



Doc#: 0421231064  
Eugene "Gene" Moore Fee: \$56.00  
Cook County Recorder of Deeds  
Date: 07/30/2004 12:48 PM Pg: 1 of 17

This document prepared by  
and after recording return to:

David A. Grossberg  
Schiff Hardin & Waite  
6600 Sears Tower  
Chicago, Illinois 60606

14-12-430 AB

- PINs: 17-04-302-001      17-04-302-013
- 17-04-302-002      17-04-302-022
- 17-04-302-003      17-04-302-023
- 17-04-302-004      17-04-302-024
- 17-04-302-005      17-04-302-025
- 17-04-302-006      17-04-302-026
- 17-04-302-007      17-04-302-027
- 17-04-302-009      17-04-302-028
- 17-04-302-012

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**SIXTH AMENDMENT TO DECLARATION OF CONDOMINIUM  
PURSUANT TO THE CONDOMINIUM PROPERTY ACT FOR  
THE CONDOMINIUMS OF OLD TOWN VILLAGE WEST**

This Sixth Amendment to the Declaration of Condominium Pursuant to the Condominium Property Act for the Condominiums of Old Town Village West ("Sixth Amendment") is made and entered into as of this 26<sup>TH</sup> day of July, 2004, by Division and Crosby, L.L.C., an Illinois limited liability company ("Owner").

WHEREAS, Owner made and entered into the Declaration of Condominium Pursuant to the Condominium Property Act for the Condominiums of Old Town Village West, dated September 18, 2003, which Declaration was recorded with the Recorder of Deeds of Cook County, Illinois (the "Recorder"), on September 22, 2003, as Document No. 0326519031; that certain First Amendment to the Declaration of Condominium pursuant to the Condominium Act for the Condominiums of Old Town Village West dated October 23, 2003, and recorded with the Recorder on November 4, 2003 as Document No. 0330819063; that certain Second Amendment to Declaration of Condominium pursuant to the Condominium Act for the Condominiums of Old Town Village West dated November 14, 2003, and recorded with the Recorder on November 19, 2003 as Document No. 0332319127; that certain Third Amendment to Declaration of Condominium pursuant to the Condominium Act for the Condominiums of Old Town Village West dated February 4, 2004, and recorded with the Recorder on February 17, 2004 as Document No. 0404819016; that certain Fourth Amendment to Declaration of Condominium pursuant to the Condominium Act for the Condominiums of Old Town Village West dated May 6, 2004, and recorded with the Recorder on May 17, 2004 as Document No. 0413839075; and

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DATE 7-30-04 COPIES 6X  
OK BY C. Fritz

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that certain Fifth Amendment to Declaration of Condominium pursuant to the Condominium Act for the Condominiums of Old Town Village West dated June 9, 2004, and recorded with the Recorder on June 22, 2004 as Document No. 0417444111 (such declaration, as amended, is hereinafter referred to as the "Declaration").

WHEREAS, Owner is the owner in fee simple of the Additional Parcel (as defined in the Declaration) a portion of which the Owner wishes to subject to the covenants and restrictions contained in the Declaration;

NOW, THEREFORE, the Declaration, in accordance with Section 27, is hereby amended as follows:

1. The Declaration is hereby amended to submit the portion of the Additional Parcel, legally described on the attached Schedule 1, to the provisions of the Illinois Condominium Property Act and to the terms and provisions of the Declaration.

2. The Legal Description of the Parcel submitted to the Provisions of the Act contained in Section 2 of the Declaration is deleted and the following replacement Legal Description is substituted therefor.

Lots 1 through 24 in Old Town Village West being a Resubdivision of various lots and parts of vacated public alleys and part of vacated West Elm Street and vacated Chatham Court in Blocks 87 and 90 in Elston's Addition to Chicago, in Section 4, Township 39 North, Range 14, East of the Third Principal Meridian, in Cook County, Illinois.

3. Exhibits A, B and D attached to the Declaration are hereby deleted and Exhibits A, B and D attached hereto are hereby substituted therefor.

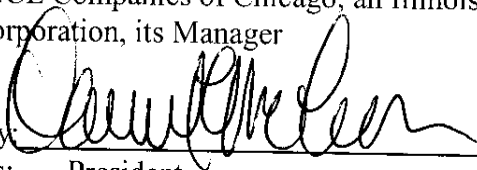
4. Exhibit E, Page 1 attached to the Declaration is hereby deleted and Exhibit E, Revised Pages 1 and 1a are substituted therefor and Pages 46 through 49 are hereby added.

5. Except as expressly amended hereby, the Declaration shall remain in full force and effect in accordance with its terms. This Sixth Amendment shall be effective from and after the recording of this document with the Recorder.

IN WITNESS WHEREOF, the Owner has caused this instrument to be duly executed on the day and year first above written.

**DIVISION AND CROSBY, L.L.C.**, an  
Illinois limited liability company

By: MCL Companies of Chicago, an Illinois  
corporation, its Manager

By:   
Its: President

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STATE OF ILLINOIS     )  
  )  
COUNTY OF COOK     )

I, MICHAEL W. ALLEN II, a Notary Public in and for said County and State, do hereby certify that DANIEL McLEAN, of MCL Companies of Chicago, Inc., an Illinois corporation, manager of Division and Crosby, L.L.C., an Illinois limited partnership, 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, sealed and delivered said 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 26<sup>TH</sup> day of July, 2004.



[Handwritten Signature]  
Notary Public

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## CONSENT OF MORTGAGEE

Indymac Bank, F.S.B. ("Bank"), holder of a note secured by a mortgage on the Property dated March 30, 2004 and recorded with the Recorder of Deeds of Cook County, Illinois, on April 5, 2004 as Document No. 0409626164 hereby consents to the execution of and recording of the above and foregoing Declaration of Condominium, and hereby subordinates said mortgage to the provisions of the foregoing Declaration of Condominium and the Condominium Property Act of the State of Illinois.

IN WITNESS WHEREOF, the said Bank has caused this instrument to be signed by its duly authorized officers on its behalf on this 29<sup>th</sup> day of July, 2004.

Indymac Bank, F.S.B.

By: *Stacy Cochrane*  
Its: STACY COCHRANE, VICE PRESIDENT

ATTEST:

*Lesar Okuma*  
Its: LESAR OKUMA, AVP

STATE OF ILLINOIS )  
  )  
COUNTY OF COOK )

I, \_\_\_\_\_, a Notary Public in and for said County and State, do hereby certify that \_\_\_\_\_ and \_\_\_\_\_, the \_\_\_\_\_ and \_\_\_\_\_, respectively, of Indymac Bank, F.S.B., personally known to me to be the same persons whose names are subscribed to the foregoing instrument as such \_\_\_\_\_ and \_\_\_\_\_ appeared before me this day in person and acknowledged that they signed, sealed and delivered said instrument as their free and voluntary act, and as the free and voluntary act of said Bank, for the uses and purposes therein set forth.

GIVEN under my hand and Notarial Seal this \_\_\_\_\_ day of July, 2004.

\_\_\_\_\_  
Notary Public

SEE ATTACHED ALL PURPOSE ACKNOWLEDGEMENT

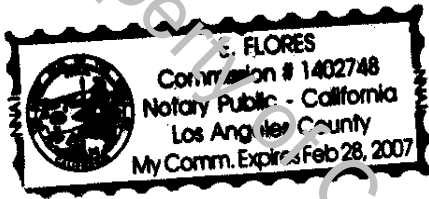
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## CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California }  
County of LOS ANGELES } ss.

On JULY 29, 2004 before me, E. FLORES, NOTARY PUBLIC  
Date Name and Title of Officer (e.g., "Jane Doe, Notary Public")  
personally appeared STACY COCHRANE & LESAR OKUMA  
Name(s) of Signer(s)

personally known to me  
 proved to me on the basis of satisfactory evidence



to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

*E. Flores*  
Signature of Notary Public

### OPTIONAL

*Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.*

### Description of Attached Document

Title or Type of Document: \_\_\_\_\_

Document Date: \_\_\_\_\_ Number of Pages: \_\_\_\_\_

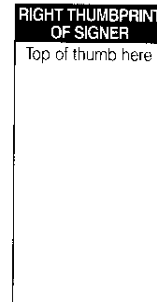
Signer(s) Other Than Named Above: \_\_\_\_\_

### Capacity(ies) Claimed by Signer

Signer's Name: \_\_\_\_\_

- Individual
- Corporate Officer — Title(s): \_\_\_\_\_
- Partner —  Limited  General
- Attorney-in-Fact
- Trustee
- Guardian or Conservator
- Other: \_\_\_\_\_

Signer Is Representing: \_\_\_\_\_



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## SCHEDULE 1

LOTS 1 AND 2 IN THE CONDOMINIUMS OF OLD TOWN VILLAGE WEST BEING A RESUBDIVISION OF VARIOUS LOTS AND PARTS OF VACATED PUBLIC ALLEYS AND PART OF VACATED WEST ELM STREET AND VACATED, CHATHAM COURT IN BLOCKS 87 AND 90 IN ELSTON'S ADDITION TO CHICAGO, IN SECTION 4, TOWNSHIP 39 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

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## EXHIBIT A

UNITS 1-A, 1-B, 1-C, 2-A, 2-B, 2-C, 3-A, 3-B, 3-C, 4-A, 4-B, 4-C, 5-A, 5-B, 5-C, 6-A, 6-B, 6-C, 7-A, 7-B, 7-C, 8-A, 8-B, 8-C, 9-A, 9-B, 9-C, 10-A, 10-B, 10-C, 11-A, 11-B, 11-C, 12-A, 12-B, 12-C, 13-A, 13-B, 13-C, 14-A, 14-B, 14-C, 15-A, 15-B, 15-C, 16-A, 16-B, 16-C, 17-A, 17-B, 17-C, 18-A, 18-B, 18-C, 19-A, 19-B, 19-C, 20-A, 20-B, 20-C, 21-A, 21-B, 21-C, 22-A, 22-B, 22-C, 23-A, 23-B, 23-C, 24-A, 24-B and 24-C IN THE CONDOMINIUMS OF OLD TOWN VILLAGE WEST AS DELINEATED ON THE PLAT OF SURVEY OF THE FOLLOWING DESCRIBED PARCEL OF REAL ESTATE: LOTS 1 THROUGH 24 IN OLD TOWN VILLAGE WEST BEING A RESUBDIVISION OF VARIOUS LOTS AND PARTS OF VACATED PUBLIC ALLEYS AND PART OF VACATED WEST ELM STREET AND VACATED CHATHAM COURT IN BLOCKS 87 AND 90 IN ELSTON'S ADDITION TO CHICAGO, IN SECTION 4, TOWNSHIP 39 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

THE AFOREMENTIONED PLAT OF SURVEY IS ATTACHED AS EXHIBIT E TO THE DECLARATION OF CONDOMINIUM RECORDED WITH THE RECORDER AS DOCUMENT NUMBER 0326510031; AS AMENDED BY THE FIRST AMENDMENT DATED OCTOBER 23, 2003, RECORDED WITH THE RECORDER AS DOCUMENT NUMBER 0330819063; AS AMENDED BY THE SECOND AMENDMENT DATED NOVEMBER 14, 2003, RECORDED WITH THE RECORDER AS DOCUMENT NO. 0332719127; AS AMENDED BY THE THIRD AMENDMENT DATED FEBRUARY 4, 2004, RECORDED WITH THE RECORDER AS DOCUMENT NO. 0404819016, AS AMENDED BY THE FOURTH AMENDMENT DATED MAY 6, 2004, RECORDED WITH THE RECORDER AS DOCUMENT NO. 0413839075, AND AS AMENDED BY THE FIFTH AMENDMENT DATED JUNE 9, 2004, RECORDED WITH THE RECORDER AS DOCUMENT NO. 0417444111, AS AMENDED BY THIS SIXTH AMENDMENT DATED JULY \_\_\_\_, 2004, RECORDED WITH THE RECORDER AS DOCUMENT NO. \_\_\_\_\_, TOGETHER WITH ITS UNDIVIDED INTEREST IN THE COMMON ELEMENTS.

**UNOFFICIAL COPY****EXHIBIT B**PERCENTAGE OWNERSHIP  
INTEREST IN COMMON ELEMENTS

<u>UNIT</u>	<u>PERCENTAGE</u>
1-A	1.480%
1-B	1.596%
1-C	1.711%
2-A	1.254%
2-B	1.370%
2-C	1.486%
3-A	1.254%
3-B	1.370%
3-C	1.486%
4-A	1.254%
4-B	1.370%
4-C	1.486%
5-A	1.254%
5-B	1.370%
5-C	1.486%
6-A	1.254%
6-B	1.370%
6-C	1.486%
7-A	1.191%
7-B	1.306%
7-C	1.422%
8-A	1.191%
8-B	1.306%
8-C	1.422%
9-A	1.191%
9-B	1.306%
9-C	1.422%
10-A	1.191%
10-B	1.306%
10-C	1.422%
11-A	1.191%
11-B	1.306%
11-C	1.422%
12-A	1.278%
12-B	1.393%
12-C	1.509%
13-A	1.278%
13-B	1.393%

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<u>UNIT</u>	<u>PERCENTAGE</u>
13-C	1.509%
14-A	1.191%
14-B	1.306%
14-C	1.422%
15-A	1.191%
15-B	1.306%
15-C	1.422%
16-A	1.359%
16-B	1.474%
16-C	1.590%
17-A	1.445%
17-B	1.561%
17-C	1.677%
18-A	1.278%
18-B	1.393%
18-C	1.509%
19-A	1.278%
19-B	1.393%
19-C	1.509%
20-A	1.278%
20-B	1.393%
20-C	1.509%
21-A	1.278%
21-B	1.393%
21-C	1.509%
22-A	1.278%
22-B	1.393%
22-C	1.509%
23-A	1.278%
23-B	1.393%
23-C	1.509%
24-A	1.445%
24-B	1.561%
24-C	1.678%
	100.000%

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## EXHIBIT D

### ADDITIONAL PROPERTY

LOTS 25 THROUGH 42, PARK A, PARK B, PARK C, PARK D, PARK E, PRIVATE ALLEY SOUTH, PRIVATE ALLEY NORTH, AND FRONTIER AVENUE IN OLD TOWN VILLAGE WEST BEING A RESUBDIVISION OF VARIOUS LOTS AND PARTS OF VACATED PUBLIC ALLEYS AND PART OF VACATED WEST ELM STREET AND VACATED CHATHAM COURT IN BLOCKS 87 AND 90 IN ELSTON'S ADDITION TO CHICAGO, IN SECTION 4, TOWNSHIP 39 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

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**EXHIBIT**

**ATTACHED TO**



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~~6-X~~

17-TOTAL

**DOCUMENT**

**SEE PLAT INDEX**

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