



FIRST AMENDMENT TO DECLARATION OF CONDOMINIUM 2136 WEST DIVISION CONDOMINIUMS

Doc#: 0424527045 Eugene "Gene" Moore Fee: \$66.00 Cook County Recorder of Deeds Date: 09/01/2004 10:42 AM Pg: 1 of 7

This First Amendment to Declaration ("Amendment") made and entered into this 30 day of August, 2004, by 2136-42 W. Division LLC, whose address is 2202 West Irving Park Road, Chicago, Illinois 60618-3806 (the "Declarant"):

Table with 2 columns and 4 rows containing letters F, A, P, P, T, V, I, C.F.

WITNESSETH

WHEREAS, the Declarant is the owner in fee simple of certain real estate, hereinafter described on Exhibit A in Chicago, Cook County, Illinois; and

WHEREAS, on August 12, 2004, Declarant recorded with the Office of the Recorder of Deeds of Cook County that certain DECLARATION OF CONDOMINIUM OWNERSHIP AND BY-LAWS, EASEMENTS, RESTRICTIONS AND COVENANTS FOR 2427 WEST GRENSHAW CONDOMINIUMS dated August 8, 2004, as Document No. 0422544043 ("Declaration").

WHEREAS, since the date of recording of the Declaration, Declarant has sold certain Residential Units (each as defined in the Declaration) to third-party purchasers, each of which shall be deemed to be bound by the terms hereof.

WHEREAS, pursuant to Article XVIII Paragraph 12 of the Declaration, it is the desire and intention of the Declarant to record an amendment to the Declaration for purposes of amending and restating Article XVII of the Declaration.

NOW, THEREFORE, Declarant, as the legal title holder heretofore described, pursuant to Article XVIII Paragraph 12 of the Declaration, and for the purposes above set forth hereby amends the Declaration and DECLARES AS FOLLOWS:

- 1. Paragraph 4(d) of the Declaration is hereby deleted in its entirety and replaced with the following:

"(d) Each Unit Owner shall have the right to (i) the exclusive use and possession of the Limited Common Elements serving exclusively the Unit of such Unit Owner, which right shall be appurtenant to and shall run with title to such Unit, and shall not be separated from such Unit, and (ii) the use and possession of the Limited Common Elements serving the Unit of such Unit Owner in common with one or more (but not all) other Units, which use and possession shall be to the exclusion of all other persons except the Unit Owner of any such other Unit to

RECORDING FEE 66 DATE 9-01-04 COPIES 6X OK BY C. Fritz

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which such Limited Common Elements shall respectively appertain. The Owners of Units 2 and 3 shall be responsible for all costs associated with the maintenance, repair and/or replacement of the portion of the roof area and the portion of roof deck assigned as a limited common element to Units 2 and 3, as shown on Exhibit D attached hereto, including any damage to the roof that may be caused by the use of the roof area and roof deck by the Owners of Units 2 and 3, his or her guests, invitees, agents and/or contractors. Further, the Owner of Unit 4 shall be responsible for all costs associated with the maintenance, repair and/or replacement of the portion of the roof area and the roof deck assigned as a limited common element to Unit 4, as shown on Exhibit D attached hereto, including any damage to the roof that may be caused by the use of the roof area and roof deck by the Owner of Unit 4, his or her guests, invitees, agents and/or contractors.

2. Exhibit B of the Declaration is hereby deleted in its entirety and replaced with Exhibit R attached to this Amendment.
3. Exhibit D of the Declaration is hereby deleted in its entirety and replaced with Exhibit D attached to this Amendment.

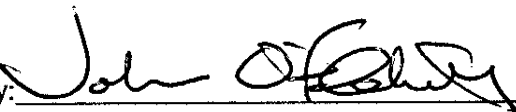
All other terms of the Declaration shall remain in full force and effect. All defined terms used but not defined in this First Amendment have the meanings attributed to them in the Declaration. This First Amendment may be executed in counterparts, each of which shall constitute an original, but all together shall constitute one and the same document.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

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

2136-42 W. DIVISION, LLC  
an Illinois limited liability company.

By:  \_\_\_\_\_

Name: John O'Flaherty

Title: Manager

Property of Cook County Clerk's Office

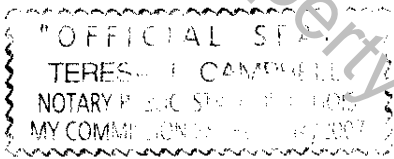
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STATE OF ILLINOIS        )  
   )  
 COUNTY OF COOK         )

SS

The undersigned, a Notary Public in and for the county and State aforesaid, do hereby certify that John O'Flaherty, the Manager of 2136-42 West Division 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 officer, appeared before me this day in person and acknowledged that he signed and delivered the said instrument as his own free and voluntary act, 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 30 day of August, 2004.



*Terese J. Campbell*  
 \_\_\_\_\_  
 Notary Public  
 My Commission Expires: 11/17/07

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## Exhibit A

### LEGAL DESCRIPTION

LOT 10 IN BLOCK 3 IN A.N. WATERMAN'S SUBDIVISION OF THE WEST 5 ACRES OF THE SOUTH 25 ACRES OF THE EAST 1/2 OF THE NORTHWEST 1/4 OF SECTION 6, TOWNSHIP 39 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, INCOOK COUNTY, ILLINOIS.

PIN: 17-06-128-026-0000

Common Address: 2136 West Division, Chicago, Illinois 60622

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## EXHIBIT "B"

### PERCENTAGE OF OWNERSHIP INTEREST IN THE COMMON ELEMENTS

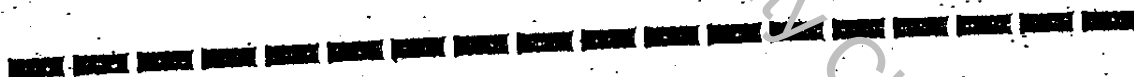
<u>UNIT DESIGNATION SPACE</u>	<u>% OF OWNERSHIP INTEREST IN THE COMMON ELEMENTS</u>	<u>PARKING</u>
C-1	18.00%	NONE
2	26.00%	P-1
3	26.00%	P-3
4	<u>30.00%</u>	P-2 & P-4
	<u>100.00%</u>	

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**EXHIBIT**

**ATTACHED TO**



6 - PG

1 - X

7 - TOTAL

**DOCUMENT**

**SEE PLAT INDEX**