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Eugene "Gene" Moore Fee: \$40.00  
Cook County Recorder of Deeds  
Date: 09/24/2004 02:13 PM Pg: 1 of 9

Suzanne K. Chung, Esq.  
Office of the General Counsel  
Chicago Housing Authority  
200 West Adams, Suite 2100  
Chicago, Illinois 60606

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## FOURTH AMENDED AND RESTATED DECLARATION OF RESTRICTIVE COVENANTS FOR OLD TOWN VILLAGE WEST

THIS FOURTH AMENDMENT TO AMENDED AND RESTATED DECLARATION OF RESTRICTIVE COVENANTS FOR OLD TOWN VILLAGE WEST ("FORTH WEST AMENDMENT") is entered into and effective as of September 24, 2004, by and between the Chicago Housing Authority (the "Authority"), an Illinois municipal corporation, with offices at 626 West Jackson Boulevard, Chicago, Illinois 60661, and Southwest Old Town Development Associates, L.L.C., an Illinois limited liability company (the "Owner"). Capitalized terms not otherwise defined herein shall have the meaning set forth in that certain Declaration of Restrictive Covenants for Old Town Village West dated effective as of November 7, 2003 and recorded in the Recorder's Office of Cook County on November 7, 2003 as document no. 0331132071, and as further amended by the First West Amendment dated effective December 3, 2003 and recorded in the Recorder's Office of Cook County on December 3, 2003 as document no. 0333739139, and further amended by the Second West Amendment dated effective February 27, 2004 and recorded in the Recorder's Office of Cook County on February 27, 2004 as document no. 0405844064 and further amended by the Third West Amendment dated effective May 26, 2004 and recorded in the Recorder's Office of Cook County on May 26, 2004 as document no. 0414719071 (as amended hereby, the "West Amended Declaration").

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### WITNESSETH:

WHEREAS, Authority and Owner have previously executed and recorded the West Amended Declaration, which encumbers certain public housing units (the "CHA Condominium Units") described in Exhibit C thereto with certain low-income public housing requirements and imposes certain other obligations upon the Owner; and simultaneously releases certain non-public housing condominium units (the "Private Units") described in Exhibit D thereto; and

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DATE 9/28 COPIES 6  
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WHEREAS, the Owner has converted a portion of the Development, as defined in the West Amended Declaration, to a condominium form of ownership which includes certain CHA Condominium Units together with their undivided interest in the Development and all common elements and limited common elements; and

WHEREAS, the Authority and Owner desire to amend Exhibits C and D to the West Amended Declaration to reflect the current status of the Private Units, the CHA Condominium Units, and all other real, personal and intangible property owned by the Owner that is now subject to the West Amended Declaration and encumbered by the obligations set forth in the West Amended Declaration;

NOW THEREFORE, in consideration of the mutual promises and covenants hereinafter set forth, and of other valuable consideration, the Owner and the Authority each agree as follows:

SECTION 1. AMENDMENT OF EXHIBIT C. Exhibit C to the West Amended Declaration is hereby amended and restated to read as set forth in Exhibit C to this Fourth West Amendment.

SECTION 2. AMENDMENT OF EXHIBIT D. Exhibit D to the Amended Declaration is hereby amended and restated to read as set forth in Exhibit D to this Fourth West Amendment.

SECTION 3. FULL FORCE AND EFFECT. Except as amended by this Fourth West Amendment to the West Amended Declaration, the terms of the West Amended Declaration remain in full force and effect, and are incorporated herein by reference as though fully set forth herein.

SECTION 4. COUNTERPARTS. This Fourth West Amendment to the West Amended Declaration may be executed in multiple counterparts, each of which shall be an original, but all of which together shall constitute but one in the same agreement.

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IN WITNESS WHEREOF, the Authority and Owner have caused this Fourth West Amendment to the West Amended Declaration by their duly authorized representatives, all as of the date first written above.

**SOUTHWEST OLD TOWN DEVELOPMENT ASSOCIATES, L.L.C.,**  
an Illinois limited liability company

By: Lincoln Park Development Associates, Inc.,  
an Illinois corporation

Its: Manager

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

Its: President

**CHICAGO HOUSING AUTHORITY**

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

Terry Peterson

Its: Chief Executive Officer

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**IN WITNESS WHEREOF**, the Authority and Owner have caused this Fourth West Amendment to the West Amended Declaration by their duly authorized representatives, all as of the date first written above.

**SOUTHWEST OLD TOWN DEVELOPMENT ASSOCIATES, L.L.C.**,  
an Illinois limited liability company

By: Lincoln Park Development Associates, Inc.,  
an Illinois corporation

Its: Manager

By:   
Its: President

## CHICAGO HOUSING AUTHORITY

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

Terry Peterson

Its: Chief Executive Officer

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STATE OF ILLINOIS     )  
  )     SS.  
COUNTY OF COOK     )

I, MICHAEL W. ALLEN II, a notary public in and for the said County, in the State aforesaid, DO HEREBY CERTIFY DANIEL McLEAN, personally known to me to be the PRESIDENT of Lincoln Park Development Associates, Inc., an Illinois corporation (the "Corporation"), the Manager of Southwest Old Town Development Associates, L.L.C., and Illinois limited liability company, and the same person whose name is subscribe to the foregoing instrument, appeared before me this day in person and acknowledged that he/she signed, sealed, and delivered said instrument, pursuant to the authority given to him/her by members of the company, he/she signed and delivered the said instrument pursuant to proper authority as his/her free and voluntary act, and as the free and voluntary act and deed of the company for the uses and purposes therein set forth.

GIVEN under my hand and official seal this 16<sup>TH</sup> day of September, 2004.

  
Notary Public



My Commission Expires: 1/29/08

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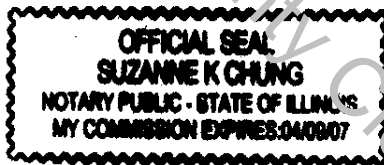
STATE OF ILLINOIS     )  
                                   )  
 COUNTY OF COOK        )     SS.

I, Suzanne Chung, a notary public in and for the said County, in the State aforesaid, DO HEREBY CERTIFY the Terry Peterson, personally known to me to be the Chief Executive Officer of the Chicago Housing Authority ("Authority"), and 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, pursuant to the authority given to him by the Authority Board of Commissioners, as his free and voluntary act and as the free and voluntary act of the Authority for the uses and purposes therein set forth.

GIVEN under my hand and official seal this 24th day of September, 2004.

Suzanne Chung  
 Notary Public

My Commission Expires:



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**EXHIBIT C**  
**PHA CONDOMINIUM UNITS OWNED BY SWOT AND**  
**CONVERTED TO A CONDOMINIUM FORM OF OWNERSHIP AND SUBJECT TO THE**  
**LEASE**

Units 1B, 2B, 3A, 4A, 5B, 6A, 7A, 8A, 9B, 10A, 11B, 12A, 13B, 14A, 15B, 16A, 17A, 18A, 19A, 20A, 21A, 22A, 23A, and 24A in the Old Town Village West Condominium as delineated on a survey of the following described real estate:

certain lots in the old town village west subdivision, being a subdivision of part of the southwest 14 of Section 4, Township 39 North, Range 14, east of the Third Principal Meridian survey is attached as Exhibit "E" to the declaration of condominium recorded as document number 0326510031, and as amended, together with its undivided percentage interest in the common elements, all in Cook County, Illinois.

Parcel 2: the exclusive right to the use of parking spaces for units 1B, 2B, 3A, 4A, 5B, 6A, 7A, 8A, 9B, 10A, 11B, 12A, 13B, 14A, 15B, 16A, 17A, 18A, 19A, 20A, 21A, 22A, 23A and 24A limited common elements, as delineated on the survey attached to the declaration aforesaid recorded as document number 0326510031.

Parcel 3: easement for ingress and egress for the benefit of parcel 1 as created by the common easement agreement, recorded as document number 0326132110.

Each with their undivided interest in the Common Elements.

**Common Addresses:**

671 West Division Street, Unit 1B, Chicago, Illinois;  
 669 West Division Street, Unit 2B, Chicago, Illinois;  
 667 West Division Street, Unit 3A, Chicago, Illinois;  
 665 West Division Street, Unit 4A, Chicago, Illinois;  
 663 West Division Street, Unit 5B, Chicago, Illinois;  
 661 West Division Street, Unit 6A, Chicago, Illinois;  
 659 West Division Street, Unit 7A, Chicago, Illinois;  
 657 West Division Street, Unit 8A, Chicago, Illinois;  
 655 West Division Street, Unit 9B, Chicago, Illinois;  
 653 West Division Street, Unit 10A, Chicago, Illinois;  
 651 West Division Street, Unit 11B, Chicago, Illinois;  
 649 West Division Street, Unit 12A, Chicago, Illinois;  
 641 West Division Street, Unit 13B, Chicago, Illinois;  
 639 West Division Street, Unit 14A, Chicago, Illinois;  
 637 West Division Street, Unit 15B, Chicago, Illinois;  
 635 West Division Street, Unit 16A, Chicago, Illinois;  
 1158 North Howe Street, Unit 17A, Chicago, Illinois;  
 1156 North Howe Street, Unit 18A, Chicago, Illinois;  
 1154 North Howe Street, Unit 19A, Chicago, Illinois;  
 1152 North Howe Street, Unit 20A, Chicago, Illinois;  
 1150 North Howe Street, Unit 21A, Chicago, Illinois;  
 1148 North Howe Street, Unit 22A, Chicago, Illinois;  
 1146 North Howe Street, Unit 23A, Chicago, Illinois; and  
 1144 North Howe Street, Unit 24A, Chicago, Illinois.

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**Property Index Numbers:**

17-04-302-002-0000 through and including 17-04-302-007-0000  
and

17-04-302-009-0000	17-04-302-022-0000
17-04-302-012-0000	17-04-302-025-0000
17-04-302-013-0000	17-04-302-026-0000
17-04-302-023-0000	17-04-302-027-0000
17-04-302-024-0000	17-04-302-028-0000
17-04-302-001-0000	

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## EXHIBIT D RELEASED PRIVATE OWNED CONDOMINIUM UNITS

Units 1A, 1C, 2A, 2C, 3B, 3C, 4B, 4C, 5A, 5C, 6B, 6C, 7B, 7C, 8B, 8C, 9A, 9C, 10B, 10C, 11A, 11C, 12B, 12C, 13A, 13C, 14B, 14C, 15A, 15C, 16B, 16C, 17B, 17C, 18B, 18C, 19B, 19C, 20B, 20C, 21B, 21C, 22B, 22C, 23B, 23C, 24B and 24C in the Old Town Village West Condominium as delineated on a survey of the following described real estate:

certain lots in the old town village west subdivision, being a subdivision of part of the southwest 14 of Section 4, Township 39 North, Range 14, East of the Third Principal Meridian survey is attached as Exhibit "E" to the declaration of condominium recorded as document number 0326510031, and as amended, together with its undivided percentage interest in the common elements, all in Cook County, Illinois.

Parcel 2: the exclusive right to the use of parking spaces for units 1A, 1C, 2A, 2C, 3B, 3C, 4B, 4C, 5A, 5C, 6B, 6C, 7B, 7C, 8B, 8C, 9A, 9C, 10B, 10C, 11A, 11C, 12B, 12C, 13A, 13C, 14B, 14C, 15A, 15C, 16B, 16C, 17B, 17C, 18B, 18C, 19B, 19C, 20B, 20C, 21B, 21C, 22B, 22C, 23B, 23C, 24B, and 24C limited common elements, as delineated on the survey attached to the declaration aforesaid recorded as document number 0326510031.

parcel 3: easement for ingress and egress for the benefit of parcel 1 as created by the common easement agreement, recorded as document number 0326132110.

Common Address:        Units 1A and 1C - 671 West Division, Chicago, Illinois;  
                                  Units 2A and 2C - 669 West Division, Chicago, Illinois;  
                                  Units 3B and 3C - 667 West Division, Chicago, Illinois;  
                                  Units 4B and 4C - 665 West Division, Chicago, Illinois;  
                                  Units 5A and 5C - 663 West Division, Chicago, Illinois;  
                                  Units 6B and 6C - 661 West Division, Chicago, Illinois;  
                                  Units 7B and 7C - 659 West Division, Chicago, Illinois;  
                                  Units 8B and 8C - 657 West Division, Chicago, Illinois;  
                                  Units 9A and 9C - 655 West Division, Chicago, Illinois;  
                                  Units 10B and 10C - 653 West Division, Chicago, Illinois;  
                                  Units 11A and 11C - 651 West Division, Chicago, Illinois;  
                                  Units 12B and 12C - 649 West Division, Chicago, Illinois;  
                                  Units 13A and 13C - 641 West Division, Chicago, Illinois;  
                                  Units 14B and 14C - 639 West Division, Chicago, Illinois;  
                                  Units 15A and 15C - 637 West Division, Chicago, Illinois;  
                                  Units 16B and 16C - 635 West Division, Chicago, Illinois;  
                                  Units 17B and 17C - 1158 North Howe, Chicago, Illinois;  
                                  Units 18B and 18C - 1156 North Howe, Chicago, Illinois;  
                                  Units 19B and 19C - 1154 North Howe, Chicago, Illinois;  
                                  Units 20B and 20C - 1152 North Howe, Chicago, Illinois;  
                                  Units 21B and 21C - 1150 North Howe, Chicago, Illinois;  
                                  Units 22B and 22C - 1148 North Howe, Chicago, Illinois;  
                                  Units 23B and 23C - 1146 North Howe, Chicago, Illinois; and  
                                  Units 24B and 24C - 1144 North Howe, Chicago, Illinois.

Each of their respective percentage interest in the Common Elements.

Property Index Numbers: 17-04-302-002-0000 through and including 17-04-302-007-0000

17-04-302-009-0000	17-04-302-024-0000	
17-04-302-012-0000	17-04-302-025-0000	17-04-302-001-0000
17-04-302-013-0000	17-04-302-026-0000	17-04-302-022-0000
17-04-302-023-0000	17-04-302-027-0000	17-04-302-028-0000