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**THIS INSTRUMENT
PREPARED BY AND AFTER
RECORDING RETURN TO:**

Adam T. Berkoff, Esq.
Piper Rudnick LLP
203 North LaSalle Street
Suite 1800
Chicago, Illinois 60601



Doc#: 0521539010
Eugene "Gene" Moore Fee: \$66.00
Cook County Recorder of Deeds
Date: 08/03/2005 10:58 AM Pg: 1 of 7

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This space reserved for Recorder's use only.

AMENDMENT TO DECLARATION OF CONDOMINIUM OWNERSHIP AND OF EASEMENTS, RESTRICTIONS AND COVENANTS FOR 1300 LAKE SHORE DRIVE CONDOMINIUM

THIS AMENDMENT ("Amendment") amends that certain Declaration of Condominium Ownership and of Easements, Restrictions and Covenants for 1300 Lake Shore Drive Condominium recorded on October 3, 1973 in the Office of the Recorder of Deeds of Cook County, Illinois (the "Recorder") as Document No. 22 501 302 (as amended from time to time, the "Condominium Declaration"), and is executed as of this 23rd day of June, 2005 by 1300 Lake Shore Drive Condominium, an Illinois not for profit corporation (the "Association").

RECITALS

A. That certain improved real estate commonly known as 1300 North Lake Shore Drive (the "Condominium Building") situated in the City of Chicago, Cook County, Illinois (the "Submitted Parcel") has heretofore been submitted to the provisions of the Condominium Property Act of the State of Illinois, as amended (the "Act"), pursuant to the Condominium Declaration.

B. LaSalle Bank National Association, not personally but solely as Trustee under a Trust Agreement dated February 28, 2003 and known as Trust No. 130809 (the "39 Owner"), owns legal title to Units 39A-B, 39C and 39D (collectively, the "Units") in the Submitted Parcel, which Units are legally described on Exhibit A attached hereto and made a part hereof, and which constitute all of the units on the 39th floor of the Condominium Building.

C. The 39 Owner, and its beneficiaries, have the exclusive use and control of certain portions of the 39th floor of the Condominium Building (the "Exclusivity Areas") that were originally identified as Common Elements on the Plat of Survey (the "Plat") attached as Exhibit A to the Condominium Declaration.

RECORDING FEE

DATE 8-3-05 COPIES 68

OK BY AD

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D. The Association and the 39 Owner, by this Amendment, desire to amend the Condominium Declaration to replace the Plat sheet depicting the 39th floor of the condominium building to identify the Exclusivity Areas as being a part of the Units and not as Common Elements.

NOW, THEREFORE, the Association and the 39 Owner do hereby amend and supplement the Condominium Declaration as follows:

1. **Amendment to Exhibit A.** Exhibit A to the Condominium Declaration, "Plat of Survey", is hereby amended such that the single Plat sheet depicting the 39th floor of the Condominium Building (page 38 of 41) is deleted in its entirety and the single Plat sheet attached hereto as Exhibit B is hereby inserted in its place.
2. **Terms.** Capitalized terms used in this Amendment shall have the same meanings as ascribed to them in the Condominium Declaration, except to the extent they are amended or otherwise defined in this Amendment.
3. **Continuation.** All terms, conditions and provisions of the Condominium Declaration, as expressly amended and supplemented by this Amendment, are hereby ratified, confirmed and shall continue to apply with full force and effect. In the event of any inconsistency between this Amendment and the Condominium Declaration, this Amendment shall control.
4. **Trustee Exculpation.** This Amendment is executed by LaSalle Bank National Association ("LaSalle"), as Trustee as aforesaid, in the exercise of the power and authority conferred upon and vested in it as such Trustee (and LaSalle hereby warrants that it possesses full power and authority to execute this instrument). It is expressly understood and agreed by every person, firm or corporation hereafter claiming any interest under this Amendment that LaSalle, as Trustee as aforesaid, and not personally, has joined in the execution of this Amendment for the sole purpose of subjecting the title holding interest and the trust estate under said Trust No. 130809 to the terms of this Amendment; that any and all obligations, duties, covenants, indemnities and agreements of every nature herein set forth by LaSalle, as Trustee as aforesaid, to be kept or performed, are intended to be kept, performed, and discharged by the beneficiaries under said Trust No. 130809 or their successors, and not by LaSalle personally; and, further, that no duty shall rest upon LaSalle either personally or as such Trustee, to sequester trust assets, rentals, avails, or proceeds of any kind, or otherwise to see to the fulfillment or discharge of any obligation, express or implied, arising under the terms of this Amendment, except where said Trustee is acting pursuant to direction as provided by the terms of said Trust No. 130809 after the Trustee has been supplied with funds required for the purpose. In the event of a conflict between the terms of this paragraph and of the remainder of the Amendment on any questions of apparent liability or obligation resting upon said Trustee, the exculpatory provision hereof shall be controlling.


[SIGNATURE PAGE FOLLOWS]

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IN WITNESS WHEREOF, 1300 Lake Shore Drive Condominium and the 39 Owner have caused this Amendment to be signed as of the date aforesaid.

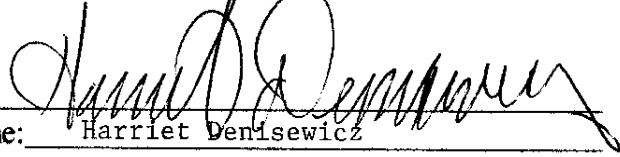
ASSOCIATION:

1300 LAKE SHORE DRIVE CONDOMINIUM

By: 
Name: Burton Kozak
Its: VP

39 OWNER:

LASALLE BANK, NOT PERSONALLY BUT SOLELY AS TRUSTEE UNDER TRUST AGREEMENT DATED FEBRUARY 28, 2003 AND KNOWN AS TRUST NO. 130809

By: 
Name: Harriet Denisevicz
Its: Trust Officer

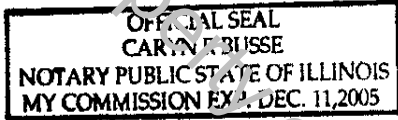
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STATE OF ILLINOIS)
) SS
COUNTY OF COOK)

I, CAROL R. BUSSE, a Notary Public in and for the County and State aforesaid, do hereby certify that Burton Kozak, as VICE PRESIDENT of the 1300 Lake Shore Drive Condominium, an Illinois not for profit corporation, personally known to me to be the same person whose name is subscribed to the foregoing instrument as such _____, appeared before me this day in person and acknowledged that she signed and delivered the foregoing instrument as her own free and voluntary act and as the free and voluntary act of such corporation, for the uses and purposes therein set forth.

GIVEN under my hand and notarial seal this 23 day of June, 2005.



Caryn E. Busse

Notary Public

My Commission Expires:
12/11/05

STATE OF ILLINOIS)
) SS
COUNTY OF COOK)

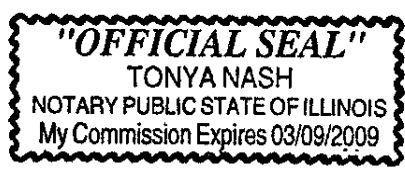
I, the undersigned _____, a Notary Public in and for the County and State aforesaid, do hereby certify that Harriet Denisewicz, as Trust Officer ~~XXXXXX~~ President of LaSalle Bank National Association, not personally but solely as Trustee as aforesaid, personally known to me to be the same person whose name is subscribed to the foregoing instrument as such Trust Officer President appeared before me this day in person and acknowledged that she signed and delivered the foregoing instrument as her own free and voluntary act and as the free and voluntary act of such association, for the uses and purposes therein set forth.

GIVEN under my hand and notarial seal this 29 day of July, 2005.

Tonya Nash

Notary Public

My Commission Expires:



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**EXHIBIT A
TO
AMENDMENT TO DECLARATION OF CONDOMINIUM OWNERSHIP
AND OF
EASEMENTS, RESTRICTIONS AND COVENANTS FOR
1300 LAKE SHORE DRIVE CONDOMINIUM**

LEGAL DESCRIPTION OF THE UNITS

UNIT 39A, 39B, 39C AND 39D, AS DELINEATED ON THE SURVEY OF THE FOLLOWING DESCRIBED PARCEL OF REAL ESTATE: THAT PART OF LOTS 4 TO 7 INCLUSIVE IN BLOCK 1 (EXCEPT THAT PART INCLUDED IN LAKE SHORE DRIVE AS NOW LOCATED), AND THAT PART OF LOTS 1 TO 4 INCLUSIVE IN BLOCK 2 AND THAT PART OF VACATED STONE STREET, LYING BETWEEN BLOCKS 1 AND 2 AFORESAID, ALL TAKEN AS A TRACT AND DESCRIBED AS FOLLOWS: BEGINNING ON THE NORTH LINE OF SAID LOT 4 IN BLOCK 2 AT A POINT 102 FEET EAST OF THE WESTERLY LINE OF SAID BLOCK 2; THENCE EAST OF THE NORTH LINE OF SAID LOT 4 AND THE NORTH LINE OF SAID LOT 4 EXTENDED EAST APPROXIMATELY 132.25 FEET OF THE WESTERLY LINE OF LAKE SHORE DRIVE; THENCE SOUTHERLY ON THE WESTERLY LINE OF LAKE SHORE DRIVE 163.44 FEET OF THE NORTH LINE OF EAST GOETHE STREET AND THE SOUTH LINE OF BLOCK 1, AFORESAID, THENCE WEST ON THE NORTH LINE OF EAST GOETHE STREET APPROXIMATELY 149.58 FEET TO A POINT 102 FEET EAST OF THE SOUTH WEST CORNER OF LOT 14 IN SAID BLOCK 2; THENCE NORTH ON A LINE PARALLEL TO AND 102 FEET EAST OF THE WESTERLY LINE OF LOTS 14 TO 11 INCLUSIVE OF SAID BLOCK 2 APPROXIMATELY 161.24 FEET TO THE POINT OF BEGINNING, ALL IN H.O. STONE'S SUBDIVISION OF ASTOR'S ADDITION TO CHICAGO IN THE NORTHWEST FRACTIONAL QUARTER OF SECTION 3, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN IN COOK COUNTY, ILLINOIS; WHICH SURVEY IS ATTACHED AS EXHIBIT "A" TO THE DECLARATION MADE BY LASALLE NATIONAL BANK AS TRUSTEE UNDER TRUST NUMBER 45030, RECORDED IN THE OFFICE OF THE RECORDER OF DEEDS, COOK COUNTY, ILLINOIS AS DOCUMENT NUMBER 22501302; TOGETHER WITH ITS UNDIVIDED PERCENTAGE INTEREST IN THE COMMON ELEMENTS AS SET FORTH IN SAID DECLARATION.

Commonly known as Units 39A-B, 39C and 39D in the 1300 Lake Shore Drive Condominium

PIN Numbers: 17-03-108-016-1137, 17-03-108-016-1138 and 17-03-108-016-1139

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**EXHIBIT B
TO
AMENDMENT TO DECLARATION OF CONDOMINIUM OWNERSHIP
AND OF
EASEMENTS, RESTRICTIONS AND COVENANTS FOR
1300 LAKE SHORE DRIVE CONDOMINIUM**

PLAT OF SURVEY

(Attached)

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EXHIBIT

ATTACHED TO

*6 pgs.
+ 1 x pg.*

PROPERTY OF COOK COUNTY CLERK'S OFFICE

7 pgs.

DOCUMENT

SEE PLAT INDEX