



Doc#: 0726141019 Fee: \$36.00
Eugene "Gene" Moore RHSP Fee:\$10.00
Cook County Recorder of Deeds
Date: 09/18/2007 10:00 AM Pg: 1 of 7

This Instrument Prepared By
(And after recording, please mail to:)
Brown Udell & Pomerantz, Ltd
1332 North Halsted Street
Suite 100
Chicago, Illinois 60622

AMENDMENT TO THE DECLARATION FOR CONDOMINIUM OWNERSHIP FOR THE WHITNEY CONDOMINIUM TO TRANSFER AND ASSIGN PARKING SPACES

THIS AMENDMENT TO THE DECLARATION OF CONDOMINIUM OWNERSHIP FOR THE WHITNEY CONDOMINIUM TO TRANSFER AND ASSIGN PARKING SPACES ("Amendment") is made by Richard Greenberg ("Assignor"), as owner of Assignor's Unit (to be defined hereinafter) for the use and benefit of Gerald F. Zordani and Mary Katherine Thanos-Zordani (collectively, "Assignee"), as owner of Assignee's Unit (to be defined hereinafter).

WHEREAS:

- A. Assignor, as of the date hereto, owns Unit No. 1502 in The Whitney Condominium ("Condominium") legally described in Exhibit A hereto ("Assignor's Unit"),
- B. Assignee, as of the date hereto, owns Unit No. 1002 in the Condominium legally described in Exhibit B hereto ("Assignee's Unit"),
- C. The Condominium was created by the Declaration of Condominium Ownership for The Whitney Condominium (Recorder No. 96982956), as amended from time to time, which property is legally described in Exhibit C hereto ("Declaration"),
- D. Assignor obtained the exclusive right to use and enjoy Parking Spaces Numbered 29 & 30 ("Assigned Spaces"), pursuant to Paragraphs 8(a) and 8(b) of the Declaration, by that certain Assignment of Parking Spaces, which was executed January 7, 1999, and recorded January 14, 1999 (Recorder No. 99045609),
- E. As specified in Paragraph 8(b) of the Declaration, Assignor is vested with the right to transfer and assign to other Unit Owners (as defined in the Declaration) the exclusive use and enjoyment of any Parking Space (as defined in the Declaration) for which the Unit Owner has the right of exclusive use and enjoyment, and which, as of the date hereof, includes, *inter alia*, the Assigned Space;

MTC-0004-1-14

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F. Assignor is the only Unit Owner with the right to use and enjoy the Assigned Parking Spaces;

G. Paragraphs 8(b) and 9(b) of the Declaration govern, *inter alia*, the transfer and assignment of the Assigned Spaces;

H. This Amendment is drafted and executed pursuant to the Declaration and Section 26 of the Illinois Condominium Property Act, 765 ILCS 605/26;

NOW, THEREFORE, in consideration of the premises and the payment made by the Assignee to the Assignor concurrently herewith, Assignor, as owner of Assignor's Unit, and Assignee, as owner of Assignee's Unit, declare that the Declaration be and hereby is amended as follows:

1. The Assigned Spaces, which are currently assigned to Assignor's Unit shall be transferred and assigned to Assignee's Unit.

2. Assignor's and Assignee's proportionate shares of the Common Expenses of the Condominium, which, pursuant to the Declaration are equal to the percentage of ownership for each party's Unit (as listed in Exhibit E to the Declaration), do not change as a result of this Assignment.

3. The provisions of this Amendment shall run with the land and inure to the benefit of and be binding upon the successors to the interests of Assignee in Assignee's Unit and Assignor in Assignor's Unit.

4. The right of exclusive use and enjoyment of the Assigned Spaces, as established pursuant to Paragraph 8(a) of the Declaration, shall belong to the owner of Assignee's Unit. Any future transfer of Assignee's Unit, without a prior transfer and assignment of Assigned Spaces, shall include the right to exclusive use and enjoyment of the Assigned Spaces, even though the legal description in the instrument conveying or encumbering Assignee's Unit may refer only to the fee title to Assignee's Unit.

5. Assignor represents and warrants to Assignee that Assigned Spaces are free and clear of any mortgages or other liens encumbering the Assigned Spaces.

6. Assignor certifies that a true and correct copy of this Amendment has been delivered to the Board of The Whitney Condominium Association. The certificate of delivery is attached to this Amendment as Exhibit D.

7. This Amendment shall not become effective until it has been Recorded (as defined in the Declaration).

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EXHIBIT A

Legal Description of Assignor's Unit

Unit 1502 in The Whitney Condominium as delineated on a survey of a parcel of land comprised of Lots 5 and 6 and the South 6.96 feet of Lot 7 in Simon's subdivision of Lot 6 in Bronson's addition to Chicago; Lots 1, 2 and 3 in the subdivision of Lot 5 together with Sub Lot 1 of Lot 4 in Bronson's addition to Chicago; and Lots 1 to 5, both inclusive, in Alice P Holbrook's subdivision of Lot 4 in the subdivision of Lot 5 in Bronson's addition to Chicago; all in the North East $\frac{1}{4}$ of Section 4, Township 39 North, Range 14 East of the Third Principal Meridian, in Cook County, Illinois, which survey is attached as Exhibit "D" to the Declaration of Condominium Ownership for The Whitney Condominium recorded in Cook County, Illinois on December 31, 1996 as Document No. 96-982956, as amended by First Amendment recorded October 1, 1997 as Document No. 97-730677 and Second Amendment recorded March 19, 1998 as Document No. 98-216407, together with its undivided percentage interest in the Common Elements.

Permanent Index Number: 17-04-218-048-1084

Common Address: 1301 North Dearborn Parkway, Unit 1502, Chicago, Illinois 60610

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EXHIBIT B

Legal Description of Assignee's Unit

Parcel 1: Unit 1002 in The Whitney Condominium as delineated on a survey of a parcel of land comprised of Lots 5 and 6 and the South 6.96 feet of Lot 7 in Simon's subdivision of Lot 6 in Bronson's addition to Chicago; Lots 1, 2 and 3 in the subdivision of Lot 5 together with Sub Lot 1 of Lot 4 in Bronson's addition to Chicago; and Lots 1 to 5, both inclusive, in Alice P Holbrook's subdivision of Lot 4 in the subdivision of Lot 5 in Bronson's addition to Chicago; all in the North East $\frac{1}{4}$ of Section 4, Township 39 North, Range 14 East of the Third Principal Meridian, in Cook County, Illinois, which survey is attached as Exhibit "D" to the Declaration of Condominium Ownership for The Whitney Condominium recorded in Cook County, Illinois on December 31, 1996 as Document No. 96-982956, as amended by First Amendment recorded October 1, 1997 as Document No. 97-730677 and Second Amendment recorded March 19, 1998 as Document No. 98-216407, together with its undivided percentage interest in the Common Elements.

Parcel 2: The exclusive right to the use of parking spaces numbered 29 and 30, limited common elements, as delineated on the plat and as described in subparagraph 8(a) of the Declaration, in Cook County, Illinois.

Permanent Index Number: 17-04-218-043-1054

Common Address: 1301 North Dearborn Parkway Unit 1002, Chicago, Illinois 60610

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EXHIBIT C

Legal Description of The Whitney Condominium

Units 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 401, 402, 403, 404, 405, 406, 407, 501, 502, 503, 504, 505, 506, 507, 601, 602, 603, 604, 605, 606, 607, 701, 702, 703, 704, 705, 706, 707, 801, 802, 803, 804, 805-806, 807, 901, 902, 903-904, 905, 906, 907, 1001, 1002, 1003, 1005, 1006, 1007, 1101, 1102, 1103, 1105-1106, 1107, 1201, 1202, 1203, 1205, 1206, 1207, 1301, 1302, 1303, 1305, 1306, 1307, 1401, 1402, 1403, 1405, 1406, 1407, 1501, 1502, 1503 and 1505-06-07 in The Whitney Condominium as delineated on a survey of a parcel of land comprised of Lots 5 and 6 and the South 6.96 feet of Lot 7 in Simon's subdivision of Lot 6 in Bronson's addition to Chicago; Lots 1, 2 and 3 in the subdivision of Lot 5 together with Sub Lot 1 of Lot 4 in Bronson's addition to Chicago; and Lots 1 to 5, both inclusive, in Alice P Holbrook's subdivision of Lot 4 in the subdivision of Lot 5 in Bronson's addition to Chicago; all in the North East 1/4 of Section 4, Township 39 North, Range 14 East of the Third Principal Meridian, in Cook County, Illinois, which survey is attached as Exhibit "D" to the Declaration of Condominium Ownership for The Whitney Condominium recorded in Cook County, Illinois on December 31, 1996 as Document No. 96-982956, as amended by First Amendment recorded October 1, 1997 as Document No. 97-730677 and Second Amendment recorded March 19, 1998 as Document No. 98-216407, together with its undivided percentage interest in the Common Elements.

Permanent Index Number: 17-04-218-048-1001 and 17-04-218-048-1088, both inclusive.

Common Address: 1301 North Dearborn Parkway, Chicago, Illinois 60610

Cook County Clerk's Office

