.71%		
1-509	0.92%	2-409	0.92%		
1-510	1.16%	2-410	1.18%		
1-511	0.57%	2-411	0.57%		
1-512	0.78%	2-412	0.77%		

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Buildings 1 and 2 COMBINED.xls

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**AMENDMENT NO. 1
TO DECLARATION OF CONDOMINIUM OWNERSHIP AND OF EASEMENTS,
RESTRICTIONS, COVENANTS AND BY-LAWS FOR
THE MADISON PLACE CONDOMINIUM ASSOCIATION**

[First Amendment to Exhibit "B" to the Declaration –
Plat of the First Additional Parcel]
[See Attached]

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DOCUMENT
WITH THIS EXHIBIT

EXHIBIT

ATTACHED TO

DOCUMENT

WITH THIS EXHIBIT

DOCUMENT

SEE PLAT INDEX