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**FIRST AMENDMENT TO  
THE DECLARATION  
OF CONDOMINIUM  
OWNERSHIP AND  
OF EASEMENTS,  
RESTRICTIONS,  
COVENANTS AND BY-LAWS  
FOR  
1033 WEST MONROE  
CONDOMINIUM ASSOCIATION**



Doc#: 0625718021 Fee: \$34.00  
Eugene "Gene" Moore RHSP Fee: \$10.00  
Cook County Recorder of Deeds  
Date: 09/14/2006 11:09 AM Pg: 1 of 6

**THIS INSTRUMENT PREPARED BY**  
Daniel G. Lauer & Assoc., P.C.  
1424 W. DIVISION STREET  
CHICAGO, IL 60622-3322

**AFTER RECORDING DELIVER TO:**  
**CTI-BOX #333**

**THIS DECLARATION** is made and entered by Monroe Partners 2, LLC, an Illinois Limited Liability Company, (hereinafter referred to as the "Declarant");

**WITNESSETH:**

**WHEREAS**, the Declarant holds legal title to the parcel of real estate situated in the City of Chicago, Cook County, Illinois (hereinafter called the "Parcel") and legally described below and by this reference made a part hereof; and,

**WHEREAS**, the Declarant submitted this Parcel to the provisions of the Condominium Property Act of the State of Illinois, as amended from time to time (hereinafter called the "Act") and recorded the Declaration of Condominium Ownership and of Easements, Restrictions, Covenants and By-Laws for 1033 West Monroe Condominium Association ("the Declaration") on September 5, 2006 as Document Number 0624839027; and,

**WHEREAS**, the Declarant is desirous of more clearly setting forth the Unit Owners' rights and obligations as to certain Limited Common Elements on or about the Property and establishing, for its own benefit and for that of all future owners or occupants of the Property and each part thereof, certain easements and rights in, over and upon the property and certain mutually beneficial restrictions and obligations with respect to the use and maintenance thereof; and,

**WHEREAS**, the Declaration paragraph 3.01 provides that the "...Common Elements include, without limitation and if applicable, any of the following items located on the Property: the walls,

RECORDING FEE 34  
DATE 9-14-06 COPIES 68  
BK BY [Signature]

*[Handwritten marks and signature]*

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roof, hallways, stairways, entrances and exits, security system, mechanical equipment areas...,” as well as other structural components of the Property; and,

**WHEREAS**, paragraph 3.03 of the Declaration defines Limited Common Elements of the Property as “...such parts of the Common elements serving exclusively a single Unit or adjoining Units as an inseparable appurtenance thereto, as designated as such in this Declaration, including the Plat, or by the terms of this Declaration, are clearly intended to be reserved for or for the use of one or more units to the exclusion of other units...The Limited Common Elements shall include but shall not be limited to the following: (a) the interior surface of the perimeter walls, ceilings and floors which define the boundary planes of a Unit; (b) perimeter doors and windows which serve exclusively a single Unit; (c) any system or component part which serves a Unit exclusively, to the extent that such system or component part is located outside the boundaries of a Unit; (d) balconies, terraces and/or decks contiguous to a Unit (excluding any stair system and landings which provide ingress and egress to the other Units); (e) the Parking Spaces; (f) the Storage Spaces, and (g) any future Roof Deck or other roof structure.”

**WHEREAS**, paragraph 16.01 of the Declaration provided that all rights vested in the Board of Unit Owners shall be vested in the Declarant and/or Developer until the election of the initial Board by the Unit Owners.

**WHEREAS**, the legal description of the Parcel, common address and PIN is as follows:

Legal Description:	Please see below
Common Address:	1033 West Monroe Street Chicago, Illinois 60607
PIN:	17-17-211-007-0000 and 17-17-211-008-0000

PARCEL 1:

UNITS 1, 2, 3, AND 4 IN THE 1033 WEST MONROE CONDOMINIUMS AS DELINEATED ON A SURVEY OF THE FOLLOWING DESCRIBED REAL ESTATE:

THE WEST 25.58 FEET OF THE EAST 50.58 FEET OF THE NORTH 116.67 FEET OF THAT PART OF LOTS 6 AND 7 (EXCEPT THE SOUTH 12.00 FEET OF SAID LOTS) TAKEN AS A SINGLE TRACT IN ASSESSOR'S DIVISION OF SUB-LOT 1 OF LOT 1 IN BLOCK 13 OF CANAL TRUSTEES' SUBDIVISION OF THE WEST ½ AND THE WEST ½ OF THE NORTHEAST ¼ OF SECTION 17 IN TOWNSHIP 39 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS  
AND

THE WEST 26.64 FEET OF THE AFORESAID TRACT, (EXCEPTING THEREFROM THE NORTH 116.67 FEET THEREOF), WHICH SURVEY IS ATTACHED AS EXHIBIT “A” TO THE DECLARATION OF CONDOMINIUM RECORDED AS DOCUMENT NUMBER 0624839027, AND AS AMENDED, TOGETHER WITH ITS UNDIVIDED

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PERCENTAGE INTEREST IN THE COMMON ELEMENTS, ALL IN COOK COUNTY, ILLINOIS.

PARCEL 2:

THE EXCLUSIVE RIGHT TO THE USE OF P-1 THROUGH P-5, LIMITED COMMON ELEMENTS, AS DELINEATED ON THE SURVEY ATTACHED TO THE DECLARATION AFORESAID RECORDED AS DOCUMENT NUMBER 0624839027.

**NOW THEREFORE**, the Declarant and Developer, pursuant to the rights conferred on them in the Declaration, and for the purposes set forth herein, amends the Declaration and **DECLARES AS FOLLOWS**:

1. Section 1.10 of the Declaration is hereby amended to read as follows to reflect that the Limited Common Elements do not include Storage Spaces:

**“1.10 Limited Common Elements.** The Limited Common Elements are the parts of the Common Elements that exclusively serve a single Unit or adjoining Units as inseparable appurtenances thereto, as determined by its nature or location, and/or as designated in this Declaration and/or on the Plat, as is hereinafter defined, and as is more specifically described in Section 3.03 hereof. For purposes of 1033 West Monroe Condominiums, Limited Common Elements shall include, but not be limited to, the Garage Parking Spaces; the exclusive right to use such shall be assigned to the respective Unit Owners by deed as Limited Common Elements.”

2. The first paragraph of Section 3.03 of the Declaration is hereby amended to read as follows to reflect that the Limited Common Elements do not include Storage Spaces:

**“3.03 Limited Common Elements.** The Limited Common Elements are such parts of the Common Elements serving exclusively a single Unit or adjoining Units as an inseparable appurtenance thereto, as designated as such in this Declaration, including in the Plat, or which by the nature or location thereof, or by the terms of this Declaration, are clearly intended to be reserved for or for the use of one or more Units to the exclusion of other Units. The Limited Common Elements appertaining to, or designated or reserved for or for the use of, or serving any Unit (alone or in conjunction with other Units) are hereinafter from time to time referred to as the Limited Common Elements of such Unit. The Limited Common Elements shall include, but shall not be limited to, the following (a) the interior surface of the perimeter walls, ceiling and floors which define the boundary planes of a Unit; (b) perimeter doors and windows which serve exclusively a single Unit; (c) any system or component part thereof which serves a Unit exclusively, to the extent that such system or component part is located outside the boundaries of a Unit; (d) balconies, terraces and/or decks contiguous to a Unit (excluding any stair system and landings which provide ingress and egress to other Units); (e) the Parking Spaces; and (f) any future Roof Deck or other roof structure.”

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3. Section 4.09 of the Declaration is hereby amended to read as follows to reflect that there are a total of five (5) Limited Common Element Parking Spaces (P-1 through P-5) which will be deeded to the Unit Owners as indicated on Exhibit D of the Declaration and as shown on the Plat of Survey:

**“4.09 Parking Areas and Parking Spaces.** Parking Spaces shall be used for parking automobiles, sport utility vehicles or mini-vans only, or any other vehicle which is capable of entering and exiting the Parking Area and which fits fully inside a Parking Space. Parking Spaces shall be deeded at closing as Limited Common Elements to the Unit Owners as P-1 through P-5 as indicated on Exhibit D and as shown on the Plat. The remainder of the Parking Area, the garage and all associated areas not listed herein as a portion of each Unit or a Limited Common Element, shall be a Common Element of the Association, owned as an undivided element according to the Unit Owners’ percentages of ownership in the Common Elements as a whole.”

4. Exhibit B of the Declaration is hereby amended to read as follows to correct the Legal Description recorded as Exhibit B to the Declaration:

THE WEST 25.58 FEET OF THE EAST 50.58 FEET OF THE NORTH 116.67 FEET OF THAT PART OF LOTS 6 AND 7 (EXCEPT THE SOUTH 12.00 FEET OF SAID LOTS) TAKEN AS A SINGLE TRACT IN ASSESSOR’S DIVISION OF SUB-LOT 1 OF LOT 1 IN BLOCK 13 OF CANAL TRUSTEES’ SUBDIVISION OF THE WEST ½ AND THE WEST ½ OF THE NORTHEAST ¼ OF SECTION 17 IN TOWNSHIP 39 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS  
AND  
THE WEST 26.64 FEET OF THE AFORESAID TRACT, (EXCEPTING THEREFROM THE NORTH 116.67 FEET THEREOF)

5. Exhibit C of the Declaration is hereby amended to read as follows to correct the Estimated Percentage of Ownership Interest in the Common Elements associated with each unit:

### EXHIBIT C

#### **ESTIMATED PERCENTAGE OF OWNERSHIP INTEREST IN THE COMMON ELEMENTS 1033 WEST MONROE CONDOMINIUMS**

Unit	Percentage Ownership of Common Elements
1	31.66%

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2	21.29%
3	22.19%
4	<u>24.86%</u>
TOTAL	100.00%

6. Exhibit D of the Declaration is hereby amended to read as follows to reflect that the Limited Common Elements do not include Storage Spaces, and to correct the assignment of the Limited Common Element Parking Spaces:

## EXHIBIT D

### SCHEDULE OF PARKING SPACES 1073 WEST MONROE CONDOMINIUMS

<u>Unit</u>	<u>LCE Parking Space Schedule</u>
1	P-4, P-5
2	P-1
3	P-2
4	P-3

7. All references to Steve Ciaccio as being an "Officer" of Monroe Partners 2, LLC, an Illinois Limited Liability Company, and executing the Declaration on behalf Monroe Partners 2, LLC, an Illinois Limited Liability Company, as "Its Officer" or "Officer," are hereby amended to reflect that Steve Ciaccio is a "Manager" of Monroe Partners 2, LLC, and executed the Declaration as "Its Manager" or "Manager" of Monroe Partners 2, LLC, an Illinois Limited Liability Company.

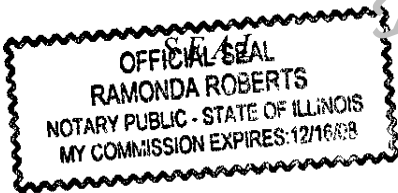
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STATE OF ILLINOIS     )  
                                   )  
 COUNTY OF COOK        )     SS:

I, the undersigned, a Notary Public in and for said County, in the State aforesaid, do hereby certify that Steven Ciaccio, Manager of Monroe Partners 2, LLC, an Illinois Limited Liability Company, who is personally known to me to be the person whose name is subscribed to the foregoing instrument as such, appeared before me this day in person and acknowledged that he signed and delivered the said Amendment 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 12<sup>th</sup> day of September, A.D., 2006.

*Ramonda Roberts*  
 \_\_\_\_\_  
 Notary Public



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