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Eugene "Gene" Moore Fee: \$32.00
Cook County Recorder of Deeds
Date: 10/18/2004 02:09 PM Pg: 1 of 5

This document prepared by and after recordation should be returned to:
David Chaiken
111 W. Washington, #823
Chicago, IL 60602

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FIRST AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS I TERRAZI CONDOMINIUMS I TERRAZI COMMERCIAL CONDOMINIUMS

THIS FIRST AMENDMENT TO DECLARATION ("Amendment") is made and entered into by Western Way, Inc., an Illinois corporation, (hereinafter referred to as "Owner");

WHEREAS, on September 21, 2004 Western Way Inc., an Illinois corporation, executed the DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS I TERRAZI CONDOMINIUMS I TERRAZI COMMERCIAL CONDOMINIUMS and recorded on September 23, 2004, with the Cook County Recorder of Deeds, as Document Number 0426719088 (the "Declaration");

WHEREAS, by that certain Declaration of Condominium Ownership on September 21, 2004, Western Way, Inc., an Illinois corporation, executed the Declaration of Condominium for the I Terrazi Commercial Condominium and recorded on September 23, 2004, with the Cook County Recorder of Deeds, as Document Number 0426719089 (the "Condominium Declaration"), the Owner submitted certain real estate legally described on Exhibit A attached hereto and made a part hereof the Condominium Property Act of the State of Illinois (the "Act"), said Condominium being known as the I Terrazi Commercial Condominium (the "Condominium");

WHEREAS, the Owner desires to amend and does hereby declare that the Declaration be and hereby is amended as follows:

- 1. All capitalized terms used in this Amendment and not otherwise defined in this Amendment shall have the meanings ascribed to them in the Declaration.
- 2. The following Section 5.9 of Article V shall be added to the Declaration; "The Owner of the Residential Property shall be responsible for and shall furnish, or cause to be furnished, as and when necessary and at its own cost and expense, the repair, maintenance and/or replacement of the elevator, the elevator shaft and all equipment, systems and/or fixtures necessary for the operation of the elevator.

EISEN 8739438

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RECORDING FEE 32
DATE 10-18-04 COPIES 6
OK BY [Signature]

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IN WITNESS WHEREOF, Western Way, Inc., has caused its name to be signed to these presents as of this 18 day of Oct., 2004

Western Way, Inc.

By: Leo Dukach
Leo Dukach, President

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 Leo Dukach, the President of said company, 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 the said instrument as his free and voluntary act, for the uses and purposes therein set forth

Given under my hand and notary seal, this 18 day of October, 2004

David Cheney
NOTARY PUBLIC
OFFICIAL SEAL
DAVID CHENEY
Notary Public, State of Illinois
My Commission Expires 01/20/05

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EXHIBIT B

DEVELOPMENT AREA

LOTS 6 AND 7 (EXCEPT THAT PART LYING WEST OF A LINE 50 FEET EAST OF THE WEST LINE OF SECTION 7) IN BLOCK 3 IN PORTSMAN ADDITION TO RAVENSWOOD, BEING A SUBDIVISION OF THE WEST 12 ACRES OF THE NORTH 31.21 ACRES OF THE NORTHWEST $\frac{1}{4}$ OF THE SOUTHWEST $\frac{1}{4}$ OF SECTION 7, TOWNSHIP 40 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, BEING ALSO KNOWN AS LOTS 6 AND 7 IN THE SUBDIVISION BY CLARA BECKER OF LOT 2 OF THE WEST 12 ACRES AFORESAID, IN COOK COUNTY, ILLINOIS

PIN 14-07-303-004

14-07-303-005

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UNOFFICIAL COPY**EXHIBIT C****LEGAL DESCRIPTION
I TERRAZZI CONDOMINIUM ASSOCIATION**

LOTS 6 AND 7 (EXCEPT THAT PART LYING WEST OF A LINE 50 FEET EAST OF THE WEST LINE OF SECTION 7) IN BLOCK 3 IN PORTSMAN ADDITION TO RAVENSWOOD, BEING A SUBDIVISION OF THE WEST 12 ACRES OF THE NORTH 31.21 ACRES OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 7, TOWNSHIP 40 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, BEING ALSO KNOWN AS LOTS 6 AND 7 IN THE SUBDIVISION BY CLARA BECKER OF LOT 3 OF THE WEST 12 ACRES AFORESAID, (EXCEPT THAT PART THEREOF DESCRIBED AS FOLLOWS) :

EXCEPTION PARCEL 1 :

THAT PART OF SAID LOTS 6 AND 7, LYING ABOVE A HORIZONTAL PLANE OF +28.26 CITY OF CHICAGO DATUM AND LYING BELOW A HORIZONTAL PLANE OF +41.48 CITY OF CHICAGO DATUM, DESCRIBED AS FOLLOWS : BEGINNING AT A POINT 7.99 FEET NORTH OF THE SOUTH LINE OF SAID LOT 7 AND 0.75 FEET EAST OF THE EAST LINE OF N. WESTERN AVENUE, SAID EAST LINE BEING A LINE 50 FEET EAST OF THE WEST LINE OF SECTION 7, AFORESAID; THENCE EAST, 6.50 FEET; THENCE SOUTH PARALLEL WITH THE EAST LINE OF N. WESTERN AVENUE, A DISTANCE OF 22.98 FEET; THENCE EAST PERPENDICULAR TO THE LAST DESCRIBED LINE, A DISTANCE OF 19.13 FEET; THENCE NORTH PARALLEL WITH THE EAST LINE OF N. WESTERN AVENUE, A DISTANCE OF 3.59 FEET; THENCE WEST PERPENDICULAR TO THE LAST DESCRIBED LINE, A DISTANCE OF 3.70 FEET; THENCE WEST PARALLEL WITH THE EAST LINE OF N. WESTERN AVENUE, A DISTANCE OF 25.89 FEET; THENCE SOUTH PARALLEL WITH THE EAST LINE OF N. WESTERN AVENUE, A DISTANCE OF 18.85 FEET TO THE POINT OF BEGINNING, ALL IN COOK COUNTY, ILLINOIS.

ALSO :**EXCEPTION PARCEL 2 :**

THAT PART OF SAID LOTS 6 AND 7, LYING ABOVE A HORIZONTAL PLANE OF +28.26 CITY OF CHICAGO DATUM AND LYING BELOW A HORIZONTAL PLANE OF +41.15 CITY OF CHICAGO DATUM, DESCRIBED AS FOLLOWS : BEGINNING AT A POINT 5.56 FEET SOUTH OF THE NORTH LINE OF SAID LOT 6 AND 0.75 FEET EAST OF THE EAST LINE OF N. WESTERN AVENUE, SAID EAST LINE BEING A LINE 50.0 FEET EAST OF THE WEST LINE OF SECTION 7, AFORESAID; THENCE SOUTH PARALLEL WITH THE EAST LINE OF N. WESTERN AVENUE, A DISTANCE OF 18.82 FEET; THENCE EAST PERPENDICULAR TO THE LAST DESCRIBED LINE, A DISTANCE OF 25.86 FEET; THENCE NORTH PARALLEL WITH THE EAST LINE OF N. WESTERN AVENUE, A DISTANCE OF 3.70 FEET; THENCE EAST PERPENDICULAR TO THE LAST DESCRIBED LINE, A DISTANCE OF 8.06 FEET; THENCE NORTH PARALLEL WITH THE EAST LINE OF N. WESTERN AVENUE, A DISTANCE OF 0.47 FEET; THENCE EAST PERPENDICULAR TO THE LAST DESCRIBED LINE, A DISTANCE OF 5.92 FEET; THENCE NORTH PARALLEL WITH THE EAST LINE OF N. WESTERN AVENUE, A DISTANCE OF 6.27 FEET; THENCE EAST PERPENDICULAR TO THE LAST DESCRIBED LINE, A DISTANCE OF 12.42 FEET; THENCE NORTH PARALLEL WITH THE EAST LINE OF N. WESTERN AVENUE, A DISTANCE OF 19.63 FEET; THENCE EAST PERPENDICULAR TO THE LAST DESCRIBED LINE, A DISTANCE OF 15.94 FEET; THENCE SOUTH PARALLEL WITH THE EAST LINE OF N. WESTERN AVENUE, A DISTANCE OF 2.34 FEET; THENCE WEST PERPENDICULAR TO THE LAST DESCRIBED LINE, A DISTANCE OF 7.34 FEET; THENCE NORTH PARALLEL WITH THE EAST LINE OF N. WESTERN AVENUE, A DISTANCE OF 2.34 FEET; THENCE WEST PERPENDICULAR TO THE LAST DESCRIBED LINE, A DISTANCE OF 29.61 FEET; THENCE SOUTH PARALLEL WITH THE EAST LINE OF N. WESTERN AVENUE, A DISTANCE OF 4.04 FEET; THENCE WEST PERPENDICULAR TO THE LAST DESCRIBED LINE, A DISTANCE OF 6.58 FEET TO THE POINT OF BEGINNING, ALL IN COOK COUNTY, ILLINOIS.

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**EXHIBIT D
LEGAL DESCRIPTION
I TERRAZZI COMMERCIAL CONDOMINIUMS**

PARCEL 1 :

THAT PART OF SAID LOTS 6 AND 7, (EXCEPT THAT PART LYING WEST OF A LINE 50 FEET EAST OF THE WEST LINE OF SECTION 7) IN BLOCK 3 IN PORTSMAN ADDITION TO RAVENSWOOD, BEING A SUBDIVISION OF THE WEST 12 ACRES OF THE NORTH 31.21 ACRES OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 7, TOWNSHIP 40 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, BEING ALSO KNOWN AS LOTS 6 AND 7 IN THE SUBDIVISION BY CLARA BECKER OF LOT 3 OF THE WEST 12 ACRES AFORESAID, LYING ABOVE A HORIZONTAL PLANE OF +28.26 CITY OF CHICAGO DATUM AND LYING BELOW A HORIZONTAL PLANE OF +41.48 CITY OF CHICAGO DATUM, DESCRIBED AS FOLLOWS : BEGINNING AT A POINT 7.99 FEET NORTH OF THE SOUTH LINE OF SAID LOT 7 AND 0.75 FEET EAST OF THE EAST LINE OF N. WESTERN AVENUE, SAID EAST LINE BEING A LINE 50 FEET EAST OF THE WEST LINE OF SECTION 7, AFORESAID; THENCE EAST, 6.50 FEET; THENCE SOUTH PERPENDICULAR TO THE LAST DESCRIBED LINE, A DISTANCE OF 3.98 FEET; THENCE EAST THE EAST LINE OF N. WESTERN AVENUE, A DISTANCE OF 22.98 FEET; THENCE NORTH PARALLEL WITH THE EAST LINE OF N. WESTERN AVENUE, A DISTANCE OF 19.13 FEET; THENCE WEST PERPENDICULAR TO THE LAST DESCRIBED LINE, A DISTANCE OF 3.59 FEET; THENCE NORTH PARALLEL WITH THE EAST LINE OF N. WESTERN AVENUE, A DISTANCE OF 3.70 FEET; THENCE WEST PERPENDICULAR TO THE LAST DESCRIBED LINE, A DISTANCE OF 25.89 FEET; THENCE SOUTH PARALLEL WITH THE EAST LINE OF N. WESTERN AVENUE, A DISTANCE OF 18.85 FEET TO THE POINT OF BEGINNING, ALL IN COOK COUNTY, ILLINOIS.

PARCEL 2 :

THAT PART OF SAID LOTS 6 AND 7, (EXCEPT THAT PART LYING WEST OF A LINE 50 FEET EAST OF THE WEST LINE OF SECTION 7) IN BLOCK 3 IN PORTSMAN ADDITION TO RAVENSWOOD, BEING A SUBDIVISION OF THE WEST 12 ACRES OF THE NORTH 31.21 ACRES OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 7, TOWNSHIP 40 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, BEING ALSO KNOWN AS LOTS 6 AND 7 IN THE SUBDIVISION BY CLARA BECKER OF LOT 3 OF THE WEST 12 ACRES AFORESAID, LYING ABOVE A HORIZONTAL PLANE OF +28.26 CITY OF CHICAGO DATUM AND LYING BELOW A HORIZONTAL PLANE OF +41.15 CITY OF CHICAGO DATUM, DESCRIBED AS FOLLOWS : BEGINNING AT A POINT 5.56 FEET SOUTH OF THE NORTH LINE OF SAID LOT 6 AND 0.75 FEET EAST OF THE EAST LINE OF N. WESTERN AVENUE, SAID EAST LINE BEING A LINE 50.0 FEET EAST OF THE WEST LINE OF SECTION 7, AFORESAID; THENCE SOUTH PARALLEL WITH THE EAST LINE OF N. WESTERN AVENUE, A DISTANCE OF 18.82 FEET; THENCE EAST PERPENDICULAR TO THE LAST DESCRIBED LINE, A DISTANCE OF 25.86 FEET; THENCE NORTH PARALLEL WITH THE EAST LINE OF N. WESTERN AVENUE, A DISTANCE OF 3.70 FEET; THENCE EAST PERPENDICULAR TO THE LAST DESCRIBED LINE, A DISTANCE OF 8.06 FEET; THENCE NORTH PARALLEL WITH THE EAST LINE OF N. WESTERN AVENUE, A DISTANCE OF 0.47 FEET; THENCE EAST PERPENDICULAR TO THE LAST DESCRIBED LINE, A DISTANCE OF 5.92 FEET; THENCE NORTH PARALLEL WITH THE EAST LINE OF N. WESTERN AVENUE, A DISTANCE OF 6.27 FEET; THENCE EAST PERPENDICULAR TO THE LAST DESCRIBED LINE, A DISTANCE OF 19.63 FEET; THENCE NORTH PARALLEL WITH THE EAST LINE OF N. WESTERN AVENUE, A DISTANCE OF 12.42 FEET; THENCE WEST PERPENDICULAR TO THE LAST DESCRIBED LINE, A DISTANCE OF 15.94 FEET; THENCE SOUTH PARALLEL WITH THE EAST LINE OF N. WESTERN AVENUE, A DISTANCE OF 2.34 FEET; THENCE WEST PERPENDICULAR TO THE LAST DESCRIBED LINE, A DISTANCE OF 7.34 FEET; THENCE NORTH PARALLEL WITH THE EAST LINE OF N. WESTERN AVENUE, A DISTANCE OF 2.34 FEET; THENCE WEST PERPENDICULAR TO THE LAST DESCRIBED LINE, A DISTANCE OF 29.61 FEET; THENCE SOUTH PARALLEL WITH THE EAST LINE OF N. WESTERN AVENUE, A DISTANCE OF 4.04 FEET; THENCE WEST PERPENDICULAR TO THE LAST DESCRIBED LINE, A DISTANCE OF 6.58 FEET TO THE POINT OF BEGINNING, ALL IN COOK COUNTY, ILLINOIS.