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This document prepared by  
and after recording return to:  
Bennett P. Applegate  
Applegate & Thorne-Thomsen, P.C.  
322 S. Green Street, Suite 400  
Chicago, Illinois 60607



Doc#: 0721122056 Fee: \$110.00  
Eugene "Gene" Moore RHSP Fee: \$10.00  
Cook County Recorder of Deeds  
Date: 07/30/2007 12:27 PM Pg: 1 of 18



## SECOND AMENDMENT TO DECLARATION OF CONDOMINIUM OWNERSHIP AND OF EASEMENTS, RESTRICTIONS, COVENANTS AND BY-LAWS FOR THE COLUMBIAN CONDOMINIUM

This Second Amendment To Declaration Of Condominium Ownership And Of Easements, Restrictions, Covenants And By-Laws For The Columbian Condominium (the "Second Amendment") is made and entered into as of July 27, 2007, by The Columbian LLC, a Delaware limited liability company (herein after referred to as "Developer"):

WITNESSETH:

WHEREAS, Developer made and entered into that certain Declaration Of Condominium Ownership And Of Easements, Restrictions, Covenants And By-Laws For The Columbian Condominium dated as of July 6, 2007 and recorded with the Recorder of Deeds of Cook County, Illinois on July 9, 2007 as Document Number 0719003037, as amended by that First Amendment To Declaration Of Condominium Ownership And Of Easements, Restrictions, Covenants And By-Laws For The Columbian Condominium dated as of July 16, 2007 and recorded with the Recorder of Deeds of Cook County, Illinois on July 16, 2007 as Document Number 0719715032 (the "Declaration"); and

WHEREAS, Developer is the owner in fee simple of the Future Development Parcel (as defined in the Declaration); and

WHEREAS, the Owner wishes to annex and add a portion of the Future Development Parcel (the "Added Parcel") to the Parcel (as defined in the Declaration) and the Property (as defined in the Declaration) pursuant to the terms of Article XVI of the Declaration and to amend the Plat (as defined in the Declaration) to reflect additional improvements to the Parcel as originally submitted.

NOW, THEREFORE, the Declaration is hereby amended as follows:

1. The Declaration is hereby amended to submit the Added Parcel, as legally described in Schedule A attached hereto, to the provisions of the Illinois Condominium Property Act and to the terms and provisions of the Declaration.

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

02070034 JL

RECORDING FEE 110  
DATE 7/30/07 COPIES 6  
OK BY AE

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2. Exhibit A attached to the Declaration (the Legal Description of the Parcel) is hereby deleted and Exhibit A attached hereto is hereby substituted therefor.
3. Exhibit B attached to the Declaration (the Plat) is hereby amended by replacing Page 1 thereof with Amended Page 1 attached hereto, replacing Page 11 with Amended Page 11 and adding Pages 12 and 13 attached hereto as Exhibit B.
4. Exhibit C attached to the Declaration (the Units) is hereby deleted and Exhibit C attached hereto is hereby substituted therefor.
5. Exhibit D attached to the Declaration (the description of the Future Development Parcel) is hereby deleted and Exhibit D attached hereto is hereby substituted therefor.
6. Except as expressly amended hereby, the Declaration shall remain in full force and effect in accordance with its terms. This Second Amendment shall be effective from and after the recording hereof with the Recorder of Deeds of Cook County, Illinois.

[signature pages follows]

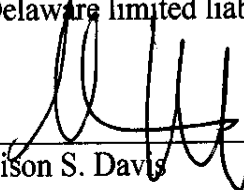
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IN WITNESS WHEREOF, Developer has executed this Second Amendment on the day and year first above written.

THE COLUMBIAN LLC,  
a Delaware limited liability company

By: Davis Associates Managers, LLC,  
a Delaware limited liability company



\_\_\_\_\_  
Name: Allison S. Davis  
Title: Manager

Property of Cook County Clerk's Office

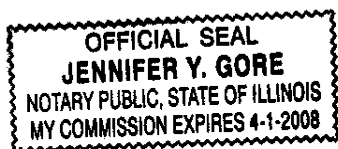
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## ACKNOWLEDGMENT

STATE OF ILLINOIS )  
                                          ) SS.  
COUNTY OF COOK )

I, Jennifer Y. Gore, a Notary Public in and for said County, in the State aforesaid, DO HEREBY CERTIFY, that Allison S. Davis, personally known to me to be the Manager of Davis Associates Managers, LLC, a Delaware limited liability company (the "Company"), and 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 signed and delivered the said instrument as his free and voluntary act and as the free and voluntary act and deed of said Company, as manager of The Columbian, LLC, a Delaware limited liability company, for the uses and purposes therein set forth.

GIVEN under my hand and Notarial Seal this 27 day of July, 2007.



Jennifer Y. Gore  
Notary Public

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## CONSENT OF MORTGAGEE

The undersigned, Fidelity Real Estate Growth Fund II, L.P., a Delaware limited partnership ("Mortgagee"), as mortgagee under that certain Construction Mortgage, Assignment of Leases and Rents, and Security Agreement dated September 25, 2005 and recorded with the Cook County Recorder on September 30, 2005 as Document Number 0527310087 ("Mortgage"), does hereby consent to the execution, delivery and recording of the Second Amendment to Declaration of Easements, Restrictions, Covenants and By-Laws for THE COLUMBIAN CONDOMINIUM ASSOCIATION ("Declaration") and subordinates the lien of the Mortgage to the Declaration.

IN WITNESS WHEREOF, the Mortgagee has caused this instrument to be signed by its duly authorized officer on its behalf; all done at Boston, Massachusetts on this 27th day of July, 2007.

Fidelity Real Estate Growth Fund II, L.P.

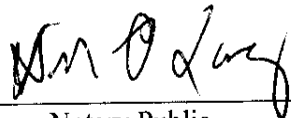
By: Fidelity Management Trust Company, as Investment Manager and not Individually


By:   
Name: F. Christopher Carney  
Title: Vice President

COMMONWEALTH OF MASSACHUSETTS )  
                                                          ) SS.  
COUNTY OF SUFFOLK                                  )

I, David P. Lucey, a Notary Public in and for said County, in the State aforesaid, DO HEREBY CERTIFY, that F. Christopher Carney, personally known to me to be the Vice President of Fidelity Management Trust Company, acting in its capacity as Investment Manager for Fidelity Real Estate Growth Fund II, L.P. ("Mortgagee"), and personally known to me to be the same person whose name is subscribed to the foregoing instrument as such Vice President, appeared before me this day in person and acknowledged that he signed and delivered the said instrument as his free and voluntary act and as the free and voluntary act and deed of said Mortgagee, for the uses and purposes therein set forth.

Given under my hand and Notarial Seal this 27th day of July, 2007.

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

 DAVID P. LUCEY  
Notary Public  
Commonwealth of Massachusetts  
My Commission Expires  
March 31, 2011

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## SCHEDULE A

### ADDED PARCEL

LOT 13 LYING ABOVE A HORIZONTAL PLANE HAVING AN ELEVATION OF +191.08 AND LYING BELOW A HORIZONTAL PLANE HAVING AN ELEVATION OF +237.77 CHICAGO CITY DATUM AND LYING WITHIN THE ITS HORIZONTAL BOUNDARY PROJECTED VERTICALLY IN BLOCK 21 IN FRACTIONAL SECTION 15, ADDITION TO CHICAGO IN SECTION 15, TOWNSHIP 39 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, (EXCEPT FROM SAID PREMISES THAT PORTION THEREOF TAKEN OR USED FOR ALLEY), IN COOK COUNTY, ILLINOIS.

**PIN: 17-15-309-027-0000**

**COMMON ADDRESS: 1160 South Michigan Avenue  
Chicago, Illinois 60605**

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## EXHIBIT A

### LEGAL DESCRIPTION OF THE PARCEL

LOT 13 LYING BELOW A HORIZONTAL PLANE HAVING AN ELEVATION OF +237.77 CHICAGO CITY DATUM AND LYING WITHIN THE ITS HORIZONTAL BOUNDARY PROJECTED VERTICALLY IN BLOCK 21 IN FRACTIONAL SECTION 15, ADDITION TO CHICAGO IN SECTION 15, TOWNSHIP 39 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS

EXCEPT FROM SAID PREMISES THAT PORTION THEREOF TAKEN OR USED FOR ALLEY,

ALSO EXCEPT THAT PART OF LOT 13 LYING BELOW A HORIZONTAL PLANE HAVING AN ELEVATION OF +29.37 FEET CHICAGO CITY DATUM AND LYING WITHIN THE ITS HORIZONTAL BOUNDARY PROJECTED VERTICALLY AND DESCRIBED AS FOLLOWS; COMMENCING AT THE SOUTHEAST CORNER OF SAID LOT 13 THENCE NORTH 00°03'41" EAST ALONG THE EAST LINE OF LOT 13, 55.75 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 89°59'49" WEST, 41.70 FEET; THENCE NORTH 00°00'11" WEST, 0.79 FEET; THENCE SOUTH 89°59'49" WEST, 28.64 FEET; THENCE SOUTH 00°00'11" EAST, 6.01 FEET; THENCE SOUTH 89°59'49" WEST, 5.91 FEET; THENCE SOUTH 00°00'11" EAST, 3.85 FEET; THENCE SOUTH 89°59'49" WEST, 4.42 FEET; THENCE NORTH 00°00'11" WEST, 10.08 FEET; THENCE SOUTH 89°59'49" WEST, 20.39 FEET; THENCE NORTH 00°00'11" WEST, 42.51 FEET TO A POINT ON THE NORTH LINE OF SAID LOT 13; THENCE NORTH 89°22'02" EAST ALONG THE NORTH LINE OF LOT 13 AFORESAID, 101.12 FEET TO THE NORTHEAST CORNER OF SAID LOT 13; THENCE SOUTH 00°03'41" WEST ALONG THE EAST LINE OF SAID LOT 13, 44.63 FEET TO THE POINT OF BEGINNING,

ALSO EXCEPT THAT PART OF LOT 13 LYING BELOW A HORIZONTAL PLANE HAVING AN ELEVATION OF +29.37 FEET CHICAGO CITY DATUM AND LYING WITHIN THE ITS HORIZONTAL BOUNDARY PROJECTED VERTICALLY AND DESCRIBED AS FOLLOWS; BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT 13 THENCE SOUTH 89°59'49" WEST ALONG THE SOUTH LINE OF SAID LOT 13, 43.92 FEET; THENCE NORTH 00°00'11" WEST, 31.00 FEET; NORTH 89°59'49" EAST, 7.67 FEET; THENCE NORTH 00°00'11" WEST, 1.00 FEET; THENCE NORTH 89°59'49" EAST, 36.29 FEET TO A POINT ON THE EAST LINE OF SAID LOT 13; THENCE SOUTH 00°03'41" WEST ALONG THE EAST LINE OF SAID LOT 13, 32.00 FEET TO THE POINT OF BEGINNING,

ALSO EXCEPT THAT PART OF LOT 13 LYING BELOW A INCLINED PLANE OF +26.48 FEET TO 29.37 FEET CHICAGO CITY DATUM AND LYING WITHIN THE ITS HORIZONTAL BOUNDARY PROJECTED VERTICALLY AND DESCRIBED AS FOLLOWS; COMMENCING AT THE SOUTHEAST CORNER OF SAID LOT 13 THENCE SOUTH 89°59'49" WEST ALONG THE SOUTH LINE OF SAID LOT 13, 43.92 FEET TO



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THE POINT OF BEGINNING; THENCE CONTINUING SOUTH 89°59'49" WEST ALONG THE SOUTH LINE OF SAID LOT 13, 24.91 FEET; THENCE NORTH 00°00'11" WEST, 11.38 FEET; THENCE NORTH 89°59'49" EAST, 3.73 FEET; THENCE NORTH 00°00'11" WEST, 5.36 FEET; THENCE SOUTH 89°59'49" WEST, 3.73 FEET; THENCE NORTH 00°00'11" WEST, 14.26 FEET; THENCE NORTH 89°59'49" EAST, 24.91 FEET; THENCE SOUTH 00°00'11" EAST, 31.00 FEET TO THE SOUTH LINE OF LOT 13 SAID POINT ALSO BEING THE POINT OF BEGINNING.

**PIN: 17-15-309-027-0000**

**COMMON ADDRESS: 1160 South Michigan Avenue  
Chicago, Illinois 60605**

Property of Cook County Clerk's Office

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## The Columbian: Parking Percent Ownership

Unit	Percent Ownership	Unit	Percent Ownership	Unit	Percent Ownership	Unit	Percent Ownership
P-201	0.0786%	P-328	0.0742%	P-520	0.0655%	P-710	0.0568%
P-202	0.0786%	P-329	0.0742%	P-521	0.0655%	P-711	0.0568%
P-203	0.0786%	P-330	0.0742%	P-522	0.0655%	P-712	0.0568%
P-204	0.0786%	P-331	0.0742%	P-523	0.0655%	P-713	0.0568%
P-205	0.0786%	P-332	0.0742%	P-524	0.0655%	P-714	0.0568%
P-206	0.0786%	P-401	0.0699%	P-525	0.0655%	P-715	0.0568%
P-207	0.0786%	P-402	0.0699%	P-526	0.0655%	P-716	0.0568%
P-208	0.0786%	P-403	0.0699%	P-527	0.0655%	P-717	0.0568%
P-209	0.0786%	P-404	0.0699%	P-528	0.0655%	P-718	0.0568%
P-210	0.0786%	P-405	0.0699%	P-529	0.0655%	P-719	0.0568%
P-211	0.0786%	P-406	0.0699%	P-530	0.0655%	P-720	0.0568%
P-212	0.0786%	P-407	0.0699%	P-531	0.0655%	P-721	0.0568%
P-213	0.0786%	P-408	0.0699%	P-532	0.0655%	P-722	0.0568%
P-214	0.0786%	P-409	0.0699%	P-533	0.0655%	P-723	0.0568%
P-215	0.0786%	P-410	0.0699%	P-534	0.0655%	P-724	0.0568%
P-216	0.0786%	P-411	0.0699%	P-601	0.0611%	P-725	0.0568%
P-217	0.0786%	P-412	0.0699%	P-602	0.0611%	P-726	0.0568%
P-218	0.0786%	P-413	0.0699%	P-603	0.0611%	P-727	0.0568%
P-219	0.0786%	P-414	0.0699%	P-604	0.0611%	P-728	0.0568%
P-220	0.0786%	P-415	0.0699%	P-605	0.0611%	P-729	0.0568%
P-221	0.0786%	P-416	0.0699%	P-606	0.0611%	P-730	0.0568%
P-222	0.0786%	P-417	0.0699%	P-607	0.0611%	P-731	0.0568%
P-223	0.0786%	P-418	0.0699%	P-608	0.0611%	P-732	0.0568%
P-224	0.0786%	P-419	0.0699%	P-609	0.0611%	P-733	0.0568%
P-225	0.0786%	P-420	0.0699%	P-610	0.0611%	P-734	0.0568%
P-226	0.0786%	P-421	0.0699%	P-611	0.0611%	P-801	0.0524%
P-227	0.0786%	P-422	0.0699%	P-612	0.0611%	P-802	0.0524%
P-228	0.0786%	P-423	0.0699%	P-613	0.0611%	P-803	0.0524%
P-229	0.0786%	P-424	0.0699%	P-614	0.0611%	P-804	0.0524%
P-230	0.0786%	P-425	0.0699%	P-615	0.0611%	P-805	0.0524%
P-231	0.0786%	P-426	0.0699%	P-616	0.0611%	P-806	0.0524%
P-301	0.0742%	P-427	0.0699%	P-617	0.0611%	P-807	0.0524%
P-302	0.0742%	P-428	0.0699%	P-618	0.0611%	P-808	0.0524%
P-303	0.0742%	P-429	0.0699%	P-619	0.0611%	P-809	0.0524%
P-304	0.0742%	P-430	0.0699%	P-620	0.0611%	P-810	0.0524%
P-305	0.0742%	P-431	0.0699%	P-621	0.0611%	P-811	0.0524%
P-306	0.0742%	P-432	0.0699%	P-622	0.0611%	P-812	0.0524%
P-307	0.0742%	P-433	0.0699%	P-623	0.0611%	P-813	0.0524%
P-308	0.0742%	P-434	0.0699%	P-624	0.0611%	P-814	0.0524%
P-309	0.0742%	P-501	0.0655%	P-625	0.0611%	P-815	0.0524%
P-310	0.0742%	P-502	0.0655%	P-626	0.0611%	P-816	0.0524%
P-311	0.0742%	P-503	0.0655%	P-627	0.0611%	P-817	0.0524%
P-312	0.0742%	P-504	0.0655%	P-628	0.0611%	P-818	0.0524%
P-313	0.0742%	P-505	0.0655%	P-629	0.0611%	P-819	0.0524%
P-314	0.0742%	P-506	0.0655%	P-630	0.0611%	P-820	0.0524%
P-315	0.0742%	P-507	0.0655%	P-631	0.0611%	P-821	0.0524%
P-316	0.0742%	P-508	0.0655%	P-632	0.0611%	P-822	0.0524%
P-317	0.0742%	P-509	0.0655%	P-633	0.0611%	P-823	0.0524%
P-318	0.0742%	P-510	0.0655%	P-634	0.0611%	P-824	0.0524%
P-319	0.0742%	P-511	0.0655%	P-701	0.0568%	P-825	0.0524%
P-320	0.0742%	P-512	0.0655%	P-702	0.0568%	P-826	0.0524%
P-321	0.0742%	P-513	0.0655%	P-703	0.0568%	P-827	0.0524%
P-322	0.0742%	P-514	0.0655%	P-704	0.0568%	P-828	0.0524%
P-323	0.0742%	P-515	0.0655%	P-705	0.0568%	P-829	0.0524%
P-324	0.0742%	P-516	0.0655%	P-706	0.0568%	P-830	0.0524%
P-325	0.0742%	P-517	0.0655%	P-707	0.0568%	P-831	0.0524%
P-326	0.0742%	P-518	0.0655%	P-708	0.0568%	P-832	0.0524%
P-327	0.0742%	P-519	0.0655%	P-709	0.0568%		
						Total	15.1000%
Total for Parking	15.1000%						
Total for Units	84.9000%						
<b>Total</b>	<b>100.0000%</b>						

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## The Columbian: Residential Percent Ownership

Unit	Percent Ownership	Unit	Percent Ownership	Unit	Percent Ownership	Unit	Percent Ownership
901	1.0967%	1701	1.1491%				
902	0.6985%	1702	0.7579%				
903	0.7928%	1703	0.8452%				
906	0.4365%	1704	0.4225%				
907	1.2225%	1705	0.7928%				
1001	1.1072%	1706	0.4749%				
1002	0.7160%	1707	1.3238%				
1003	0.8033%	1801	1.1596%				
1004	0.4015%	1802	0.7684%				
1005	0.7509%	1803	0.8557%				
1006	0.4487%	1804	0.4278%				
1007	1.2749%	1805	0.8033%				
1101	1.1177%	1806	0.4802%				
1102	0.7264%	1807	1.3343%				
1103	0.8138%	1901	1.1596%				
1104	0.4068%	1902	0.7684%				
1105	0.7614%	1903	0.8557%				
1106	0.4592%	1904	0.4278%				
1107	1.2924%	1905	0.8033%				
1201	1.1282%	1906	0.4802%				
1202	0.7369%	1907	1.3343%				
1203	0.8243%	2001	1.1701%				
1204	0.4120%	2002	0.7788%				
1205	0.7719%	2003	0.4662%				
1206	0.4644%	2004	0.4330%				
1207	1.3028%	2005	0.8133%				
1301	1.1282%	2006	0.4654%				
1302	0.7369%	2007	1.3448%				
1303	0.8243%	2101	1.1701%				
1304	0.4120%	2102	0.7788%				
1305	0.7719%	2103	0.8662%				
1306	0.4644%	2104	0.4330%				
1307	1.3028%	2105	0.8138%				
1401	1.1387%	2106	0.4854%				
1402	0.7474%	2107	1.3448%				
1403	0.8347%	2201	1.1806%				
1404	0.4173%	2202	0.7893%				
1405	0.7823%	2203	0.8767%				
1406	0.4697%	2204	0.4382%				
1407	1.3133%	2205	0.8243%				
1501	1.1387%	2206	0.4906%				
1502	0.7474%	2207	1.3552%				
1503	0.8347%	2301	1.1806%				
1504	0.4173%	2302	0.7893%				
1505	0.7823%	2303	0.8767%				
1506	0.4697%	2304	0.4382%				
1507	1.3133%	2305	0.8243%				
1601	1.1491%	2306	0.4906%				
1602	0.7579%	2307	1.3552%				
1603	0.8452%						
1604	0.4225%						
1605	0.7928%						
1606	0.4749%						
1607	1.3238%						
		Total	84.9000%				
Total for Units	84.9000%						
Total for Parking	15.1000%						
Total	100.0000%						

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## EXHIBIT D

### **FUTURE DEVELOPMENT PARCEL**

LOT 13 LYING ABOVE A HORIZONTAL PLANE HAVING AN ELEVATION OF +237.77 CHICAGO CITY DATUM AND LYING WITHIN THE ITS HORIZONTAL BOUNDARY PROJECTED VERTICALLY IN BLOCK 21 IN FRACTIONAL SECTION 15, ADDITION TO CHICAGO IN SECTION 15, TOWNSHIP 39 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, (EXCEPT FROM SAID PREMISES THAT PORTION THEREOF TAKEN OR USED FOR ALLEY), IN COOK COUNTY, ILLINOIS.

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# **EXHIBIT**

# **ATTACHED TO**

14 PG  
4 EX

18 + TOTAL



Doc#: 072 122056 Fee: \$110.00  
Eugene "Gene" Moore RHSP Fee: \$10.00  
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# **DOCUMENT**

# **SEE PLAT INDEX**