

# UNOFFICIAL COPY

This Document Prepared By and  
After Recording Return to:  
Stephen F. Galler, Esq.  
350 West Hubbard Street  
Suite 301  
Chicago, Illinois 60610

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Doc#: 0525732010 Fee: \$102.00  
Eugene "Gene" Moore RHSP Fee: \$10.00  
Cook County Recorder of Deeds  
Date: 09/14/2005 02:38 PM Pg: 1 of 16

## THIRD AMENDMENT TO DECLARATION OF CONDOMINIUM OWNERSHIP AND BY-LAWS, EASEMENTS, RESTRICTIONS AND COVENANTS FOR 840 NORTH LAKE SHORE DRIVE CONDOMINIUM ASSOCIATION

THIS THIRD AMENDMENT is made and entered into as of this 17<sup>th</sup> day of August, 2005 by 840 LAKE SHORE DRIVE, L.L.C., an Illinois limited liability company (the "Declarant").

WITNESSETH:

WHEREAS, on or about September 11, 2003, the Declarant caused to be recorded with the Recorder of Deeds of Cook County, Illinois (the "Recorder") as Document No. 0325432161 that certain Declaration of Condominium Ownership and By-Laws, Easements, Restrictions and Covenants for 840 North Lake Shore Drive Condominium Association (the "Declaration") made by Declarant and encumbering the real property legally described in Exhibit A attached hereto and made a part hereof (the "Property"); and

WHEREAS, on or about October 15, 2003, the Declarant caused to be recorded with the Recorder as Document No. 0328818033 that certain First Amendment to the Declaration (the "First Amendment"), which amended and modified the Plat of Survey (the "Plat of Survey"), which is attached as Exhibit A to and made a part of the Declaration; and

WHEREAS, on or about December 18, 2003, the Declarant caused to be recorded with the Recorder as Document No. 0335219116 that certain Second Amendment to the Declaration (the "Second Amendment"), which further amended and modified the Plat of Survey;

WHEREAS, the Plat of Survey, as amended by the First Amendment and the Second Amendment, delineates, among other things, the original location of the Residential Units, Storage Spaces, and Building storage areas; and

WHEREAS, as of the date hereof, the rights, titles, powers and privileges, vested in the Board of Managers by the Act, the Declaration and the By-Laws are held by the Declarant pursuant to Article VIII, Section 5 of the Declaration, and the Declarant has the right to amend the Declaration pursuant to Article XXI, Section 6 of the Declaration; and

WHEREAS, the Declarant desires to further amend certain pages of the Plat of Survey in order to delineate the actual dimensions of certain Residential Units and Storage Spaces and to eliminate Residential Units 1402 and 2302, which were formerly designated as Residential Units; and

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OK BY [Signature]

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WHEREAS, the Declarant desires to further amend certain pages of the Plat of Survey in order to delineate the actual locations and dimensions of certain Storage Spaces and Building storage areas; and

WHEREAS, the Schedule of Unit Designations and Percentage Ownership Interests, which is attached as Exhibit B to and made a part of the Declaration (the "**Unit Designation / Percentage Interest Schedule**"), delineates the unit designations and percentage ownership interests of the Residential Units and Parking Units in the Condominium; and

WHEREAS, as the result of the relocation of certain demising walls affecting certain Residential Units, the Declarant desires to amend the Unit Designation / Percentage Interest Schedule in order to eliminate Residential Units 1402 and 2302 and to modify Percentage Ownership Interests for certain Residential Units.

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

1. Pages 3, 4, 5, 10 and 15 of the Plat of Survey, as previously amended, are hereby deleted in their entirety and substituted with revised pages 3, 4, 5, 10 and 15 of the Plat of Survey, copies of which are attached hereto as Exhibit B.

2. The Unit Designation / Percentage Interest Schedule is hereby deleted in its entirety and substituted with a revised Unit Designation / Percentage Interest Schedule, a copy of which is attached hereto as Exhibit C.

3. All capitalized terms which are used but which are not defined herein shall have the respective meanings ascribed to such terms in the Declaration, as previously amended.

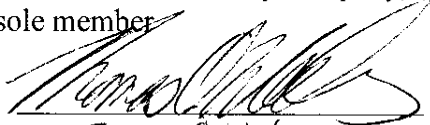
4. This Third Amendment may be executed in counterparts which, when taken together, shall be deemed to constitute an original document.

IN WITNESS WHEREOF, the Declarant has executed this Third Amendment as of the day and year first above written.

**840 LAKE SHORE DRIVE, L.L.C.**, an  
Illinois limited liability company

By: Lake Shore, L.L.C., an  
Illinois limited liability company, its  
sole member

By: LR Development Company LLC, a  
Delaware limited liability company,  
its sole member

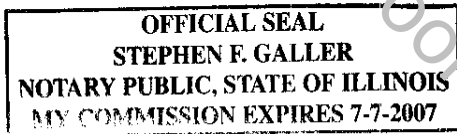
By:   
Name: Thomas O. Weeks  
Title: President

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STATE OF ILLINOIS        )  
  ) SS.  
COUNTY OF COOK        )

I, the undersigned, a Notary Public in and for said County, in the State aforesaid, DO HEREBY CERTIFY, that Thomas O. Weeks, the President of LR Development Company LLC, as sole member of Lake Shore, L.L.C., as sole member of 840 Lake Shore Drive, L.L.C., an Illinois limited liability company, and personally known to me to be the same person whose name is subscribed to the foregoing instrument as such President, appeared before me this day in person and acknowledged that he signed and delivered the said instrument as his own free and voluntary act and as the free and voluntary act of said limited liability company, on behalf of such limited liability companies, for the uses and purposes therein set forth.

GIVEN under my hand and Notarial Seal this 25<sup>th</sup> day of August, 2005.



*[Handwritten Signature]*  
\_\_\_\_\_  
Notary Public

My commission expires 7-7-2007


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## JOINDER

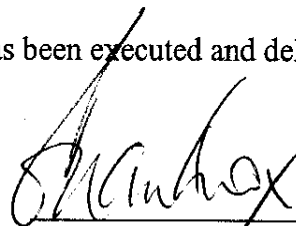
FOR GOOD AND VALUABLE CONSIDERATION, the receipt and sufficiency of which are hereby acknowledged, the undersigned, as the Unit Owners of Unit #302 at 840 North Lake Shore Drive Condominiums, hereby join in the foregoing Third Amendment to Declaration of Condominium Ownership and By-Laws, Easements, Restrictions and Covenants for 840 North Lake Shore Drive Condominium Association, for the purpose of consenting to the change in Percentage Interest for Unit #302, all as more fully set forth in the Third Amendment.

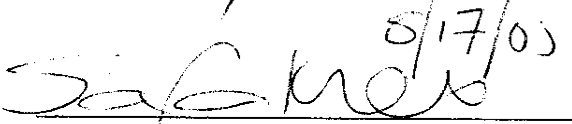
IN WITNESS WHEREOF, this Joinder has been executed and delivered as of this 17<sup>th</sup> day of August, 2005.

SUBSCRIBED AND SWORN to before me this 17<sup>th</sup> day of August, 2005

  
Notary Public

**"OFFICIAL SEAL"**  
**JACALYN M. FINKEL**  
**Notary Public, State of Illinois**  
**My Commission Expires 03/07/2008**

  
WILLIAM ROMAN JOHNSTON KNOX

  
SONYA KNOX

As the Unit Owners of Unit #302 at  
840 North Lake Shore Drive Condominiums

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## EXHIBIT A

### Legal Description of Property

UNITS 101, 201, 202, 203, 301, 302, 303, 401, 402, 403, 501, 502, 503, 601, 602, 603, 701, 702, 703, 801, 802, 803, 901, 902, 903, 1001, 1002, 1003, 1101, 1102, 1103, 1201, 1202, 1203, 1301, 1302, 1303, 1401, 1403, 1501, 1502, 1503, 1601, 1602, 1603, 1701, 1702, 1703, 1801, 1802, 1803, 1901, 1902, 1903, 2001, 2002, 2003, 2101, 2102, 2103, 2201, 2202, 2203, 2301, 2303, 2401, 2402, 2403, 2501, 2502, 2601, P1 THROUGH P5, P7 THROUGH P19, P20T, P21T, P22 THROUGH P83, P84T, P85T, AND P86 THROUGH P130 IN THE 840 NORTH LAKE SHORE DRIVE CONDOMINIUM (AS HERINAFTER DESCRIBED) TOGETHER WITH ITS UNDIVIDED PERCENTAGE INTEREST IN THE COMMON ELEMENTS, WHICH UNIT AND COMMON ELEMENTS ARE COMPRISED OF:

(A) THE LEASEHOLD ESTATE CREATED BY THE INSTRUMENT HEREIN REFERRED TO AS THE LEASE, EXECUTED BY: NORTHWESTERN UNIVERSITY, A CORPORATION OF ILLINOIS, AS LESSOR, AND 840 LAKE SHORE DRIVE, L.L.C., AN ILLINOIS LIMITED LIABILITY COMPANY, AS LESSEE, DATED AS OF JUNE 31, 2000, WHICH LEASE WAS RECORDED AUGUST 2, 2000 AS DOCUMENT 000584668, AND RE-RECORDED AUGUST 11, 2000 AS DOCUMENT NUMBER 00614550, AND AS AMENDED BY AMENDMENT TO GROUND LEASE RECORDED MARCH 2, 2001 AS DOCUMENT NUMBER 0010169901 AND SECOND AMENDMENT TO GROUND LEASE RECORDED SEPTEMBER 11, 2003 AS DOCUMENT NUMBER 0325432158, AND BY THOSE CERTAIN UNIT SUBLEASES RECORDED SEPTEMBER 12, 2003 AS DOCUMENT NUMBERS 0325542151 THROUGH 0325542351, WHICH LEASE, AS AMENDED, DEMISES THE LAND (AS HERINAFTER DESCRIBED) FOR A TERM OF 99 YEARS COMMENCING JULY 31, 2000 (EXCEPT THE BUILDINGS AND IMPROVEMENTS LOCATED ON THE LAND); AND

(B) OWNERSHIP OF THE BUILDINGS AND IMPROVEMENTS LOCATED ON THE FOLLOWING DESCRIBED LAND: LOTS 1 AND 5 IN THE RESIDENCES ON LAKE SHORE PARK SUBDIVISION, BEING A SUBDIVISION OF PART OF LOTS 91 TO 98 IN LAKE SHORE DRIVE ADDITION TO CHICAGO, A SUBDIVISION OF PART OF BLOCKS 14 AND 20 IN CANAL TRUSTEES' SUBDIVISION OF THE SOUTH FRACTIONAL QUARTER OF SECTION 3, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, WHICH SURVEY IS ATTACHED AS AN EXHIBIT TO THE DECLARATION OF CONDOMINIUM RECORDED SEPTEMBER 11, 2003 AS DOCUMENT NUMBER 0325432161, AS AMENDED FROM TIME TO TIME, TOGETHER WITH ITS UNDIVIDED PERCENTAGE INTEREST IN THE COMMON ELEMENTS, ALL IN COOK COUNTY, ILLINOIS.

Common Address: 840 North Lake Shore Drive  
Chicago, Illinois 60611

PIN #s: 17-03-228-029-8002 and 17-03-228-026  
(affects subject property and other land)  
See also 17-03-228-033-4001 through 17-03-228-4201 (for 2004 and subsequent years)

**UNOFFICIAL COPY****EXHIBIT C****REVISED UNIT DESIGNATION / PERCENTAGE INTEREST SCHEDULE**

<b><u>UNIT NUMBER</u></b>	<b><u>PERCENTAGE INTEREST</u></b>
101	1.3168%
201	1.3381%
202	0.6800%
203	1.1081%
301	1.3453%
302	0.6818%
303	1.1106%
401	1.3525%
402	0.8525%
403	0.9964%
501	1.3597%
502	0.8543%
503	0.9990%
601	1.3669%
602	0.8561%
603	1.0015%
701	1.3741%
702	0.8579%
703	1.0040%
801	1.3813%
802	0.8597%
803	1.0065%
901	1.3885%
902	0.8615%
903	1.0090%
1001	1.3957%
1002	0.8633%
1003	1.0116%
1101	1.5473%
1102	0.7291%
1103	1.0141%
1201	1.5545%
1202	0.7309%
1203	1.0166%
1301	1.5617%

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1403	1.0217%
1501	1.5689%
1502	0.7363%
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1601	1.5761%
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1603	1.0267%
1701	1.5833%
1702	0.7399%
1703	1.0292%
1801	1.5777%
1802	0.7322%
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1901	1.5921%
1902	0.7340%
1903	1.0624%
2001	1.4416%
2002	1.0236%
2003	0.9381%
2101	1.4483%
2102	1.0272%
2103	0.9599%
2201	1.4525%
2202	1.0308%
2203	0.9617%
2301	2.3535%
2303	1.0984%
2401	1.4575%
2402	1.0381%
2403	0.9653%
2501	2.3279%
2502	1.5072%
2601	3.7024%
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## CONSENT OF MORTGAGEE (LaSalle Bank National Association)

LaSalle Bank National Association, a national banking association, as agent for the holders of that certain Leasehold and Fee Construction Mortgage, Security Agreement, Assignment of Leases and Rents and Fixture Filing on the property dated September 14, 2004 and recorded at the Office of the Recorder of Deeds of Cook County, Illinois on September 15, 2004 as Document No. 04925927137, together with various ancillary loan and security documents (collectively, the "**Mortgage**"), hereby consents to the execution and recording of the within Third Amendment to Declaration of Condominium Ownership and By-Laws, Easements, Restrictions, and Covenants for Condominium Association and agrees that the Mortgage is subject to the provisions of the Declaration, as modified by the Third Amendment.

IN WITNESS WHEREOF, the undersigned has caused this instrument to be signed by its duly authorized officers on its behalf, at Chicago, Illinois on this 29<sup>th</sup> day of August, 2005.

LASALLE BANK NATIONAL  
ASSOCIATION

By: 

Is: VP

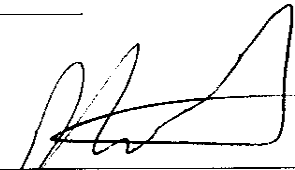
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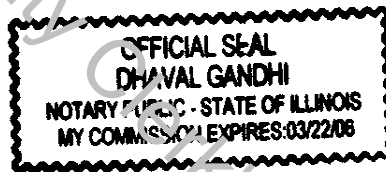
STATE OF ILLINOIS )  
 ) SS.  
COUNTY OF COOK )

I, Dhaval Gandhi Notary Public in and for the County and State aforesaid, DO  
HEREBY CERTIFY, that Thomas chen, as VP of said banking  
association, 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 he/she signed, sealed and delivered said instrument as his/her free voluntary  
act and as the free and voluntary act of said corporation, for the use and purpose therein set  
forth.

Given under my hand and Notarial Seal this 29<sup>th</sup> day of August, 2005.

My Commission Expires: 3/22/08

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



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## CONSENT OF GROUND LESSOR

Northwestern University, an Illinois corporation, as lessor pursuant to that certain Ground Lease on the Property dated July 31, 2000, and recorded at the Office of the Recorder of Deeds of Cook County, Illinois (the "**Recorder**") on August 2, 2000 as Document No. 00564668, and re-recorded with the Recorder on August 11, 2000 as Document No. 00614550, as subsequently amended and modified (collectively, the "**Ground Lease**"), hereby consents to the execution and recording of the within Third Amendment to Declaration of Condominium Ownership and By-Laws, Easements, Restrictions, and Covenants for Condominium Association and agrees that the Ground Lease is subject to the provisions of the Declaration, as modified by the Third Amendment.

IN WITNESS WHEREOF, the undersigned has caused this instrument to be signed by its duly authorized officers on its behalf, at Chicago, Illinois, on this 8th day of September, 2005.

NORTHWESTERN UNIVERSITY, an  
Illinois corporation

By: 

Its: S2 VP for Business & Finance

JWC

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STATE OF ILLINOIS     )  
  ) SS.  
COUNTY OF COOK     )

I, Rosemary Rasmussen, a Notary Public in and for the County and State aforesaid, DO  
HEREBY CERTIFY, that Eugene S. Sunshine, a Senior Vice President of  
Northwestern University, an Illinois corporation, personally known to me to be the same  
persons whose name is subscribed to the foregoing instrument as such Sr V President before  
me this day in person and acknowledged that he signed, sealed and delivered  
said instrument as his free voluntary act and as the free and voluntary act of  
said corporation for the use and purpose therein set forth.

Given under my hand and Notarial Seal this 8 day of September, 2005.

My Commission Expires: June 5, 2009

Rosemary Rasmussen  
Notary Public



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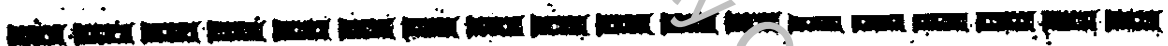
# EXHIBIT

ATTACHED TO

Property of Cook County Clerk's Office

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Doc#: 0525732010 Fee: \$102.00  
Eugene "Gene" Moore RHSP Fee:\$10.00  
Cook County Recorder of Deeds  
Date: 09/14/2005 02:38 PM Pg: 1 of 16



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# DOCUMENT

# SEE PLAT INDEX