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THIS INSTRUMENT PREPARED BY
AND SHOULD BE MAILED TO:



Doc#: 0605943035 Fee: \$34.00
Eugene "Gene" Moore RHSP Fee: \$10.00
Cook County Recorder of Deeds
Date: 02/28/2006 07:18 AM Pg: 1 of 6

Judy Chessick
The Sullivan Firm, Ltd
2550 W. Golf Rd
Rolling Meadows, IL 60008

**AMENDMENT TO THE
DECLARATION OF CONDOMINIUM OWNERSHIP FOR
THE VAIL AVENUE CONDOMINIUM ASSOCIATION, GARAGE SPACE P40
ARLINGTON HEIGHTS, ILLINOIS**

THIS AMENDMENT TO DECLARATION made and entered into this 9th day of February, 2005, between William and Jean Hachmann (hereinafter referred to as "Assignor") and Alicia M. Robertson (hereinafter referred to as "Assignee") as follows:

WITNESSETH

WHEREAS, Assignor is the owner of record of the real estate commonly known as 44 N. Vail, Units 505 and 506, Arlington Heights, Illinois, 60005, being legally described in Exhibit "A" attached hereto and made a part hereof (hereinafter referred to as Parcel 1), and has retained the right to use or assign the garage space which is a limited common element to Parcel; and

WHEREAS, Assignee is the owner of record of the real estate commonly known as 44 N. Vail, Unit 307, Arlington Heights, Illinois, 60005, being legally described in Exhibit "B" attached hereto and made a part hereto (hereinafter referred to as Parcel 2), and

WHEREAS, at the current time, Assignor, has the sole and exclusive right to the use of Garage Space P40, a limited common element; and

WHEREAS, a Declaration of Condominium Ownership of the Condominium (the "Condominium Declaration") has been previously recorded with the Recorder of Deeds of Cook County, Illinois as Document Number 00-625338; and

WHEREAS, Section 3.26 of the Condominium Declaration provides that the owner of a Dwelling Unit to which a Garage Space is assigned hereunder may (with the prior written consent of the First Mortgagee, if any, of the Dwelling Unit) assign the Garage Space to another Dwelling Unit, following the procedures required under the Act; and

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WHEREAS, the parties hereto have entered into an Agreement whereby Assignor agreed to sell to Assignee and Assignee has agreed to purchase from Assignor the sole and exclusive right to the use of Garage Space P40, a limited common element; and

WHEREAS, Section 26 of the Condominium Property Act of the State of Illinois provides that such transfer shall be made by an Amendment to the declaration executed by all unit owners who are parties to the transfer and consented by all other unit owners who have any interest to the use of the limited common elements affected and shall contain a certificate that a copy of the amendment has been delivered to the Board of Managers.

WHEREAS, the parties hereto wish to amend the Declaration by transferring the sole and exclusive right to the use of Garage Space P40, a limited common element, from the Assignor to the Assignee.

NOW, THEREFORE, the parties hereto hereby declare that the Condominium Declaration be and is hereby amended as follows:

1. The Declaration of Condominium Ownership for the Vail Avenue Condominium Association, is hereby amended by transferring the sole and exclusive right to the use of Garage Space P40, a limited common element, from the Unit Owner of 44 N. Vail St., Units 505 and 506, Arlington Heights, Illinois, 60005 to the Unit Owner of 44 N. Vail St., Unit 307, Arlington Heights, Illinois, 60005.

2. That upon the recording of this Amendment, the sole and exclusive right to the use of Garage Space P40, a limited common element, shall be appurtenant to the ownership of Unit #307, 44 N. Vail St., Arlington Heights, Illinois, 60005, and every deed, lease, mortgage or other instrument affecting the title to Unit 307, 44 N. Vail Street, Arlington Heights, Illinois shall be deemed and taken to include the said sole and exclusive right to the use of Garage Space P40, a limited common element, though not expressly mentioned or described therein.

3. That there are no other unit owners in the Condominium Association who have a right to use Garage Space P40.

4. A certificate showing that a copy of this Amendment has been delivered to the board of managers of the Condominium Association is attached hereto,

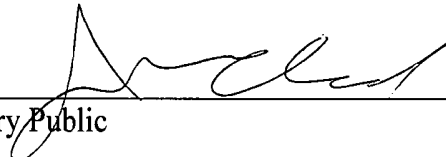
5. There is no change in the common element percentages of the units as a result of this transfer.

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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, William Hachmann and Jean Hachmann, personally known to be
the same persons whose names are subscribed to the foregoing instrument, appeared before me
this day in person and acknowledged that they signed, sealed and delivered the said instrument,
by power of attorney, as their free and voluntary act for the uses and purposes therein set forth.

GIVEN under my hand and seal this 9th day of February 2005.




Notary Public



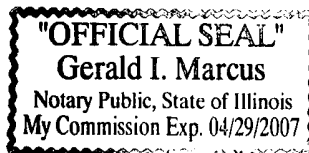
STATE OF ILLINOIS)
) SS
COUNTY OF COOK)

I, the undersigned, a Notary Public in and for the County and State aforesaid, DO
HEREBY CERTIFY THAT, Alicia M. Robertson, personally known to be the same person
whose name is subscribed to the foregoing instrument, appeared before me this day in person and
acknowledged that she signed, sealed and delivered the said instrument, by power of attorney, as
her free and voluntary act for the uses and purposes therein set forth.

GIVEN under my hand and seal this 9th day of Feb. 2005.



Notary Public



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AFFIDAVIT

STATE OF ILLINOIS)
) SS
 COUNTY OF COOK)

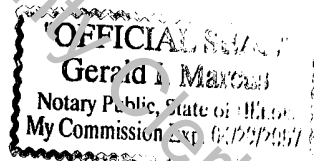
The undersigned, being first duly sworn on oath, states and deposes that a true and correct copy of this Amendment to the Declaration of Condominium Ownership for the Condominium, Chicago, Illinois has been delivered to the Board of Managers of the Condominium Association.

FURTHER AFFIANT SAYETH NOT.

x Alicia M. Robertson
 ALICIA M. ROBERTSON

SUBSCRIBED AND SWORN TO
 Before me this 9 day of February, 2005.

Gerald J. Marston
 Notary Public



IN WITNESS WHEREOF, Assignor and Assignee have caused their names to be signed to these present on the day and year first above written.

Assignor:

Assignees:

William Hachmann
 William Hachmann

x Alicia M. Robertson
 Alicia M. Robertson

Jean Hachmann
 Jean Hachmann

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EXHIBIT "A"

CHICAGO TITLE INSURANCE COMPANY

ORDER NUMBER: 1409 007873759 AH

STREET ADDRESS: 44 N. VAIL

#505/506

CITY: ARLINGTON HEIGHTS

COUNTY: COOK

TAX NUMBER: ~~03-29-340-001-0000~~

CS 29-340-027-1059

LEGAL DESCRIPTION:**PARCEL 1:**

UNIT 505 AND 506 IN THE VAIL AVENUE CONDOMINIUM AS DELINEATED ON A SURVEY OF THE FOLLOWING DESCRIBED REAL ESTATE: THAT PART OF THE WEST 1/2 OF THE SOUTHWEST 1/4 OF SECTION 29, TOWNSHIP 42 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHEAST CORNER OF LOT 4 IN BLOCK 24 IN THE TOWN OF DUNTON BEING A SUBDIVISION OF THE WEST 1/2 OF THE SOUTHWEST 1/4 OF SAID SECTION 29; THENCE NORTH 89 DEGREES 21 MINUTES 26 SECONDS WEST ALONG THE SOUTH LINE OF SAID BLOCK 24, 151.75 FEET; THENCE NORTH 00 DEGREES 38 MINUTES 34 SECONDS EAST, 265.17 FEET TO THE NORTH LINE OF SAID BLOCK 24; THENCE SOUTH 89 DEGREES 21 MINUTES 53 SECONDS EAST ALONG THE NORTH LINE OF SAID BLOCK 24, 150.11 FEET TO THE NORTHEAST CORNER OF LOT 1 IN SAID BLOCK 24; THENCE SOUTH 00 DEGREES 17 MINUTES 22 SECONDS WEST ALONG THE EAST LINE OF SAID BLOCK 24, 265.20 FEET TO THE POINT OF BEGINNING; WHICH SURVEY IS ATTACHED AS EXHIBIT "C" TO THE DECLARATION OF CONDOMINIUM RECORDED AS DOCUMENT NUMBER 00577253, TOGETHER WITH ITS UNDIVIDED PERCENTAGE INTEREST IN THE COMMON ELEMENTS, ALL IN COOK COUNTY, ILLINOIS.

PARCEL 2:

THE EXCLUSIVE RIGHT TO THE USE OF GARAGE SPACE(S) P40, P41 AND P42, A LIMITED COMMON ELEMENT AS DELINEATED ON THE SURVEY ATTACHED TO THE DECLARATION AFORESAID RECORDED AS DOCUMENT NUMBER 000577253.

PARCEL 3:

EASEMENTS FOR THE BENEFIT OF PARCELS 1 AND 2 FOR INGRESS, EGRESS, USE AND ENJOYMENT AS SET FORTH IN CROSS EASEMENT AND COST SHARING AGREEMENT RECORDED AS DOCUMENT NUMBER 00577251.

UNOFFICIAL COPY*EXHIBIT "B"***CHICAGO TITLE INSURANCE COMPANY**

ORDER NUMBER: 1409 007864330 AH

STREET ADDRESS: 44 N. VAIL AVENUE

#307

CITY: ARLINGTON HEIGHTS COUNTY: COOK

TAX NUMBER: ~~03-29-340-001-0000~~

03-29-340-027-1022

LEGAL DESCRIPTION:

PARCEL 1:

UNIT 307 IN THE VAIL AVENUE CONDOMINIUM AS DELINEATED ON A SURVEY OF THE FOLLOWING DESCRIBED REAL ESTATE: THAT PART OF THE WEST 1/2 OF THE SOUTHWEST 1/4 OF SECTION 29, TOWNSHIP 42 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF LOT 4 IN BLOCK 24 IN THE TOWN OF DUNTON BEING A SUBDIVISION OF THE WEST 1/2 OF THE SOUTHWEST 1/4 OF SAID SECTION 29; THENCE NORTH 89 DEGREES 21 MINUTES 26 SECONDS WEST ALONG THE SOUTH LINE OF SAID BLOCK 24, 151.75 FEET; THENCE NORTH 00 DEGREES 38 MINUTES 34 SECONDS EAST, 265.17 FEET TO THE NORTH LINE OF SAID BLOCK 24; THENCE SOUTH 89 DEGREES 21 MINUTES 53 SECONDS EAST ALONG THE NORTH LINE OF SAID BLOCK 24, 150.11 FEET TO THE NORTHEAST CORNER OF LOT 1 IN SAID BLOCK 24; THENCE SOUTH 00 DEGREES 17 MINUTES 22 SECONDS WEST ALONG THE EAST LINE OF SAID BLOCK 24, 265.20 FEET TO THE POINT OF BEGINNING; WHICH SURVEY IS ATTACHED AS EXHIBIT "C" TO THE DECLARATION OF CONDOMINIUM RECORDED AS DOCUMENT NUMBER 00625338, TOGETHER WITH ITS UNDIVIDED PERCENTAGE INTEREST IN THE COMMON ELEMENTS, ALL IN COOK COUNTY, ILLINOIS.

PARCEL 2:

THE EXCLUSIVE RIGHT TO THE USE OF GARAGE SPACE 154, A LIMITED COMMON ELEMENT AS DELINEATED ON THE SURVEY ATTACHED TO THE DECLARATION AFORESAID RECORDED AS DOCUMENT NUMBER 00625338.

PARCEL 3:

EASEMENTS FOR THE BENEFIT OF PARCELS 1 AND 2 FOR INGRESS, EGRESS, USE AND ENJOYMENT AS SET FORTH IN CROSS EASEMENT AND COST SHARING AGREEMENT RECORDED AS DOCUMENT NUMBER 00577251.