



Doc#: 0529039022 Fee: \$98.00
Eugene "Gene" Moore RHSP Fee: \$10.00
Cook County Recorder of Deeds
Date: 10/17/2005 11:37 AM Pg: 1 of 15

THIS INSTRUMENT PREPARED
BY AND AFTER RECORDING
RETURN TO:

Paul D. Fischer
Shelsky & Froelich, Ltd.
Suite 2800
111 East Wacker Drive
Chicago, Illinois 60601

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This space reserved for Recorders use only

**FIRST AMENDMENT TO DECLARATION OF CONDOMINIUM OWNERSHIP FOR
THE 710 WEST BARRY CONDOMINIUM**

THIS FIRST AMENDMENT ("First Amendment") made by the 710 West Barry Condominium Association amends that certain Declaration of Condominium Ownership for the 710 West Barry Condominium recorded on January 24, 2003 in the Office of the Recorder of Deeds of Cook County, Illinois (the "Recorder") as Document No. 0030114308 (the "Condominium Declaration"), and is executed at its end by one hundred percent of the owners of the Common Elements which comprise one hundred percent of the members of the 710 West Barry Condominium Association (collectively the "Members")

RECITALS

A. The real estate described in Exhibit A to the Condominium Declaration and as Exhibit A to this First Amendment, 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. Pursuant to the Act the Members desire to: (i) amend the Condominium Declaration by adding "Parking Spaces" to the definition of Limited Common Elements at Paragraph 1. (k) of the Declaration; (ii) amend Paragraph 4. (b) of the Condominium Declaration regarding use and ownership of the Parking Spaces as a Limited Common Element; (iii) withdraw the existing Exhibit C to the Declaration and replace it with a revised Exhibit C that is attached to this First Amendment as Exhibit B; and, (iv) to amend the Condominium Survey (attached as Exhibit C to this First Amendment) in connection with the addition of "Parking Spaces" as a limited common element.

NOW, THEREFORE, the Members do hereby amend and supplement the Condominium Declaration as follows:

RECORDING FEE 101
DATE 10-17-05 COPIES 67
OK BY [Signature]

15892

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10/17/05

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1. Limited Common Elements.

Paragraph 1. (k) of the Declaration is deleted and replaced by the following new Paragraph 1. (k):

That part of the Common Elements contiguous to and serving a single Unit exclusively as an inseparable appurtenance thereto, including specifically such portions of the perimeter walls, floors and ceilings, windows, doors and all fixtures and structures therein which lie outside the Unit boundaries; pipes, ducts, flues, shafts, electrical wiring or conduits or other system or component part thereof; rear decks, storage lockers and parking spaces which serve a Unit exclusively to the extent such system or component part is located outside the boundaries of a Unit and the storage lockers located in the basement which are designated on the Plat as Limited Common Elements

2. Use and Ownership of the Common Elements.

Paragraph 4. (b) of the Declaration is deleted and replaced by the following new Paragraph 4. (b):

Each Unit Owner shall own an undivided interest in the Common Elements, in the percentage set forth in Exhibit B attached hereto and made a part hereof, as a tenant in common with each Unit Owner, his agents, permitted Occupants, family members and invitees shall have the right to use the Common Elements for all purposes incident to the use and occupancy of his Unit as a place of residence and such other incidental uses permitted by the Condominium Instruments, which right shall be appurtenant to, and run with, his Unit. Each Unit Owner or Owners shall have the right to the exclusive use of one (1) storage space as a Limited Common Element. Unit number three (3) shall have roof deck rights, as well as two (2) rear decks, Unit one (1) and Unit two (2) shall have rear decks and Unit two (2) shall have a front patio. Unit number three (3) shall have the right to the exclusive use of parking spaces P-1 and P-2 and Unit number two (2) shall have the right to the exclusive use of parking space P-3. The Developer reserves the right to amend the Declaration to include the Limited Common Element assignments. The storage spaces, roof deck rights and deck/patio assignments shall be assigned to Unit Owners as shown on Exhibit C attached hereto and made a part hereof. The right to the exclusive use and possession of the Limited Common Element as aforesaid shall be appurtenant to and run with the Unit of such Unit Owner. Except as set forth in the preceding sentence, Limited Common Elements may not be transferred between or among Unit Owners.

3. Exhibit C to the Condominium Declaration.

Exhibit C to the Declaration is withdrawn and Exhibit C attached to this First Amendment as Exhibit B is substituted in its place.

4. Survey.

The "Plat of Survey" attached as Exhibit D to the Condominium Declaration (the "Original Plat") is hereby amended by adding the Plat of Survey attached to this First

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Amendment as Exhibit C, which Plat of Survey delineates and describes the Parking Spaces as limited common elements.

5. Terms.

Capitalized terms used in this Third Amendment shall have the same meanings as ascribed to them in the Declaration, except to the extent they are amended or otherwise defined in this Third Amendment.

6. Continuation. All terms, conditions and provisions of the Condominium Declaration, as expressly amended and supplemented by this Third Amendment, are hereby ratified, confirmed and shall continue to apply with full force and effect. In the event of any inconsistency between this Third Amendment and the Condominium Declaration, this Third Amendment shall control.

7. Counterparts. This First Amendment may be signed in counterparts, which when taken together shall be considered to be one document.

[signature page follows]

Property of Cook County Clerk's Office

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IN WITNESS WHEREOF, the Members have caused this First Amendment to be signed this 11 day of August, 2005.

710 West Barry Condominium Association:

By: Gerald J. Maloney
Gerald J. Maloney, Member

Meiko Maloney, Member
(Percentage of Ownership: 43.03%)

By: _____
Daniel P. Biggs, Member
(Percentage of Ownership: 24.46 %)

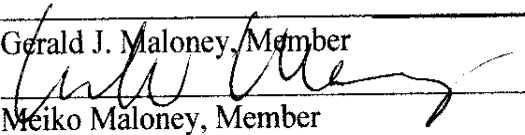
By: _____
Catherine G. Gruenwald, Member
(Percentage of Ownership: 32.51%)

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IN WITNESS WHEREOF, the Members have caused this First Amendment to be signed this 11 day of August, 2005.

710 West Barry Condominium Association:

By: _____
Gerald J. Maloney, Member

Meiko Maloney, Member
(Percentage of Ownership: 43.03%)

By: _____
Daniel P. Biggs, Member
(Percentage of Ownership: 24.46 %)

By: _____
Catherine G. Gruenwald, Member
(Percentage of Ownership: 32.51%)

Property of Cook County Clerk's Office

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IN WITNESS WHEREOF, the Members have caused this First Amendment to be signed
this 7th day of August, 2005.

710 West Barry Condominium Association:

By: _____
Gerald J. Maloney, Member

Meiko Maloney, Member
(Percentage of Ownership: 43.03%)

By: _____
Daniel P. Biggs, Member
(Percentage of Ownership: 24.46 %)

By: _____
Catherine G. Gruenwald, Member
(Percentage of Ownership: 32.51%)

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IN WITNESS WHEREOF, the Members have caused this First Amendment to be signed
this 11TH day of AUGUST, 2005.

710 West Barry Condominium Association:

By: _____
Gerald J. Maloney, Member

Meiko Maloney, Member
(Percentage of Ownership: 43.03%)

By: _____
Daniel P. Biggs, Member
(Percentage of Ownership: 24.46%)

By: Catherine Gruenwald

Catherine G. Gruenwald, Member
(Percentage of Ownership: 32.51%)

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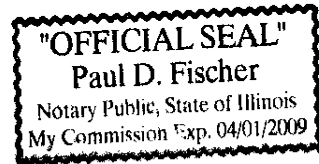
STATE OF ILLINOIS)
) ss.
COUNTY OF COOK)

I, The Undersigned, a Notary Public in and for said County and State, do hereby certify that Gerald J. Maloney and Meiko Maloney, personally known to me to be the same persons whose names are subscribed to the foregoing instrument as said individuals, appeared before me this day in person and acknowledged that they signed, sealed and delivered said instrument as their free and voluntary act, for the uses and purposes therein set forth.

GIVEN under my hand and notarial seal this 11TH day of August, 2005.

My Commission expires:
04-01-09

Paul D. Fischer
Notary Public



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STATE OF ILLINOIS)
) ss.
 COUNTY OF COOK)

I, The Undersigned, a Notary Public in and for said County and State, do hereby certify that Daniel P. Biggs, personally known to me to be the same person whose name is subscribed to the foregoing instrument as said individual, appeared before me this day in person and acknowledged that he signed, sealed and delivered said instrument as his free and voluntary act, for the uses and purposes therein set forth.

GIVEN under my hand and notarial seal this 1st day of August, 2005.

My Commission expires:

Jeanette Sakiewicz
 Notary Public



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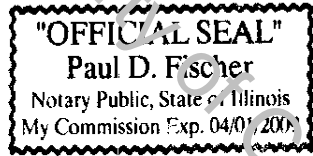
STATE OF ILLINOIS)
) ss.
 COUNTY OF COOK)

I, The Undersigned, a Notary Public in and for said County and State, do hereby certify that Catherine G. Gruenwald, personally known to me to be the same person whose name is subscribed to the foregoing instrument as said individual, appeared before me this day in person and acknowledged that she signed, sealed and delivered said instrument as her free and voluntary act, for the uses and purposes therein set forth.

GIVEN under my hand and notarial seal this 11TH day of August, 2005.



 Notary Public



Property of Cook County Clerk's Office

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CONSENT OF MORTGAGEE

WELLS FARGO BANK, N.A., s/b/m to
 WELLS FARGO HOME MORTGAGE, INC. _____, ~~an~~ National Association _____
 organized and existing under the laws of the State of South Dakota _____,
 holder of a Mortgage dated January 20, 2003, and recorded January 29, 2003 as
 Document No. 0030132211, on the property legally described on Exhibit A of the
 within Declaration of Condominium Ownership, hereby consents to the execution and recording
 of the within First Amendment to Declaration of Condominium Ownership.

IN WITNESS WHEREOF, WELLS FARGO BANK, N.A.,
 hereby executes this Consent of Mortgagee on this 26th day of August, 2005.

By: *Lorna L. Slaughter*
 Name: Lorna L. Slaughter
 Its: Vice President

STATE OF Maryland)
) ss.
 COUNTY OF Frederick)

I, Nicole M. Swartz, a Notary Public in and for said County and State, do
 hereby certify that Lorna L. Slaughter, as Vice President of
Wells Fargo Bank, N.A., 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/she signed, sealed and delivered said instrument as his/her free
 and voluntary act for the uses and purposes therein set forth.

GIVEN under my hand and notarial seal this 26th day of August, 2005.

Nicole M. Swartz
 NOTARY PUBLIC



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CONSENT OF MORTGAGEE

LN# 8853954
OPTION ONE MORTGAGE CORPORATION, an CALIFORNIA
 organized and existing under the laws of the _____,
 holder of a Mortgage dated 01-13-05, and recorded _____, as
 Document No. _____, on the property legally described on Exhibit A of the
 within Declaration of Condominium Ownership, hereby consents to the execution and recording
 of the within First Amendment to Declaration of Condominium Ownership.

IN WITNESS WHEREOF, Option One Mortgage Corporation,
 hereby executes this Consent of Mortgagee on this 29th day of SEPTEMBER, 2005.

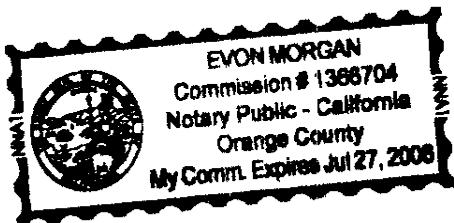
By: *[Signature]*
 Name: EMILIO G. ENRIQUEZ
 Its: VICE PRESIDENT

STATE OF CALIFORNIA)
) ss.
 COUNTY OF ORANGE)

I, EVON MORGAN, a Notary Public in and for said County and State, do
 hereby certify that EMILIO G. ENRIQUEZ, as VICE PRESIDENT of
OPTION ONE MORTGAGE CORPORATION, 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/she signed, sealed and delivered said instrument as his/her free
 and voluntary act for the uses and purposes therein set forth.

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

[Signature]
 NOTARY PUBLIC



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EXHIBIT B

REVISED EXHIBIT C TO THE 710 WEST BARRY CONDOMINIUM DECLARATION

EXHIBIT C

Limited Common Elements

STORAGE LOCKERS

Unit 1	S.L.-1
Unit 2	S.L.-2
Unit 3	S.L.-3

ROOF DECK RIGHTS

Unit 3:	Exclusive Rights to the Roof
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DECK ASSIGNMENTS

Unit 1:	Rear Wood Deck
Unit 2:	Front Patio and Rear Wood Deck
Unit 3:	Two Rear Wood Decks

PARKING SPACES

Unit 1:	None
Unit 2:	Exclusive Right to the Use of P-3
Unit 3:	Exclusive Right to the Use of P-1 and P-2

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~~30311308~~

~~EXHIBIT A~~

LEGAL DESCRIPTION OF THE PROPERTY

PARCEL 1:

UNITS 1, 2 AND 3, TOGETHER WITH ITS UNDIVEDED PERCENTAGE INTEREST IN THE COMMON ELEMENTS IN THE 710 WEST BARRY CONDOMINIUM CONDOMINIUM AS DELINEATED ON A SURVEY OF THE FOLLOWING DESCRIBED REAL ESTATE:

PARCEL:

THE WEST 1/2 OF THE LOT 12 (EXCEPT THE NORTH 40 FEET THEREOF) IN OAK GROVE ADDITION TO CHICAGO, BEING A SUBDIVISION OF PART OF LOT 2 A SUBDIVISION OF BICKERDIKES AND STEEL'S SUBDIVISION OF WEST 1/2 OF THE NORTH WEST 1/4 OF SECTION 28, TOWNSHIP 40 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

PARCEL 2:

THE EXCLUSIVE RIGHT TO USE STORAGE SPACE 1, 2, OR 3, LIMITED COMMON ELEMENTS AS DELINEATED ON A SURVEY ATTACHED TO THE DECLARATION AFORESAID, RECORDED AS DOCUMENT _____

P.N #s

14-28-104-123-1001

14-28-104-123-1002

14-28-104-123-1003

[Handwritten mark]

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EXHIBIT

ATTACHED TO

*14 pgs
+ 1 EXP*



15 pgs later

DOCUMENT

SEE PLAT INDEX

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