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Address: 910 S. Michigan Avenue
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PIN: 17-15-307-031-0000 (Underlying)
17-15-307-034-1254 (1901)
17-15-307-034-1255 (1902)
17-15-307-034-1257 (1909)

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Eugene "Gene" Moore Fee: \$56.50
Cook County Recorder of Deeds
Date: 02/19/2004 03:31 PM Pg: 1 of 1

MODIFICATION AND AGREEMENT CONCERNING DECLARATION OF CONDOMINIUM OWNERSHIP FOR THE MICHIGAN AVENUE LOFTS CONDOMINIUM

This Modification and Agreement Concerning Declaration of Condominium Ownership for The Michigan Avenue Lofts Condominium ("Modification and Agreement") is made and entered into among Chicago Title Land Trust Company, Successor Trustee to Chicago Trust Company, not individually, but solely, as Trustee under Trust Agreement dated May 27, 1997 and known as Trust No. 1103307 ("Declarant"), Dr. Bala V. Balachandran and Vasantha Balachandran (collectively, "1909 Owner") and the Michigan Avenue Lofts Condominium Association ("Condominium Association").

RECITALS

1. Declarant recorded the Declaration of Condominium Ownership for the Michigan Avenue Lofts Condominium and Provisions Relating to Certain Non Condominium Property on August 31, 1998, in the Office of the Recorder of Deeds for Cook County, Illinois ("Recorder"), as Document No. 98774537 as amended by: Recharacterization Amendment No. 1 recorded with the Recorder on December 3, 1998 as document number 08096330; Recharacterization Amendment No. 2 recorded with the Recorder on January 26, 1999 as document number 99083775; Recharacterization Amendment No. 3 recorded with the Recorder on February 16, 1999 as document number 99149704; Recharacterization Amendment No. 4 recorded with the Recorder on April 29, 1999 as document number 99414119; Recharacterization Amendment No. 5 recorded with the Recorder on June 1, 1999 as document number 99524266; Recharacterization Amendment No. 6 recorded with the Recorder on July 2, 1999 as document number 99638443; Recharacterization Amendment No. 7 recorded with the Recorder on August 12, 1999 as document number 99772032; Recharacterization Amendment No. 8 recorded with the Recorder on October 7, 1999 as document number 99951180; Recharacterization Amendment No. 9 recorded with the Recorder on May 3, 2000 as document number 00312127; Recharacterization Amendment No. 10 recorded with the Recorder on May 30, 2000 as document number 00389381; Recharacterization Amendment No. 11 recorded with the Recorder on May 30, 2000 as document number 00389385; Recharacterization Amendment No. 12 recorded with the Recorder on June 8, 2000 as document number 00418655;

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Lawyers Unit #03308 Case# 03-12287

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Recharacterization Amendment No. 13 recorded with the Recorder on July 31, 2000 as document number 00577541; Recharacterization Amendment No. 14 recorded with the Recorder on July 31, 2000 as document number 00577542; Recharacterization Amendment No. 15 recorded with the Recorder on October 18, 2000 as document number 00817669; Recharacterization Amendment No. 16 recorded with the Recorder on October 18, 2000 as document number 00817670; Recharacterization Amendment No. 17 recorded with the Recorder on October 30, 2000 as document number 00851938; Recharacterization Amendment No. 18 recorded with the Recorder on November 9, 2000 as document number 00994557; Recharacterization Amendment No. 19 recorded with the Recorder on November 9, 2000 as document number 00884617; Recharacterization Amendment No. 20 recorded with the Recorder on November 9, 2000 as document number 00884751; Recharacterization Amendment No. 21 recorded with the Recorder on December 22, 2000 as document number 001006167; Recharacterization Amendment No. 22 recorded with the Recorder on January 16, 2001 as document number 0010037136; Recharacterization Amendment No. 23 recorded with the Recorder on March 28, 2001 as document number 0010245124; Recharacterization Amendment No. 24 recorded with the Recorder on March 28, 2001 as document number 0010245125; Recharacterization Amendment No. 25 recorded with the Recorder on April 3, 2001 as document number 0010264827; Recharacterization Amendment No. 26 recorded with the Recorder on April 17, 2001 as document number 0010308080; Recharacterization Amendment No. 27 recorded with the Recorder on May 23, 2001 as document number 0010439464; Recharacterization Amendment No. 28 recorded with the Recorder on May 23, 2001 as document number 0010439465; Recharacterization Amendment No. 29 recorded with the Recorder on June 5, 2001 as document number 0010482877; Recharacterization Amendment No. 30 recorded with the Recorder on January 9, 2002 as document number 0020032740; Recharacterization Amendment No. 31 recorded with the Recorder on January 9, 2002 as document number 0020032741; Recharacterization Amendment No. 32 recorded with the Recorder on January 9, 2002 as document number 0020032742; Recharacterization Amendment No. 33 recorded with the Recorder on March 19, 2002 as document number 0020308170; Recharacterization Amendment No. 34 recorded with the Recorder on March 25, 2002 as document number 0020334441; Recharacterization Amendment No. 35 recorded with the Recorder on March 29, 2002 as document number 0020358824; Recharacterization Amendment No. 36 recorded with the Recorder on July 29, 2002 as document number 0020827631; Recharacterization Amendment No. 37 recorded with the Recorder on June 3, 2003 as document number 0315432131; and Recharacterization Amendment No. 38 recorded with the Recorder on November 26, 2003 as document number 0332910142 (collectively, the "Declaration").

2. The Declaration affects, among other property, Condominium Units 1901, 1902 and 1909 (collectively, the "Affected Units") legally described in Exhibit A attached hereto.

3. Declarant reconfigured the Affected Units by reducing the square footage of Units 1902 and 1909 and increasing the square footage of Unit 1901 ("Reconfiguration").

4. Units 1901 and 1902 are owned by the Declarant and Unit 1909 is owned by the 1909 Owner. The Declarant, as owner of Units 1901 and Unit 1902, and the 1909 Owner as owner of Unit 1909 are collectively referred to hereafter as the "Affected Unit Owners."

5. Because of the Reconfiguration, the Declarant, the Condominium Association and the Affected Unit Owners agree to amend the undivided interest in the common elements of the Affected Units contained in the Declaration to accurately reflect the undivided interests of the Affected Unit Owners based on the Reconfiguration as follows:

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Unit 1901	1.567%
Unit 1902	0.742%
Unit 1909	0.501%

NOW THEREFORE, Declarant, the Condominium Association and the Affected Unit Owners hereby modify the Declaration as follows:

1. Terms. All terms used herein, if not otherwise defined herein, shall have the meanings set forth in the Declaration.
2. Correction to Exhibit D of the Declaration. To accurately reflect the undivided interests in the common elements of the Affected Unit Owners based on the Reconfiguration, the list of the Undivided Interests of the Dwellings Units as shown in Exhibit D to the Declaration is hereby amended to be as set forth in the document attached hereto as the Amended and Restated Exhibit D.
3. Covenants to Run with Land. The covenants, conditions, restrictions and easements contained in the Declaration, as amended by this Modification and Agreement, shall run with and bind the Premises, including the Condominium Property.
4. Continuation. As expressly hereby amended, the Declaration shall continue in full force and effect in accordance with its terms. All other terms of the Declaration shall remain unmodified by this Modification and Agreement.
5. Counterparts, Effectiveness. This document may be executed in two or more counterparts each of which shall be deemed an original, but all of which together shall constitute one and the same instrument. This document shall not become effective until signed by all parties hereto and recorded with the Cook County Records Office.
6. Trustee Exculpation. Anything herein to the contrary notwithstanding, each and all of the representations, covenants, undertakings, warranties and agreements herein made on the part of the Declarant while in form purporting to be the representations, covenants, undertakings, warranties, and agreements of the Declarant are nevertheless, each and every one of them, made and intended not as personal representations, covenants, undertakings, warranties and agreements by the Declarant or for the purpose or with the intention of binding the Declarant but are made and intended solely in the exercise of the powers conferred upon it as Trustee under the Trust Agreement; and no personal liability or personal responsibility is assumed by or shall be enforceable against Declarant on account of this Recharaterization Amendment or any representation, covenant, undertaking, warranty, or agreement of the Declarant in this Recharaterization Amendment contained, either expressed or implied. The Declarant makes no personal representations as nor shall it be responsible for the existence, location or maintenance of the chattels herein described, if any.

UNOFFICIAL COPYDated: December 3, 2003**DECLARANT and OWNER OF UNITS 1901
and UNIT 1902**

CHICAGO TITLE LAND TRUST COMPANY,
SUCCESSOR TRUSTEE TO CHICAGO TRUST
COMPANY, not individually, but solely, as Trustee
aforesaid

By: _____
Title: _____

1909 OWNER

Dr. Bala V. Balachandra

Vasantha Balachandra

CONDOMINIUM ASSOCIATION

**THE MICHIGAN AVENUE LOFTS
CONDOMINIUM ASSOCIATION**

By: [Signature]
Its: President

UNOFFICIAL COPYDated: NOV 12 2003**DECLARANT and OWNER OF UNITS 1901 and UNIT 1902**

CHICAGO TITLE LAND TRUST COMPANY,
SUCCESSOR TRUSTEE TO CHICAGO TRUST
COMPANY, not individually, but solely, as Trustee
aforesaid

By: *Sandra Mochica*
Title: ASST. VICE PRESIDENT

1909 OWNER

Dr. Bala V. Balachandran
Dr. Bala V. Balachandran

Vasanthika Balachandran
Vasanthika Balachandran

CONDOMINIUM ASSOCIATION

**THE MICHIGAN AVENUE LOFTS
CONDOMINIUM ASSOCIATION**

By: _____
Its: _____

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CONSENT OF MORTGAGEE OF UNITS 1901 and 1902

CIB BANK, which is the holder of a first mortgage dated March 1, 2000 and recorded in the Office of the Recorder of Deeds of Cook County, Illinois on March 3, 2000 as Document No. 00158234, encumbering the Real Estate (as defined in the Declaration) other than portions thereof which have been released from the lien of said mortgage, hereby consents to the recording of the Modification and Agreement and agrees that the lien of its mortgage shall be subject to the provisions of the Declaration, as amended by the Modification and Agreement.

IN WITNESS WHEREOF, the undersigned has caused this Consent to be executed on 7/15/20, 2003.

CIB BANK

By: 

Its: V.P.


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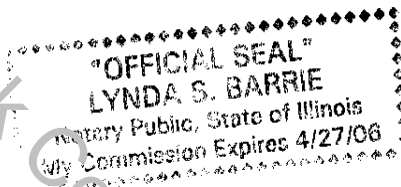
State of Illinois
County of Cook

SS.

I, the undersigned, a Notary Public in and for the County and State aforesaid, do hereby certify that the above named Assistant Vice President of **CHICAGO TITLE LAND TRUST COMPANY**, personally known to me to be the same person whose name is subscribed to the foregoing instrument as such Assistant Vice President, appeared before me this day in person and acknowledged that she/he signed and delivered the said instrument as her/his own free and voluntary act and as the free and voluntary act of the Company for the uses and purposes therein set forth, and the said Assistant Vice President caused the corporate seal of said Company to be affixed to said instrument as his/her own free and voluntary act and as the free and voluntary act of said Company for the uses and purposes therein set forth.

Given under my hand and Notarial Seal this November 12, 2003


Notary Public



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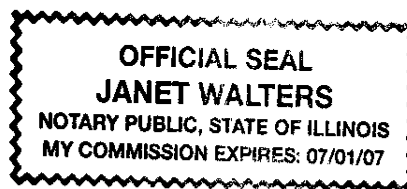
STATE OF ILLINOIS)
) SS
COUNTY OF COOK)

I, JANET WALTERS, a Notary Public in and for said County and State, do hereby certify that Dr. Bala V. Balachandra appeared before me this day in person and acknowledged that he signed, sealed and delivered the within instrument as his free and voluntary act, for the uses and purposes therein set forth.

GIVEN under my hand and Notarial Seal this 14 day of November, 2003.

Notary Public

Janet Walters



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STATE OF ILLINOIS)
) SS
 COUNTY OF COOK)

I, JANET WALTERS, a Notary Public in and for said County and State, do hereby certify that Vasantha Balachandra appeared before me this day in person and acknowledged that he signed, sealed and delivered the within instrument as his free and voluntary act, for the uses and purposes therein set forth.

GIVEN under my hand and Notarial Seal this 12 day of November, 2003.

Janet Walters
 Notary Public



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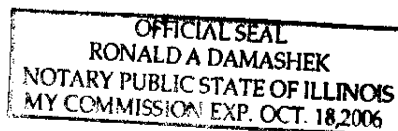
STATE OF ILLINOIS)
) SS
COUNTY OF COOK)

I, Ronald A. Damashek, a Notary Public in and for said County and State, do hereby certify that Pamela Dempsey the President of The Michigan Avenue Lofts Condominium Association appeared before me this day in person and acknowledged that she signed, sealed and delivered the within instrument as her free and voluntary act, for the uses and purposes therein set forth.

GIVEN under my hand and Notarial Seal this 3rd day of December, 2003.



Notary Public



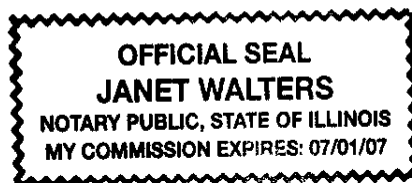
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STATE OF ILLINOIS)
) SS
 COUNTY OF COOK)

I, JANET WALTERS, a Notary Public in and for said County and State, do hereby certify that _____ the VP of CIB Bank appeared before me this day in person and acknowledged that he signed, sealed and delivered the within instrument as his free and voluntary act, for the uses and purposes therein set forth.

GIVEN under my hand and Notarial Seal this 14 day of November, 2003.

Janet Walters
 Notary Public



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EXHIBIT A

Legal Description of Units 1901, 1902 and 1909

UNITS 1901, 1902 and 1909 IN MICHIGAN AVENUE LOFTS CONDOMINIUM, AS DELINEATED ON THE SURVEY OF CERTAIN LOTS OR PARTS THEREOF IN ASSESSORS DIVISION, BEING A SUBDIVISION IN SECTION 15, TOWNSHIP 39, NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, WHICH SURVEY IS ATTACHED AS EXHIBIT "B" TO THE DECLARATION OF CONDOMINIUM OWNERSHIP RECORDED AUGUST 31, 1998 AS DOCUMENT 98774537, IN COOK COUNTY, ILLINOIS, TOGETHER WITH AN UNDIVIDED PERCENTAGE INTEREST IN THE COMMON ELEMENTS APPURTENANT TO SAID UNIT, AS SET FORTH IN SAID DECLARATION.

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AMENDED AND RESTATED EXHIBIT D

Undivided Interests

DWELLING UNIT	UNDIVIDED INTEREST
201	0.658%
202	0.230%
203	0.313%
204	0.574%
301	0.658%
302	0.230%
303	0.313%
304	0.574%
401	0.501%
402	0.334%
403	0.334%
404	0.501%
405	0.188%
406	0.199%
407	0.188%
408	0.199%
409	0.188%
410	0.240%
411	0.407%
412	0.282%
413	0.292%
414	0.251%
415	0.303%
416	0.261%
417	0.188%
418	0.261%
419	0.303%
501	0.512%
502	0.345%
503	0.345%
504	0.512%
505	0.199%
506	0.209%
507	0.199%
508	0.209%
509	0.199%
510	0.240%
511	0.418%
512	0.836%
515	0.303%
516	0.261%
517	0.199%
518	0.261%
519	0.355%
601	0.522%
602	0.355%
603	0.355%
604	0.522%
605	0.199%
606	0.209%

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607	0.199%
608	0.209%
609	0.199%
610	0.251%
611	0.418%
612	0.292%
613	0.303%
614	0.261%
615	0.313%
616	0.272%
617	0.199%
618	0.272%
619	0.366%
701	0.533%
702	0.366%
703	0.366%
704	0.533%
705	0.209%
706	0.209%
707	0.209%
708	0.209%
709	0.209%
710	0.251%
711	0.428%
712	0.303%
713	0.313%
714	0.261%
715	0.313%
716	0.272%
717	0.209%
718	0.272%
719	0.366%
801	0.543%
802	0.366%
803	0.366%
804	0.543%
805	0.209%
806	0.219%
807	0.209%
808	0.219%
809	0.209%
810	0.261%
811	0.439%
812	0.313%
813	0.324%
814	0.272%
815	0.313%
816	0.282%
817	0.209%
818	0.282%
819	0.376%
901	0.554%
902	0.376%
903	0.376%
904	0.554%

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905	0.219%
906	0.219%
907	0.219%
908	0.219%
909	0.219%
910	0.261%
911	0.439%
912	0.324%
913	0.324%
914	0.272%
915	0.324%
916	0.282%
917	0.219%
918	0.282%
919	0.376%
1001	0.564%
1002	0.386%
1003	0.386%
1004	0.564%
1005	0.219%
1006	0.230%
1007	0.219%
1008	0.230%
1009	0.219%
1010	0.272%
1011	0.449%
1012	0.324%
1013	0.334%
1014	0.282%
1015	0.376%
1017	0.345%
1019	0.418%
1101	0.574%
1102	0.336%
1103	0.386%
1104	0.574%
1105	0.230%
1106	0.230%
1107	0.230%
1108	0.230%
1109	0.230%
1110	0.272%
1111	0.460%
1112	0.334%
1113	0.345%
1114	0.282%
1115	0.376%
1117	0.345%
1119	0.428%
1201	0.585%
1202	0.397%
1203	0.397%
1204	0.585%
1205	0.230%
1206	0.240%

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1207	0.230%
1208	0.240%
1209	0.230%
1210	0.282%
1211	0.470%
1212	0.345%
1213	0.345%
1214	0.292%
1215	0.386%
1217	0.345%
1219	0.428%
1301	0.595%
1302	0.407%
1303	0.407%
1304	0.595%
1305	0.240%
1306	0.240%
1307	0.240%
1308	0.240%
1309	0.240%
1310	0.282%
1311	0.470%
1312	0.345%
1313	0.355%
1314	0.292%
1315	0.386%
1317	0.355%
1319	0.439%
1401	0.658%
1402	0.574%
1403	0.742%
1404	0.376%
1405	0.460%
1406	0.460%
1411	0.470%
1412	0.345%
1413	0.345%
1414	0.282%
1415	0.386%
1417	0.376%
1419	0.439%
1501	0.679%
1502	0.595%
1503	0.762%
1504	0.386%
1505	0.470%
1506	0.470%
1511	0.491%
1512	0.355%
1513	0.355%
1514	0.282%
1515	0.397%
1517	0.386%
1519	0.449%
1601	0.700%

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1602	0.606%
1603	0.783%
1604	0.397%
1605	0.480%
1606	0.480%
1611	0.512%
1612	0.355%
1613	0.355%
1614	0.292%
1615	0.407%
1617	0.397%
1619	0.460%
1701	0.710%
1702	0.616%
1703/1704	1.201%
1705	0.491%
1706	0.491%
1711	0.512%
1712	0.366%
1713/1714	0.658%
1715	0.418%
1717	0.397%
1719	0.460%
1801	0.731%
1802	0.627%
1803	0.815%
1804	0.407%
1805	0.501%
1806	0.501%
1811	0.679%
1812	0.209%
1813	0.376%
1814	0.303%
1815	0.418%
1817	0.407%
1819	0.470%
1901	1.567%
1902	0.742%
1905	1.410%
1906	0.742%
1907	0.449%
1908	0.397%
1909	0.501%
2006	0.742%
2007	0.460%
	100.000%