

9

UNOFFICIAL COPY



This document prepared by
and when recorded return to:
Suzanne Chung, Esq.
The Chicago Housing Authority
Office of the General Counsel
200 West Adams Street, Suite 2100
Chicago, Illinois 60606

Doc#: 0436416183
Eugene "Gene" Moore Fee: \$38.50
Cook County Recorder of Deeds
Date: 12/29/2004 03:02 PM Pg: 1 of 8

SECOND AMENDMENT TO LEASE AGREEMENT AND MEMORANDUM OF LEASE AGREEMENT FOR OLD TOWN VILLAGE EAST, PHASE II

THIS SECOND AMENDMENT TO LEASE AGREEMENT AND MEMORANDUM OF LEASE AGREEMENT FOR OLD TOWN VILLAGE EAST, PHASE II ("SECOND AMENDMENT TO LEASE, PHASE II") is entered into and effective as December 27, 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 Lease Agreement for Old Town Village East, Phase II dated effective as of August 29, 2003 and Memorandum of Lease ("Memorandum") recorded in the Recorder's Office of Cook County on August 29, 2003 as document no. 0324119215, and as amended in that certain First Amendment of Lease Agreement for Old Town Village East, Phase II dated effective as of December 3, 2003 and Memorandum of Lease recorded in the Recorder's Office of Cook County on December 3, 2003 as document no. 0333739146, (together, as amended hereby, the "Amended Lease Agreement, Phase II").

WITNESSETH

WHEREAS, Authority and Owner have previously executed and recorded the Amended Lease Agreement, Phase II which encumbers certain public housing units (the "CHA Condominium Units") described in Exhibit A-2 thereto with certain low-income public housing requirements and imposes certain other obligations upon the Owner; and

WHEREAS, the Owner has converted a portion of the Development, as defined in the Amended Lease Agreement, Phase II 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 Exhibit A-2 to the Amended Lease Agreement, Phase II to reflect the current status CHA Condominium Units, and all other real, personal and intangible property owned by the Owner that is now subject to the Amended Lease Agreement, Phase II and encumbered by the obligations set forth in the Amended Lease Agreement, Phase II;

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

UNOFFICIAL COPY

follows:

SECTION 1. AMENDMENT OF EXHIBIT A-2. Exhibit A-2 to the Amended Lease Agreement, Phase II is hereby amended and restated to read as set forth in Exhibit A-2 to this Second Amendment to Lease, Phase II.

SECTION 2. FULL FORCE AND EFFECT. Except as amended by this Second Amendment to Lease, Phase II the terms of the Amended Lease Agreement, Phase II remain in full force and effect, and are incorporated herein by reference as though fully set forth herein.

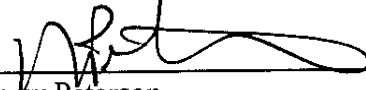
SECTION 3. COUNTERPARTS. This Second Amendment to Lease Agreement, Phase II may be executed in multiple counterparts, each of which shall be an original, but all of which together shall constitute but one in the same agreement.

THE BALANCE OF THIS PAGE IS INTENTIONALLY LEFT BLANK

UNOFFICIAL COPY

IN WITNESS WHEREOF, the Authority and Owner have executed this ^{Second} ~~Fourth~~ Amendment to Lease, Phase II by their duly authorized representatives, all as of the date first written herein above.

CHICAGO HOUSING AUTHORITY,
an Illinois municipal corporation

By: 
Terry Peterson
Chief Executive Officer

SOUTHWEST OLD TOWN DEVELOPMENT ASSOCIATES, L.L.C.
an Illinois limited partnership

By: Lincoln Park Development Associates, Inc.
an Illinois Corporation
Its: Manager

By: _____
Daniel McLean, President

Property of Cook County Clerk's Office

UNOFFICIAL COPY

IN WITNESS WHEREOF, the Authority and Owner have executed this Second Amendment to Lease, Phase II by their duly authorized representatives, all as of the date first written herein above.


CHICAGO HOUSING AUTHORITY,
an Illinois municipal corporation

By: _____
Terry Peterson
Chief Executive Officer

SOUTHWEST OLD TOWN DEVELOPMENT ASSOCIATES, L.L.C.,
an Illinois limited partnership

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

Its: Manager

By: 
Daniel McLean, President

Property of Cook County Clerk's Office

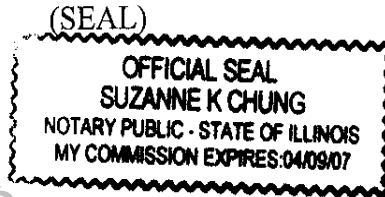
UNOFFICIAL COPY

STATE OF ILLINOIS)
) SS
COUNTY OF COOK)

I, the undersigned, a notary public in and for the County and State aforesaid, do hereby certify that Terry Peterson, personally known to me to be the Chief Executive Officer of the Chicago Housing Authority (the "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 as such Chief Executive Officer, he signed and delivered the said instrument pursuant to authority of the Authority Board of Commissioners, as his free and voluntary act, and as the free and voluntary act and deed of said Authority, for the uses and purposes therein set forth.

GIVEN under my hand and official seal this 27th day of December 2004.

Suzanne K Chung
Notary Public



Property of Cook County Clerk's Office

UNOFFICIAL COPY

STATE OF ILLINOIS)
) SS.
COUNTY OF COOK)

I, the undersigned, a Notary Public in and for the county and State aforesaid, do hereby certify that Daniel McLean, personally known to me to be the President of Lincoln Park Development Associates, Inc., an Illinois Corporation (the "Corporation"), and the Manager of Southwest Old Town Development Associates, L.L.C., an Illinois limited liability company (the "Owner"), and 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 as such President he/she signed and delivered the said instrument pursuant to authority given by the members of the company, and as his/her respective free and voluntary act and deed 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 27th day of December 2004.

Maria Baziancos

Notary Public

(SEAL)

OFFICIAL SEAL
MARIA BAZIANCOS
NOTARY PUBLIC STATE OF ILLINOIS
MY COMMISSION EXT. APR. 26, 2005

Notary Public for Cook County Clerk's Office

UNOFFICIAL COPY

EXHIBIT A-2

OLD TOWN VILLAGE EAST, PHASE II

**CHA CONDOMINIUM UNITS OWNED BY SOUTHWEST OLD TOWN
DEVELOPMENT ASSOCIATES, L.L.C., CONVERTED TO A CONDOMINIUM
FORM OF OWNERSHIP, AND SUBMITTED TO THIS AMENDED LEASE
AGREEMENT, PHASE II**

Parcel 1

Units 101, 201, 202, 302, 402, 410, 1101 and 1201 in the Condominiums of Old Town Village East as delineated on a survey of the following described real estate: certain lots in Old Town Village East, being a subdivision in the west half of the northeast quarter of Section 4, Township 39 north, R14, east of the Third Principal Meridian; which survey is attached as an exhibit to the Declaration of Condominium recorded as Document Number 0324127030; together with its undivided percentage interest in the Common Elements, all in Cook County, Illinois.

Common Address: 1205 North Orleans Court, Chicago, Illinois
1255 North Orleans Court, Chicago, Illinois

Property Index Numbers: 17-04-220-001-0000 and 17-04-220-016-0000.

Parcel 2

Easements for ingress and egress, use and enjoyment for the benefit of Parcel 1, as created by Declaration of Easements, Restrictions, and Covenants for Old Town Village East Homeowners Association recorded as Document Number 0322519031 and made by the Common Easement Agreement recorded as document number 0322519030

Parcel 3

Units 202, 302, 402 and 410 in The Midrise of Old Town Village East Condominiums as delineated on a Plat of Survey of the following described real estate:

Lots 32 and 39 in Old Town Village East being a Subdivision in the West Half of the Northeast Quarter of Section 4, Township 39 North, Range 14, East of the Third Principal Meridian, in Cook County, Illinois.

which Plat of Survey is attached as Exhibit E to the Declaration of Condominium recorded _____, 200__ in the office of the Recorder of Deeds of Cook County, Illinois, as Document No. _____. Each with its undivided interest in the Common Elements.

UNOFFICIAL COPY

Common Address: 343 West Old Town Court, Chicago, Illinois 60610

Property Index Numbers: 17-04-219-080
17-04-220-001
17-04-220-002
17-04-220-016
all affecting this and other property

Property of Cook County Clerk's Office