

UNOFFICIAL COPY

This Instrument Prepared by and after Recording Return to:

Mark S. Friedman, Esq.
Sinar Keldermans Miller & Friedman, LLC
Suite 1800
303 W. Madison Street
Chicago, IL 60606



Doc#: 0436502086
Eugene "Gene" Moore Fee: \$42.00
Cook County Recorder of Deeds
Date: 12/30/2004 08:06 AM Pg: 1 of 10

For Recording Purposes Only.

FIRST AMENDMENT TO THE DECLARATION OF CONDOMINIUM PURSUANT TO THE CONDOMINIUM PROPERTY ACT POINTE 1900 ON STATE CONDOMINIUM

THIS FIRST AMENDMENT ("Amendment") is made and entered as of the 13th day of December, 2004, by Dynaprop XVIII: State Street LLC, an Illinois limited liability company (hereinafter referred to as "Declarant"):

WITNESSETH:

WHEREAS, the Declarant submitted a certain parcel of real estate situated in the City of Chicago, Cook County, Illinois, and legally described in Exhibit A attached hereto (hereinafter called the "Parcel"), to the provisions of that certain Declaration of Condominium for Pointe 1900 on State Condominium dated July 28, 2004 and recorded on August 4, 2004, as Document Number 0421739021 (the "Declaration");

WHEREAS, the Declarant recorded as part of Exhibit B to the Declaration an assignment of Storage Spaces as Limited Common Elements appurtenant to the Residential Units ("Assignments");

WHEREAS, pursuant to Paragraph 23 of the Declaration, Declarant desires to amend the Declaration to revise the Assignments ("Reassignments") contained in Exhibit B;

WHEREAS, the Declarant is the owner of all units affected by the Reassignments;

NOW, THEREFORE, the Declarant hereby declares that the Declaration be hereby amended as follows:

BOUNDED COPY

CH
MK
SLB
8235444
10/14

106

UNOFFICIAL COPY

1. Exhibit B to the Declaration is hereby deleted in its entirety and replaced with the Exhibit B attached hereto. Exhibit B is being modified solely to revise certain Assignments and the percentage of ownership interests assigned to the Residential Units and Limited Common Elements are unaffected by this Amendment.

2. If and to the extent this Amendment conflicts or is inconsistent with any of the terms and provisions of the Declaration, the terms of this Amendment shall govern and control. Any capitalized terms used herein, but not otherwise defined, shall have the meanings ascribed to them in the Declaration. In all other respects, the Declaration, as amended by this Amendment, is hereby ratified and affirmed.

IN WITNESS WHEREOF, Declarant has caused its name to be signed to these presents on the day and year first above written.

DYNAPROP XVIII: STATE STREET LLC, an Illinois limited liability company

By: Dynaprop Development Corporation, its Manager

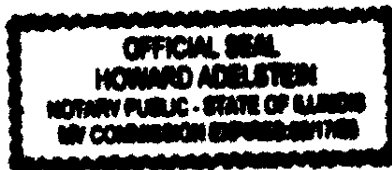
By: Patrick J. Turner
Patrick J. Turner, President

STATE OF ILLINOIS)
) SS
COUNTY OF COOK)

I, Howard Adelstein, a Notary Public in and for the County and State aforesaid, do hereby certify that Patrick J. Turner, President of Dynaprop Development Corporation, an Illinois corporation, as Manager of Dynaprop XVIII: State Street 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 manager, appeared before me this day in person and acknowledged that he signed and delivered said instrument as his own free and voluntary act, and as the free and voluntary act of said company, for the uses and purposes set forth therein.

GIVEN under my hand and notarial seal this 13th day of December, 2004.

Howard Adelstein
Notary Public



UNOFFICIAL COPY

CONSENT OF MORTGAGEE

MB FINANCIAL BANK, N.A. ("Lender"), holder of a note secured by a mortgage on the Property dated September 12, 2002, and recorded with the Recorder of Deeds of Cook County, Illinois, on September 20, 2002, as Document No. 0021036017, hereby consents to the execution of and recording of the above and foregoing First Amendment to the Declaration of Condominium, and hereby subordinates said mortgages to the provisions of the foregoing document and the Condominium Property Act of the State of Illinois.

IN WITNESS WHEREOF, said Lender has caused this instrument to be signed by its duly authorized officers on its behalf at Chicago, Illinois, on this 13th day of December, 2004.

MB FINANCIAL BANK, N.A.

By: TBC
Its: TREVOR B. CAIN
VICE PRESIDENT

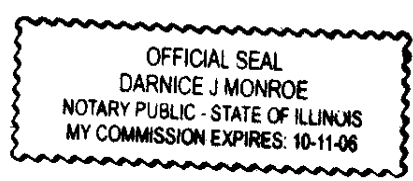
ATTEST:

Jason Bond
Its: Commercial Banking Officer

STATE OF ILLINOIS)
) SS
COUNTY OF COOK)

I, DARNICE MONROE, a Notary Public in and for said County and State, do hereby certify that TREVOR CAIN and JASON BOND, the VICE PRESIDENT and COMM'L BANKING OFFICER, respectively, of MB FINANCIAL BANK, N.A., personally known to me to be the same persons whose names are subscribed to the foregoing instrument as such VICE PRESIDENT and COMM'L BANKING OFFICER appeared before me this day in person and acknowledged that they signed, sealed and delivered said instrument as their free and voluntary act, as the free and voluntary act of said Lender, for the uses and purposes therein set forth.

GIVEN under my hand and Notarial Seal this 13 day of December, 2004.



Darnice J. Monroe
Notary Public

UNOFFICIAL COPY

EXHIBIT A

Units 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 227, 228, 229, 230, 231, 232, 233, 234, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 327, 328, 329, 330, 331, 332, 333, 334, 401, 402, 403, 405, 406, 407, 408, 409, 410, 411, 412, 427, 428, 429, 430, 431, 432, 433, 434 and G-1 through G-55, all inclusive, in Pointe 1900 on State Condominium as delineated on the Plat of Survey of the following described parcel of real estate:

LOTS 1 TO 5, BOTH INCLUSIVE, TOGETHER WITH A PART OF THE VACATED 30 FOOT ALLEY, LYING WEST OF AND ADJOINING THE WEST LINE OF SAID LOTS 2 TO 5 IN BLOCK 32 IN CANAL TRUSTEES NEW SUBDIVISION OF BLOCKS IN EAST FRACTIONAL SOUTHEAST 1/4 OF SECTION 21, TOWNSHIP 39 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID LOT 1;
 THENCE SOUTH 00° 03' 47" EAST, ALONG THE EAST LINE OF SAID LOTS 1 TO 5, BOTH INCLUSIVE, SAID LINE ALSO BEING THE WEST LINE OF SOUTH STATE STREET, A DISTANCE OF 293.68 FEET,
 THENCE SOUTH 90° 00' 00" WEST, ALONG THE SOUTH LINE OF SAID LOT 5 AND THE SOUTH LINE OF SAID VACATED 30 FOOT ALLEY, SAID LINE ALSO BEING THE NORTH LINE OF WEST CULLERTON STREET, A DISTANCE OF 175.70 FEET;
 THENCE NORTH 00° 00' 37" EAST, A DISTANCE OF 24.42 FEET;
 THENCE SOUTH 89° 59' 23" EAST, A DISTANCE OF 13.40 FEET;
 THENCE NORTH 00° 00' 37" EAST, A DISTANCE OF 68.15 FEET;
 THENCE NORTH 31° 44' 44" WEST, A DISTANCE OF 16.35 FEET;
 THENCE NORTH 57° 48' 37" EAST, A DISTANCE OF 57.50 FEET;
 THENCE NORTH 31° 54' 03" WEST, A DISTANCE OF 68.65 FEET;
 THENCE NORTH 58° 08' 39" EAST, ALONG THE NORTHWESTERLY LINE OF SAID VACATED 30 FOOT ALLEY AND THE NORTHWESTERLY LINE OF SAID LOT 1, SAID LINE ALSO BEING THE SOUTHEASTERLY LINE OF SOUTH ARCHER AVENUE, A DISTANCE OF 186.23 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS.

EXCEPTING THEREFROM PARCELS DESCRIBED AS FOLLOWS:

PARCEL 1:

THE FOLLOWING PARCEL OF LAND LYING ABOVE A HORIZONTAL PLANE AT ELEVATION +13.46 FEET CHICAGO CITY DATUM AND LYING AT AND BELOW A HORIZONTAL PLANE AT ELEVATION +29.66 FEET CHICAGO CITY DATUM OF THAT PART OF LOTS 1 AND 2 IN BLOCK 32 IN CANAL TRUSTEES NEW SUBDIVISION OF BLOCKS IN EAST FRACTIONAL SOUTHEAST 1/4 OF SECTION 21, TOWNSHIP 39 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID LOT 1;
 THENCE SOUTH 00° 03' 47" EAST, A DISTANCE OF 121.69 FEET;

UNOFFICIAL COPY

THENCE SOUTH 90° 00' 00" WEST, A DISTANCE OF 34.48 FEET;
 THENCE NORTH 00° 00' 00" EAST, A DISTANCE OF 9.20 FEET;
 THENCE SOUTH 90° 00' 00" WEST, A DISTANCE OF 25.60 FEET;
 THENCE NORTH 00° 00' 00" EAST, A DISTANCE OF 4.72 FEET;
 THENCE SOUTH 90° 00' 00" WEST, A DISTANCE OF 9.41 FEET;
 THENCE SOUTH 00° 00' 00" WEST, A DISTANCE OF 22.49 FEET;
 THENCE NORTH 89° 35' 12" WEST, A DISTANCE OF 7.87 FEET;
 THENCE SOUTH 58° 03' 42" WEST, A DISTANCE OF 11.14 FEET;
 THENCE NORTH 31° 51' 21" WEST, A DISTANCE OF 11.60 FEET;
 THENCE NORTH 58° 08' 39" EAST, A DISTANCE OF 10.71 FEET;
 THENCE A DISTANCE OF 21.13 FEET ALONG AN ARC OF A CIRCLE, CONVEX TO THE
 NORTHWEST, HAVING A RADIUS OF 15.18 FEET AND WHOSE CHORD OF 19.46 FEET
 BEARS NORTH 19° 55' 01" EAST;
 THENCE NORTH 31° 51' 21" WEST, A DISTANCE OF 9.40 FEET;
 THENCE SOUTH 58° 08' 39" WEST, A DISTANCE OF 38.06 FEET;
 THENCE SOUTH 31° 51' 21" EAST, A DISTANCE OF 15.47 FEET;
 THENCE SOUTH 58° 08' 39" WEST, A DISTANCE OF 28.67 FEET;
 THENCE NORTH 31° 54' 03" WEST, A DISTANCE OF 18.12 FEET;
 THENCE NORTH 58° 08' 39" EAST, A DISTANCE OF 3.68 FEET;
 THENCE SOUTH 31° 51' 21" EAST, A DISTANCE OF 2.64 FEET;
 THENCE NORTH 58° 08' 39" EAST, A DISTANCE OF 5.13 FEET;
 THENCE NORTH 31° 51' 21" WEST, A DISTANCE OF 32.02 FEET;
 THENCE NORTH 58° 08' 39" EAST, A DISTANCE OF 2.02 FEET;
 THENCE NORTH 31° 51' 21" WEST, A DISTANCE OF 4.78 FEET;
 THENCE NORTH 58° 08' 39" EAST, A DISTANCE OF 175.38 FEET TO THE POINT OF
 BEGINNING, IN COOK COUNTY, ILLINOIS.

PARCEL 2:

THE FOLLOWING PARCEL OF LAND LYING ABOVE A HORIZONTAL PLANE AT
 ELEVATION +13.46 FEET CHICAGO CITY DATUM AND LYING AT AND BELOW A
 HORIZONTAL PLANE AT ELEVATION +29.66 FEET CHICAGO CITY DATUM OF THAT
 PART OF LOTS 2 TO 5, BOTH INCLUSIVE, IN BLOCK 32 IN CANAL TRUSTEES NEW
 SUBDIVISION OF BLOCKS IN EAST FRACTIONAL SOUTHEAST 1/4 OF SECTION 21,
 TOWNSHIP 39 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, MORE
 PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID LOT 1;
 THENCE SOUTH 00° 03' 47" EAST, A DISTANCE OF 129.79 FEET TO THE POINT OF
 BEGINNING;
 THENCE CONTINUING SOUTH 00° 03' 47" EAST, A DISTANCE OF 163.89 FEET;
 THENCE SOUTH 90° 00' 00" WEST, A DISTANCE OF 51.96 FEET;
 THENCE NORTH 00° 00' 00" EAST, A DISTANCE OF 6.59 FEET;
 THENCE NORTH 90° 00' 00" EAST, A DISTANCE OF 5.50 FEET;
 THENCE NORTH 00° 00' 00" EAST, A DISTANCE OF 3.44 FEET;
 THENCE SOUTH 90° 00' 00" WEST, A DISTANCE OF 5.50 FEET;

UNOFFICIAL COPY

THENCE SOUTH 00° 00' 00" WEST, A DISTANCE OF 0.30 FEET;
 THENCE SOUTH 90° 00' 00" WEST, A DISTANCE OF 18.39 FEET;
 THENCE NORTH 00° 00' 58" WEST, A DISTANCE OF 146.46 FEET;
 THENCE NORTH 90° 00' 00" EAST, A DISTANCE OF 25.71 FEET;
 THENCE NORTH 00° 00' 00" EAST, A DISTANCE OF 7.70 FEET;
 THENCE NORTH 90° 00' 00" EAST, A DISTANCE OF 44.51 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS.

PARCEL 3:

THE FOLLOWING PARCEL OF LAND LYING ABOVE A HORIZONTAL PLANE AT ELEVATION +12.80 FEET CHICAGO CITY DATUM OF THAT PART OF LOTS 2 TO 5, BOTH INCLUSIVE, TOGETHER WITH A PART OF THE VACATED 30 FOOT ALLEY, LYING WEST OF AND ADJOINING THE WEST LINE OF SAID LOTS 2 TO 5 IN BLOCK 32 IN CANAL TRUSTEES NEW SUBDIVISION OF BLOCKS IN EAST FRACTIONAL SOUTHEAST 1/4 OF SECTION 21, TOWNSHIP 39 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT 5;
 THENCE SOUTH 90° 00' 00" WEST, A DISTANCE OF 70.35 FEET TO THE POINT OF BEGINNING;
 THENCE CONTINUING SOUTH 90° 00' 00" WEST, A DISTANCE OF 64.97 FEET;
 THENCE NORTH 00° 00' 16" WEST, A DISTANCE OF 76.72 FEET;
 THENCE NORTH 89° 57' 07" WEST, A DISTANCE OF 26.96 FEET;
 THENCE NORTH 00° 00' 37" EAST, A DISTANCE OF 15.83 FEET;
 THENCE NORTH 31° 44' 44" WEST, A DISTANCE OF 16.35 FEET;
 THENCE NORTH 57° 48' 37" EAST, A DISTANCE OF 57.50 FEET;
 THENCE SOUTH 31° 54' 03" EAST, A DISTANCE OF 1.25 FEET;
 THENCE NORTH 58° 03' 42" EAST, A DISTANCE OF 51.97 FEET;
 THENCE SOUTH 89° 35' 12" EAST, A DISTANCE OF 7.15 FEET;
 THENCE SOUTH 00° 00' 58" EAST, A DISTANCE OF 163.43 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS.

PARCEL 4:

THE FOLLOWING PARCEL OF LAND LYING ABOVE A HORIZONTAL PLANE AT ELEVATION +12.80 FEET CHICAGO CITY DATUM OF THAT PART OF THE VACATED 30 FOOT ALLEY, LYING WEST OF AND ADJOINING THE WEST LINE OF LOT 5 IN BLOCK 32 IN CANAL TRUSTEES NEW SUBDIVISION OF BLOCKS IN EAST FRACTIONAL SOUTHEAST 1/4 OF SECTION 21, TOWNSHIP 39 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID LOT 5;
 THENCE SOUTH 90° 00' 00" WEST, A DISTANCE OF 162.30 FEET TO THE POINT OF BEGINNING;
 THENCE CONTINUING SOUTH 90° 00' 00" WEST, A DISTANCE OF 13.40 FEET;
 THENCE NORTH 00° 00' 37" EAST, A DISTANCE OF 24.42 FEET;

UNOFFICIAL COPY

THENCE SOUTH 89° 59' 23" EAST, A DISTANCE OF 13.40 FEET;
 THENCE SOUTH 00° 00' 37" WEST, A DISTANCE OF 24.42 FEET TO THE POINT OF
 BEGINNING, IN COOK COUNTY, ILLINOIS.

PARCEL 5:

THE FOLLOWING PARCEL OF LAND LYING ABOVE A HORIZONTAL PLANE AT
 ELEVATION + 3.46 FEET CHICAGO CITY DATUM AND LYING AT AND BELOW A
 HORIZONTAL PLANE AT ELEVATION +12.80 FEET CHICAGO CITY DATUM OF THAT
 PART OF LOTS 3, 4 AND 5 IN BLOCK 32 IN CANAL TRUSTEES NEW SUBDIVISION OF
 BLOCKS IN EAST FRACTIONAL SOUTHEAST 1/4 OF SECTION 21, TOWNSHIP 39 NORTH,
 RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID LOT 5;
 THENCE SOUTH 90° 00' 00" WEST, A DISTANCE OF 70.35 FEET;
 THENCE NORTH 00° 00' 58" WEST, A DISTANCE OF 10.33 FEET TO THE POINT OF
 BEGINNING;
 THENCE SOUTH 90° 00' 00" WEST, A DISTANCE OF 64.97 FEET;
 THENCE NORTH 00° 00' 16" WEST, A DISTANCE OF 90.85 FEET;
 THENCE NORTH 58° 38' 08" EAST, A DISTANCE OF 47.84 FEET;
 THENCE NORTH 90° 00' 00" EAST, A DISTANCE OF 24.00 FEET;
 THENCE SOUTH 00° 00' 58" EAST, A DISTANCE OF 115.75 FEET TO THE POINT OF
 BEGINNING, IN COOK COUNTY, ILLINOIS.

which Plat of Survey is attached as Exhibit E to the Declaration of Condominium recorded August 4,
 2004, in the Office of the Recorder of Deeds of Cook County, Illinois, as Document Number
 0421739021, together with their respective undivided percentage interest in the Common Elements.

Address: 1910 South State Street, Chicago, Illinois

PIN: 17-21-414-006-0000

UNOFFICIAL COPY

EXHIBIT B

PERCENTAGE OF OWNERSHIP INTEREST IN THE COMMON ELEMENTS

<u>RESIDENTIAL UNIT</u>	<u>OWNERSHIP INTEREST IN THE COMMON ELEMENTS</u>	<u>STORAGE SPACE</u>
201	1.364%	S-3
202	1.288%	S-4
203	1.295%	S-5
204	1.295%	S-6
205	1.288%	S-7
206	1.308%	S-8
207	1.308%	S-9
208	1.564%	S-10
209	2.377%	S-11
210	2.032%	S-12
211	2.115%	S-13
212	2.198%	S-14
227	1.143%	S-15
228	1.618%	S-16
229	1.122%	S-17
230	1.143%	S-18
231	1.260%	S-19
232	1.329%	S-20
233	1.157%	S-21
234	1.171%	S-22
301	1.391%	S-23
302	1.315%	S-24
303	1.322%	S-25
304	1.322%	S-26
305	1.315%	S-27
306	1.336%	S-28
307	1.336%	S-29
308	1.598%	S-30
309	2.466%	S-31
310	2.080%	S-32
311	2.163%	S-33
312	2.246%	S-34
327	1.164%	S-35
328	1.736%	S-36
329	1.157%	S-37

UNOFFICIAL COPY

330	1.164%	S-38
331	1.288%	S-39
332	1.357%	S-40
333	1.178%	S-41
334	1.191%	S-42
401	1.439%	S-43
402	1.371%	S-44
403	2.728%	S-45
405	1.371%	S-46
406	1.377%	S-47
407	1.377%	S-48
408	1.729%	S-49
409	2.549%	S-50
410	1.495%	S-51
411	2.894%	S-1, S-2, S-52, S-62
412	2.363%	S-53
427	1.226%	S-54
428	1.805%	S-55
429	1.212%	S-56
430	1.219%	S-57
431	1.329%	S-58
432	1.412%	S-59
433	1.226%	S-60
434	1.233%	S-61

PARKING UNIT

G-1	0.165%
G-2	0.165%
G-3	0.165%
G-4	0.165%
G-5	0.165%
G-6	0.165%
G-7	0.165%
G-8	0.165%
G-9	0.165%
G-10	0.165%
G-11	0.165%
G-12	0.165%
G-13	0.165%
G-14	0.165%
G-15	0.165%

UNOFFICIAL COPY

G-16	0.165%
G-17	0.165%
G-18	0.165%
G-19	0.165%
G-20	0.165%
G-21	0.165%
G-22	0.165%
G-23	0.165%
G-24	0.165%
G-25	0.165%
G-26	0.165%
G-27	0.165%
G-28	0.165%
G-29	0.165%
G-30	0.165%
G-31	0.165%
G-32	0.165%
G-33	0.165%
G-34	0.165%
G-35	0.165%
G-36	0.165%
G-37	0.165%
G-38	0.165%
G-39	0.165%
G-40	0.165%
G-41	0.165%
G-42	0.165%
G-43	0.165%
G-44	0.165%
G-45	0.165%
G-46	0.165%
G-47	0.165%
G-48	0.165%
G-49	0.165%
G-50	0.165%
G-51	0.165%
G-52	0.165%
G-53	0.165%
G-54	0.165%
G-55	<u>0.165%</u>
	<u>100.000%</u>