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Doc#: 0633517012 Fee: \$90.00  
Eugene "Gene" Moore RHSP Fee: \$10.00  
Cook County Recorder of Deeds  
Date: 12/01/2006 10:58 AM Pg: 1 of 13

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RECORDING FEE

DATE 12-1-06

COPIES

OK BY

**FIRST AMENDMENT TO DECLARATION OF CONDOMINIUM OWNERSHIP  
FOR 30 W. OAK CONDOMINIUM**

This document prepared by and  
after recording return to:

Lawrence M. Gritton  
400 W. Huron Street  
Chicago, Illinois 60610

Street Address:

30 W. Oak Street  
Chicago, Illinois 60611

Permanent Index Numbers:

17-04-424-009  
17-04-424-010

Near North National Title  
222 N. LaSalle  
Chicago, IL 60601

02060076 MC (35)

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## FIRST AMENDMENT TO DECLARATION OF CONDOMINIUM OWNERSHIP FOR 30 W. OAK CONDOMINIUM

This First Amendment to Declaration of Condominium Ownership for 30 W. Oak Condominium ("**First Amendment**") is made as of the 1st day of December, 2006 by SMITHFIELD PROPERTIES XXVII, L.L.C., an Illinois limited liability company ("**Declarant**").

### RECITALS:

A. Declarant has heretofore recorded that certain Declaration of Condominium Ownership for 30 W. Oak Condominium ("**Original Declaration**") with the Recorder of Cook County, Illinois on October 18, 2006 as document number 0629110006, whereby Declarant submitted to the provisions of the Illinois Condominium Property Act ("**Act**") the Condominium Parcel (as defined in the Original Declaration).

B. The Original Declaration reserved to Declarant the right to annex and add to the Condominium Parcel, and thereby add to the condominium created by the Original Declaration, all or any portion of the Add-On Parcel (as defined in the Original Declaration) for the purpose of constructing additional Units.

C. Declarant now desires to so annex and add to the Condominium Parcel and submit to the provisions of the Act and the Original Declaration certain portions of the Add-On Property as described in **First Revised Exhibit B-1** attached hereto and incorporated herein by this reference (said portions being, the "**First Add-On Parcel**").

**NOW, THEREFORE**, Declarant does hereby amend the Original Declaration (the Original Declaration as amended hereby being, the "**Declaration**"), as follows:

1. **Recitals.** The foregoing recitals are incorporated in this First Amendment as though fully contained herein.

2. **Additional Property.** The First Add-On Parcel is hereby annexed to the Condominium Parcel, and is hereby submitted to the provisions of the Act as part of 30 W. Oak Condominium in accordance with, and shall be deemed governed by, the terms and provisions of the Declaration. Accordingly, from and after the date hereof all references in the Declaration to the Condominium Parcel shall include the First Add-On Parcel

3. **Amendments.** The Original Declaration is further amended as follows:

A. *Legal Description of Condominium Parcel.* **Exhibit B** of the Original Declaration (Legal Description of the Condominium Parcel) is hereby amended by deleting said **Exhibit B** and substituting **First Amended Exhibit B** attached hereto in lieu thereof.

B. *First Add-On Parcel.* **Exhibit B-1** of the Original Declaration (Additional Condominium

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Area) is hereby amended by deleting said **Exhibit B-1** and substituting **First Amended Exhibit B-1** attached hereto in lieu thereof.

C. *Plat of Survey.* **Exhibit C** of the Original Declaration (Plat of Survey) is hereby amended by replacing page 1 of said Plat of Survey with page 1 attached hereto and made a part hereof by adding to the Plat of Survey pages 8 and 9, which additional pages are attached hereto and incorporated herein by this reference. **Exhibit C** will hereafter consist of the original **Exhibit C** with replacement page 1 and the additional two (2) pages attached hereto.


D. *Percentage of Interest.* **Exhibit D** of the Original Declaration (Percentage of Interest in the Common Elements) is hereby amended by deleting said **Exhibit D** and substituting **First Amended Exhibit D** attached hereto in lieu thereof. The percentage of ownership in the common elements appurtenant to each Unit is hereby amended to be the percentages set forth in **First Amended Exhibit D** attached hereto.

4. **Common Elements.** The additional Common Elements annexed to the Condominium by this instrument are hereby granted and conveyed to the grantees of all Units, including the grantees of Units heretofore conveyed, all as set forth in the Declaration.

5. **Inconsistencies.** Except as expressly set forth herein, the Original Declaration shall remain in full force and effect in accordance with its terms. Any inconsistencies between the Original Declaration and this First Amendment shall be resolved in favor of the provisions contained in this First Amendment.

**SMITHFIELD PROPERTIES XXVII,  
L.L.C., an Illinois limited liability company**

By: **Harris Management, Ltd., its  
Manager**

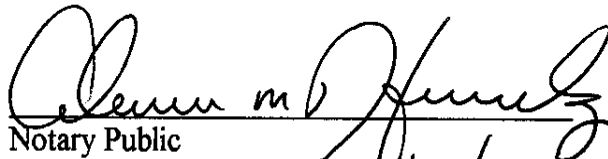
By:   
Its: **President**

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STATE OF ILLINOIS        )  
                                      )        SS.  
COUNTY OF COOK )

The undersigned, a Notary Public in and for the County, in the State aforesaid, do hereby certify that **William H. Smith**, as President of Harris Management, Ltd., a Manager of **Smithfield Properties XXVII, L.L.C.**, who is personally known to me to be the same person whose name is subscribed to the foregoing instrument as such President of the Manager of said limited liability company, appeared before me this day in person and acknowledged that he signed and delivered said instrument as his free and voluntary act and as the free and voluntary act of said limited liability company for the uses and purposes therein set forth.

Given under my hand and notarial seal as of the 1st day of Decvember, 2006.

  
\_\_\_\_\_  
Notary Public  
My Commission Expires: 12/07/09



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## CONSENT OF MORTGAGEE

The undersigned, being the holder of a note secured by a first mortgage on the Total Parcel dated as of November 1, 2004 and recorded with the Recorder of Deeds of Cook County, Illinois on November 3, 2004 as Document No. 0430816142, hereby consents to execution and recording of the above and foregoing First Amendment to Declaration of Condominium Ownership for 30 W. Oak Condominium, and hereby subordinates said mortgage to the provisions of the foregoing Declaration.

November 27, 2006

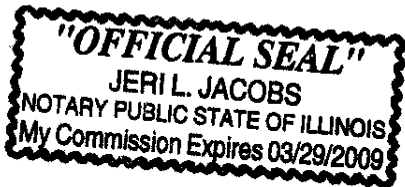
**MB FINANCIAL BANK, N.A.**

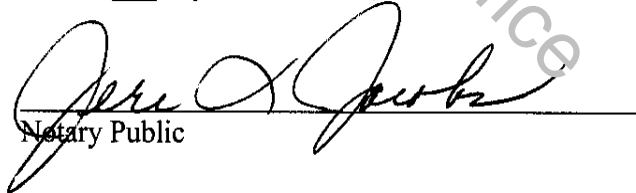
By:   
Its: **Richard J. Chang**  
Vice President

STATE OF ILLINOIS            )  
  ) SS.  
COUNTY OF COOK            )

I, Jeri Jacobs, a Notary Public in and for the said County, in the State aforesaid, DO HEREBY CERTIFY that Richard J. Chang as Vice President of MB Financial Bank, N.A., who is personally known to me to be the same person whose name is subscribed to the foregoing instrument as such Vice President of said Bank, 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 Bank, for the uses and purposes therein set forth.

GIVEN under my hand and notarial seal this 27<sup>th</sup> day of November, 2006.



  
Notary Public

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## FIRST AMENDED EXHIBIT B

### LEGAL DESCRIPTION OF THE CONDOMINIUM PARCEL

#### Parcel 1:

The South 90.0 feet of Lots 1 and 2, taken as a tract, lying below a horizontal plane of 114.48 feet above Chicago City Datum, in the Subdivision of Block 16 in Bushnell's Addition to Chicago in the East Half of the Southeast Quarter of Section 4, Township 39 North, Range 14, East of the Third Principal Meridian, In Cook County, Illinois.

Also:

The South 90.0 feet of Lots 1 and 2, taken as a tract, lying below a horizontal plane of 150.38 feet above Chicago City Datum, and lying above a horizontal plane of 114.48 feet above Chicago City Datum, in the Subdivision of Block 16 in Bushnell's Addition to Chicago in the East Half of the Southeast Quarter of Section 4, Township 39 North, Range 14, East of the Third Principal Meridian, In Cook County, Illinois.

#### Parcel 2:

That part of Lots 1 and 2 except the South 90.0 feet thereof), taken as a tract, lying below a horizontal plane of 14.01 feet above Chicago City Datum, in the Subdivision of Block 16 in Bushnell's Addition to Chicago in the East Half of the Southeast Quarter of Section 4, Township 39 North, Range 14, East of the Third Principal Meridian, In Cook County, Illinois.

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**Common Address:** 30 West Oak, Chicago, Illinois  
**Permanent Index Numbers:** 17-04-424-009; 17-04-424-010

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## FIRST AMENDED EXHIBIT B-1

### ADDITIONAL CONDOMINIUM AREA

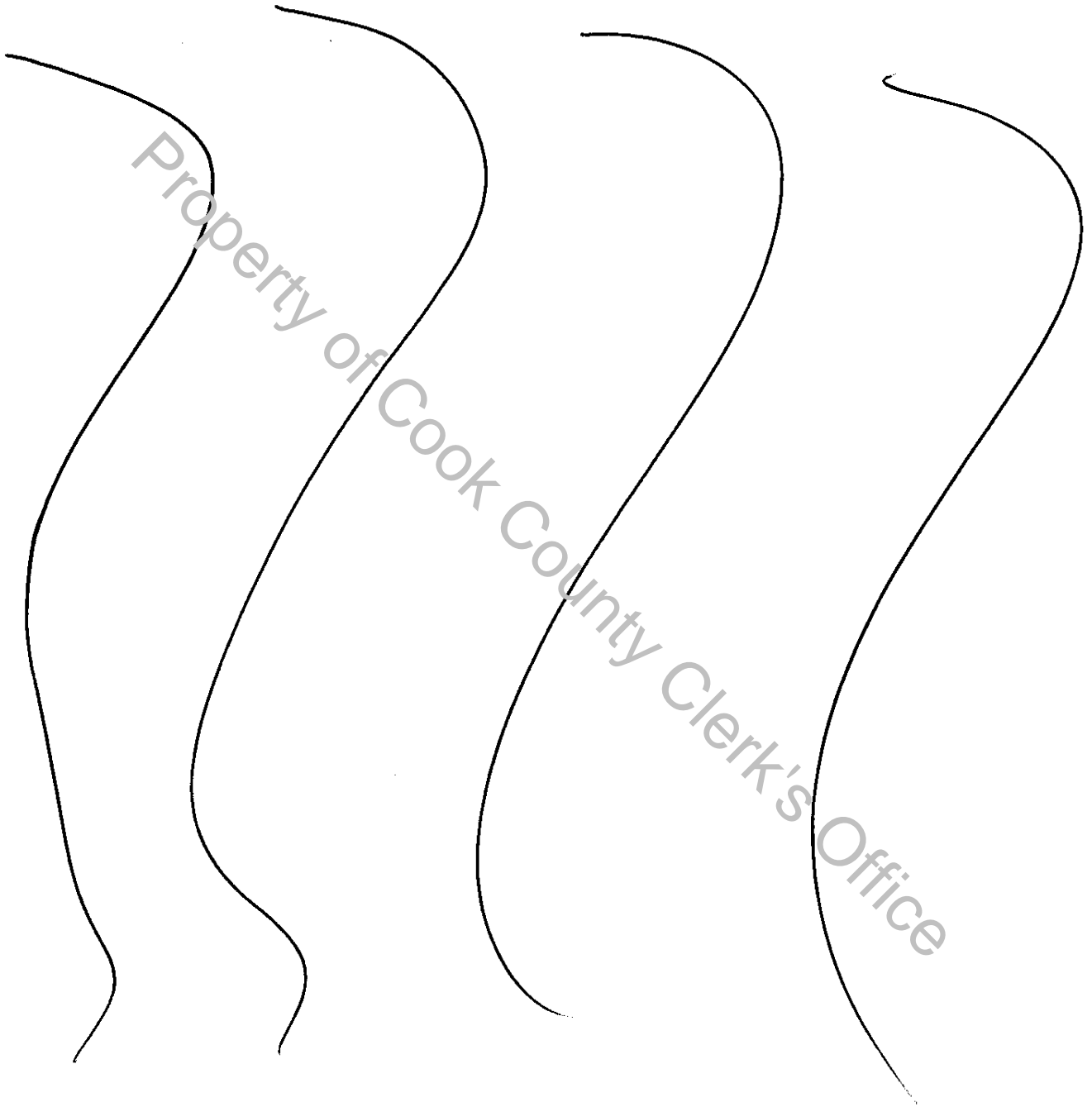
The South 90.0 feet of Lots 1 and 2, taken as a tract, lying above a horizontal plane of 150.38 feet Chicago City Datum, in the Subdivision of Block 16 in Bushnell's Addition to Chicago in the East Half of the Southeast Quarter of Section 4, Township 39 North, Range 14, East of the Third Principal Meridian, In Cook County, Illinois.

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## FIRST AMENDED EXHIBIT C

### AMENDMENTS TO PLAT OF SURVEY

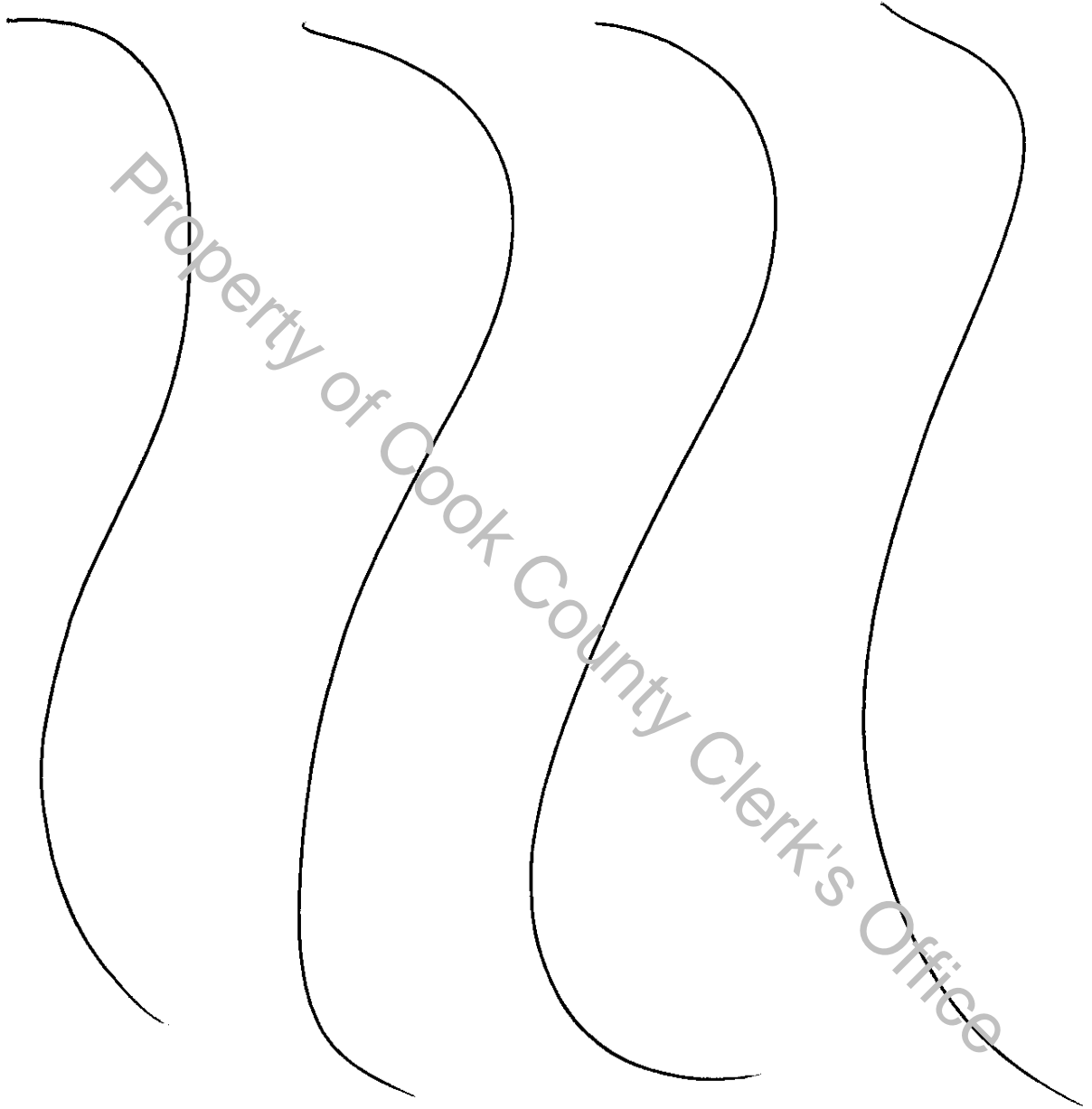




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## FIRST AMENDED EXHIBIT D

### AMENDED PERCENTAGE OF INTEREST IN COMMON ELEMENTS



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## 30 W. Oak Condominiums

<u>Unit Number</u>	<u>Percentage Ownership</u>
1A	0.79%
3A	6.15%
4C	3.12%
4D	3.17%
4E	1.80%
5C	3.17%
5D	3.20%
5E	1.88%
6C	4.89%
6D	3.25%
6F	1.94%
7A	5.25%
7B	5.25%
8A	5.66%
8B	5.28%
9A	5.77%
9B	5.33%
10A	6.18%
10B	5.18%
11A	5.91%
11B	5.44%
12A	5.95%
12B	5.47%
Total	100.00%

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# EXHIBIT

## ATTACHED TO



0633517012

Doc#: 0633517012 Fee: \$90.00  
Eugene "Gene" Moore RHSP Fee: \$10.00  
Cook County Recorder of Deeds  
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### DOCUMENT

12-1-06

### SEE PLAT INDEX

10  
3x  
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13

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