

# UNOFFICIAL COPY

THIS INSTRUMENT PREPARED  
BY AND RETURN TO:  
GARY L. PLOTNICK  
Schain, Burney, Ross & Citron Ltd.  
222 North LaSalle Street  
Suite 1910  
Chicago, Illinois 60601



Doc#: 0520203044  
Eugene "Gene" Moore Fee: \$106.00  
Cook County Recorder of Deeds  
Date: 07/21/2005 11:32 AM Pg: 1 of 17

F	9/06	A
P		P
T		V
I	C.J.	

## FIRST AMENDMENT TO DECLARATION OF CONDOMINIUM OWNERSHIP AND OF EASEMENTS, RESTRICTIONS, COVENANTS AND BY-LAWS FOR THE 1819 S. MICHIGAN AVENUE CONDOMINIUMS

THIS FIRST AMENDMENT TO DECLARATION ("First Amendment") is made and entered into this 22 day of June, 2005 by PARKWAY BANK & TRUST COMPANY, NOT INDIVIDUALLY, BUT SOLELY AS TRUSTEE UNDER TRUST AGREEMENT DATED MARCH 22, 2004 AND KNOWN AS TRUST NUMBER 13736 (hereinafter referred to as the "Declarant").

### WITNESSETH:

WHEREAS, by a Declaration of Condominium Ownership and of Easements, Restrictions, Covenants and By-Laws for the 1819 S. Michigan Avenue Condominiums dated the 20<sup>th</sup> day of May, 2005 and recorded in the Office of the Recorder of Deeds of Cook County, Illinois, on May 31, 2005, as Document Number 0515103094 (hereinafter referred to as the "Declaration"), certain real estate was submitted to the Condominium Property Act of the State of Illinois (hereinafter referred to as the "Act"), said real estate being commonly known as the 1819 S. Michigan Avenue Condominiums (hereinafter referred to as the "Condominium"); and

WHEREAS, the Declarant is the legal holder of and wishes to annex and add to the Parcel and the Property, as these terms are defined in the Declaration, and thereby submit same to the Act, the real estate described in Exhibit "A", attached hereto and made a part hereof (hereinafter referred to as "Additional Parcel").

NOW, THEREFORE, the Declarant, as the legal title holder of the Additional Property, and for the purposes set forth hereinabove, hereby declares that the Declaration be, and the same is hereby, amended as follows:

1. The Additional Parcel described in Exhibit "A" attached hereto and made a part hereof, is hereby added to the Parcel and the Property, and is hereby submitted to

17 PG

RECORDING FEE 9/06  
DATE 07-21-05 COPIES 62  
OK BY C. J. [Signature]

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the provisions of the Act, and shall be deemed to be governed by in all respects by the terms and provisions of the Declaration.

2. It is understood that the Added Units, as this term is defined in the Declaration, being hereby added and annexed consists of space enclosed or bounded by the horizontal and vertical planes set forth in Exhibit "B", attached hereto and made a part hereof. Exhibit "B" to the Declaration is hereby amended by the addition thereto of Exhibit "B", which is attached hereto.

3. Exhibit "C" to the Declaration is hereby amended and superseded in its entirety by Exhibit "C", which is attached hereto and made a part hereof, and the respective percentages of ownership in the common elements appurtenant to each Unit described in former Exhibit "C" prior to this Amendment are hereby adjusted to the respective percentages set forth in the attached Exhibit "C".

4. The Added Common Elements, as that term is defined in the Declaration, are hereby granted and conveyed to the grantees of Units heretofore conveyed, all as set forth in the Declaration.

**[SIGNATURES APPEAR ON NEXT PAGE]**

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IN WITNESS WHEREOF, PARKWAY BANK & TRUST COMPANY, as Trustee aforesaid, executed this document as of the 24<sup>th</sup> day of June, 2005.

PARKWAY BANK & TRUST COMPANY, NOT INDIVIDUALLY, BUT SOLELY AS TRUSTEE UNDER TRUST AGREEMENT DATED MARCH 22, 2004 AND KNOWN AS TRUST NUMBER 13736,

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

Name: \_\_\_\_\_

Its: \_\_\_\_\_

**SEE EXHIBIT D FOR TRUSTEE  
SIGNATURE, ACKNOWLEDGEMENT AND  
EXCULPATION ATTACHED HERETO AND  
MADE A PART HEREOF.**

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STATE OF ILLINOIS                    )  
   ) SS.  
 COUNTY OF COOK                    )

I, \_\_\_\_\_ a Notary Public in and for the County and State aforesaid, DO HEREBY CERTIFY THAT \_\_\_\_\_, as \_\_\_\_\_ of **PARKWAY BANK & TRUST COMPANY, NOT INDIVIDUALLY, BUT SOLELY AS TRUSTEE UNDER TRUST AGREEMENT DATED MARCH 22, 2004 AND KNOWN AS TRUST NUMBER 13736**, 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 and delivered the same instrument as his own free and voluntary act and 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 \_\_\_\_ day of June, 2005.

\_\_\_\_\_  
 Notary Public

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## EXHIBIT "D"

### TRUSTEE SIGNATURE, EXONERATION AND ACKNOWLEDGMENT RIDER FOR FIRST AMENDMENT TO DECLARATION OF CONDOMINIUM OWNERSHIP AND OF EASEMENTS, RESTRICTIONS, COVENANTS AN BY-LAWS FOR THE 1819 S. MICHIGAN AVENUE CONDOMINIUMS

This document is executed by PARKWAY BANK & TRUST COMPANY, not personally but as Trustee under Trust No 13736 as aforesaid, in the exercise of power and authority conferred upon and vested in said Trustee as such, and it is expressly understood and agreed that nothing in said document contained shall be construed as creating any liability on said Trustee personally to pay any indebtedness accruing thereunder, or to perform any covenants, either expressed or implied including but not limited to warranties, indemnifications, and hold harmless presentations in said document (all such liability if any, being expressly waived by the parties hereto and their respective successors and assigns) and that so far as said Trustee is concerned, the owner of any indebtedness or right accruing under said document shall look solely to the premises described therein for the payment or enforcement, thereof, it being understood that said Trustee merely holds legal title to the premises described therein and has no control over the management thereof or the income there from, and has no knowledge respecting any factual matter with respect to said premises, except as represented to it by the beneficiary or beneficiaries of said trust. In event of conflict between the terms of this rider and of the agreement to which it is attached on any questions of apparent liability or obligation resting upon said trustee, the provisions of this rider shall be controlling.

The Trustee makes no personal representations as to nor shall it be responsible for the existence, location or maintenance of the chattels herein described, if any, or of any environmental conditions, duties or obligations concerning the property whether under any federal, state, or local statute, rule, regulation, or ordinance. The beneficiaries of this Trust, have management and control of the use of the property and as such, have the authority on their own behalf to execute any document as environmental representative but not as agent for or on behalf of the Trustee.

PARKWAY BANK & TRUST COMPANY, As Trustee under Trust No. 13736 as aforesaid and not personally,

By: *[Signature]*  
VICE PRESIDENT & TRUST OFFICER



STATE OF ILLINOIS )

COUNTY OF COOK )

I, the undersigned, a Notary Public in and for said County, in the State aforesaid do hereby certify that the above named officer of PARKWAY BANK & TRUST COMPANY, is personally known to me to be the same person whose name is subscribed to the foregoing instrument in the capacity shown, and appeared before me this day in person, and acknowledged signing, sealing and delivering the said instrument as her free and voluntary act, for the uses and purposes therein set forth.

Date: 6/24/05

*[Signature]*  
Notary Public





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## EXHIBIT "A"

### ADDITIONAL PARCEL

Units 604, 702, 704, 705, 707, 709, 802, 804 through 810, 902, 904 and 906 through 909 in 1819 South Michigan Avenue Condominiums of Lot 25 together with the North 51.63 feet of Lot 67 (except alley) and Lot 68 (except alley) taken as a tract, all in Block 8 in Assessor's Division of the Southwest Fractional Quarter of Section 22, Township 39 North, Range 14, East of the Third Principal Meridian (except from said tract that part thereof lying above a horizontal plane of 143.00 feet above Chicago City Datum and also except from said tract that part thereof lying above a horizontal plane of 14.18 feet above Chicago City Datum and lying below a horizontal plane of 29.30 feet above Chicago City Datum and falling within the boundaries projected vertically described as follows: commencing at the Northwest corner of said tract; Thence South 00° 00' 00" East along the West line of said tract 9.63 feet to the point of beginning; Thence North 90° 00' 00" East 11.57 feet; Thence North 00° 00' 00" East 4.83 feet; Thence North 90° 00' 00" East 28.08 feet; Thence South 00° 00' 00" East 3.00 feet; Thence North 90° 00' 00" East 4.83 feet; Thence South 00° 00' 00" East 23.42 feet; Thence South 90° 00' 00" West 3.83 feet; Thence South 00° 00' 00" East 8.00 feet; Thence South 90° 00' 00" West 29.51 feet; Thence South 00° 00' 00" East 1.30 feet; Thence South 90° 00' 00" West 11.09 feet to the West line of said tract; Thence North 00° 00' 00" East along said West line 30.88 feet to the point of beginning, and also except from said tract that part thereof lying above a horizontal plane of 14.18 feet above Chicago City Datum and lying below a horizontal plane of 29.45 feet above Chicago City Datum and falling within the boundaries projected vertically described as follows: beginning at the Southwest corner of said tract; Thence North 00° 00' 00" East along the West line thereof 81.25 feet; Thence North 90° 00' 00" East 32.26 feet; Thence South 00° 00' 00" West 7.58 feet; Thence North 90° 00' 00" East 9.58 feet; Thence South 00° 00' 00" West 8.66 feet; Thence North 90° 00' 00" West 1.33 feet; Thence South 00° 00' 00" West 19.36 feet; Thence South 90° 00' 00" West 1.48 feet; Thence South 00° 00' 00" West 15.43 feet; Thence North 90° 00' 00" West 4.99 feet; Thence South 00° 00' 00" West 5.65 feet; Thence North 90° 00' 00" East 4.97 feet; Thence South 00° 00' 00" West 24.54 feet to the South line of said tract; Thence South 89° 57' 43" West along said South line 39.0 feet to the point of beginning

COMMONLY KNOWN AS: 1819 S. Michigan Avenue  
Chicago, Illinois

PERMANENT INDEX NO.: 17-22-307-003  
17-22-307-004  
17-22-307-056  
17-22-307-046  
17-22-307-005

**UNOFFICIAL COPY****EXHIBIT "C"****PERCENTAGE OWNERSHIP**

UNIT NUMBER	PERCENTAGE OWNERSHIP
302	1.59350
304	1.65595
305	2.34110
502	1.65479
503	2.01979
504	1.71964
505	2.42945
507	2.15590
508	2.08956
509	2.15361
602	1.68543
604	1.75148
607	2.19171
608	2.12423
609	2.18938
610	2.80017
702	1.71607
704	1.78333
705	2.51779
707	2.22752
708	2.15889
709	2.22515
802	1.74672
804	1.81518
805	2.60613



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806	2.79709
807	2.26333
808	2.19356
809	2.26092
810	2.89088
902	1.77735
904	1.84701
906	2.84023
907	2.29913
908	2.22822
909	2.29668
P-1-01	.23663
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TOTAL:	<u>100.00%</u>

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# EXHIBIT

ATTACHED TO

~~COOK COUNTY RECORDER OF DEEDS~~

Doc#: 0520203044  
Escrow "Gene" Moore Fee: \$106.00  
Cook County Recorder of Deeds  
Date: 07/21/2005 11:32 AM Pg: 1 of 17

# DOCUMENT

# SEE PLAT INDEX

13 - PC  
4 - X  

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17 - TOTAL