

# UNOFFICIAL COPY

THIS INSTRUMENT WAS PREPARED BY  
AND UPON RECORDATION, RETURN TO:  
**MARK D. PEARLSTEIN**  
LEVENFELD PEARLSTEIN, LLC  
2 NORTH LASALLE STREET, 13<sup>TH</sup> FLOOR  
CHICAGO, ILLINOIS 60602



Doc#: 0730331082 Fee: \$38.00  
Eugene "Gene" Moore RHSP Fee: \$10.00  
Cook County Recorder of Deeds  
Date: 10/30/2007 02:33 PM Pg: 1 of 8

(THIS SPACE FOR RECORDER'S OFFICE ONLY)

**CORRECTIVE  
AMENDMENT TO  
DECLARATION OF CONDOMINIUM OWNERSHIP FOR THE  
MICHIGAN AVENUE LOFTS CONDOMINIUM AND PROVISIONS RELATING TO  
CERTAIN NON-CONDOMINIUM PROPERTY  
GARAGE SPACE NUMBERS 3-203T AND 3-204T**

This Amendment to the Declaration of Condominium Ownership for the Michigan Avenue Lofts Condominium and Provisions Relating to Certain Non-Condominium Property:

**WITNESSETH:**

The real estate described on Exhibit A hereto and commonly known as 910 South Michigan Avenue, Chicago, Illinois, Cook County, Illinois was submitted to the Condominium Act of the State of Illinois (the "Act") pursuant to a Declaration of Condominium Ownership for the Michigan Avenue Lofts Condominium and Provisions Relating to Certain Non-Condominium Property (the "Declaration") recorded in the Office of the Recorder of Deeds of Cook County, Illinois ("Recorder") as Document Number 98774537 on August 31, 1998 and subsequently amended from time to time thereafter.

910 South Michigan Avenue Limited Partnership is the record owner of Garage Spaces Numbered 3-203T and 3-204T in 910 South Michigan Avenue Lofts Condominium Association (the "Association") which Garage Spaces are Limited Common Elements currently appurtenant to Unit 1903; and

910 South Michigan Avenue Limited Partnership desires to have Garage Spaces Numbered 3-203T and 3-204T transferred and assigned from Unit 1903 to NCB 900 Michigan, LLC, as Owner of the Commercial Property, to be appurtenant to the Commercial Property; and

NCB 900 Michigan, LLC desires to have Garage Spaces Numbered 3-203T and 3-204T transferred and assigned from Unit 1903 to be appurtenant to the Commercial Property.

Lawyers Unit #03308 Case# 10825107P

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On January 24, 2007, pursuant to an Agreed Order incorporating a Settlement Agreement and Mutual Release entered in the matter of Board of Managers of the Michigan Avenue Lofts Condominium Association v. 910 South Michigan Avenue Limited Partnership, Cook County Case No. 01 CH 12935, Judge Philip L. Bronstein approved and directed the contents of this Amendment. Copies of said Agreed Order and Settlement Agreement and Mutual Release are attached hereto as Exhibit A.

**NOW, THEREFORE**, 910 South Michigan Avenue Limited Partnership and NCB 900 Michigan, LLC hereby agree to:

- (1) assign and transfer Garage Spaces Numbered 3-203T and 3-204T to the Commercial Property;
- (2) amend the Declaration to reflect the assignment and transfer of said Garage Spaces Numbered 3-203T and 3-204T to the Commercial Property;
- (3) agree that this Amendment and the assignment of Garage Spaces Numbered 3-203T and 3-204T shall not transfer nor in any way affect any other parking rights now or hereafter assigned to Unit 1903;
- (4) there are no changes in Unit 1903's proportionate share interest in the Common Elements; and
- (5) In addition to all other costs attributable to the Commercial Property Owner pursuant to Part III, Article Ten, Section 10.04 of the Declaration, Commercial Property Owner shall pay any and all costs attributable to the maintenance, repair, replacement and insurance of Garage Parking Spaces 3-203T and 3-204T. All such additional proportions and charges shall be payable to the Michigan Avenue Lofts Condominium Association (the "Residential Association") in accordance with Part III, Article Ten, Section 10.05 of the Declaration.


**IN WITNESS WHEREOF**, the undersigned has executed this instrument this 12th day of October, 2007.

ACCEPTED AND AGREED:

**910 SOUTH MICHIGAN AVENUE LIMITED PARTNERSHIP**

By: \_\_\_\_\_  
Its: \_\_\_\_\_

**NCB 900 MICHIGAN, LLC**

By:   
Its: Vincent Cainkar, Manager

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- (3) agree that this Amendment and the assignment of Garage Spaces Numbered 3-203T and 3-204T shall not transfer nor in any way affect any other parking rights now or hereafter assigned to Unit 1903;
- (4) there are no changes in Unit 1903's proportionate share interest in the Common Elements; and
- (5) In addition to all other costs attributable to the Commercial Property Owner pursuant to Part III, Article Ten, Section 10.04 of the Declaration, Commercial Property Owner shall pay any and all costs attributable to the maintenance, repair, replacement and insurance of Garage Parking Spaces 3-203T and 3-204T. All such additional proportions and charges shall be payable to the Michigan Avenue Lofts Condominium Association (the "Residential Association") in accordance with Part III, Article Ten, Section 10.05 of the Declaration.

**IN WITNESS WHEREOF**, the undersigned has executed this instrument this \_\_\_\_\_ day of \_\_\_\_\_, 2007.

ACCEPTED AND AGREED:

910 SOUTH MICHIGAN AVENUE LIMITED PARTNERSHIP

NCB 900 MICHIGAN, LLC

By: [Signature]  
Its: Corporate General Partner,

By: \_\_\_\_\_  
Its: \_\_\_\_\_

VILAS DEVELOPMENT CORPORATION

# UNOFFICIAL COPY

CHICAGO TITLE LAND TRUST COMPANY,  
As Successor to Chicago Trust Company  
Trustee Agreement dated May 27, 1997 and  
known as Trust No. 103307



By: [Signature]  
Its: Trust Officer

Board of Managers of the  
Michigan Avenue Lofts Condominium Association

By: \_\_\_\_\_  
Its: \_\_\_\_\_

LP 1394971.1 \ 34988-60010

## TRUSTEE'S EXCULPATION

It is expressly understood and agreed by and between the parties hereto, anything to the contrary notwithstanding, that each and all of the warranties, indemnities, representations, covenants, undertakings and agreements herein made on the part of the Trustee while in form purporting to be the warranties, indemnities, representations, covenants, undertakings and agreements of said Trustee are nevertheless each and every one of them, made and intended not as personal warranties, indemnities, representations, covenants, undertakings and agreements by the Trustee or for the purpose or with the intention of binding said Trustee personally but are made and intended for the purpose of binding only that portion of the trust property specifically described herein and this instrument is executed and delivered by said Trustee not in its own right, but solely in the exercise of the powers conferred upon it as such Trustee; and that no personal liability or personal responsibility is assumed by nor shall at any time be asserted or enforceable against CHICAGO TITLE LAND TRUST COMPANY, on account of this instrument or on account of any warranty, indemnity, representation, covenant or agreement of the said Trustee in this instrument contained, either expressed or implied, all such personal liability, if any, being expressly waived and released.

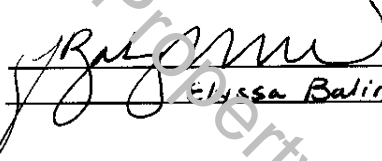
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## Mortgagee Consent

CHICAGO TITLE LAND TRUST COMPANY,  
As Successor to Chicago Trust Company  
Trustee Agreement dated May 27, 1997 and  
known as Trust No.

By: \_\_\_\_\_  
Its: \_\_\_\_\_

Board of Managers of the  
Michigan Avenue Lofts Condominium Association

By:  10/11/07  
Its: Elyssa Balinsit Winslow, Board member

LP 1394971.1 \ 34988-60010

Property of Cook County Clerk's Office

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STATE OF ILLINOIS       )  
                                       ) S.S.  
 COUNTY OF COOK        )

I, Griselda Mejia, a Notary in and for said County, in the State aforesaid,  
 DO HEREBY CERTIFY that Ganesan Visubharathas of 910 South  
 Michigan Avenue Limited Partnership, 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 said instrument as his/her free and voluntary act  
 and for the uses and purposes therein set forth.

GIVEN Under my Hand and Notarial Seal this 25<sup>th</sup> day of October, 2007.



Griselda Mejia  
 Notary Public

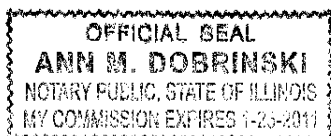
My Commission expires:

7/31/2011

STATE OF ILLINOIS       )  
                                       ) S.S.  
 COUNTY OF COOK        )

I, Ann M. Dobrinski, a Notary in and for said County, in the State aforesaid,  
 DO HEREBY CERTIFY that Vincent Cankar, as Manager of NCB  
 900 Michigan, LLC, 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 said instrument as his/her free and voluntary act and for the uses and purposes  
 therein set forth.

GIVEN Under my Hand and Notarial Seal this 12 day of Oct, 2007.



Ann M. Dobrinski  
 Notary Public

My Commission expires:

\_\_\_\_\_

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## EXHIBIT A

### LEGAL DESCRIPTION

UNIT 1903

#### LEGAL DESCRIPTION:

UNIT NO. 1903 IN THE MICHIGAN AVENUE LOFTS CONDOMINIUM AS DELINEATED ON A SURVEY OF THE FOLLOWING DESCRIBED REAL ESTATE:

PARTS OF LOT 1 AND LOT 4 (EXCEPT THE SOUTH 1/3 THEREOF) THE EAST 60 FEET OF LOT 2 AND THE EAST 60 FEET OF LOT 3 (EXCEPT THE SOUTH 1/3 THEREOF) ALL IN PARTS OF LOTS IN BLOCK 20 IN FRACTIONAL SECTION 15 ADDITION TO CHICAGO, IN THE SOUTHWEST 1/4 OF FRACTIONAL SECTION 15, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS;

WHICH SURVEY IS ATTACHED AS EXHIBIT "C" TO THE DECLARATION OF CONDOMINIUM RECORDED AS DOCUMENT NUMBER 98774537 AND AS AMENDED FROM TIME TO TIME, TOGETHER WITH ITS UNDIVIDED PERCENTAGE INTEREST IN THE COMMON ELEMENTS, ALL IN COOK COUNTY, ILLINOIS.

Property of Cook County Clerk's Office

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## LEGAL DESCRIPTION

### Commercial Property

#### Legal Description:

lot 1 and lot 4 (except the south 1/3 thereof), the east 60 feet of lot 2 and the east 60 feet of lot 3 (except the south 1/3 thereof) all in block 20 in fractional section 15 Addition to Chicago, in the southwest 1/4 of fractional section 15, township 39 north, range 14 east of the third principal meridian, described as follows:

beginning at the northeast corner of lot 1 aforesaid, thence south 89 degrees 13 minutes 20 seconds west, along the north line of said lot, 42.11 feet; thence south 0 degrees 43 minutes 55 seconds east, 8.77 feet; thence south 89 degrees 16 minutes 05 seconds west, 1.33 feet; thence south 0 degrees 43 minutes 55 seconds east, 6.00 feet; thence north 89 degrees 16 minutes 05 seconds east, 1.33 feet; thence south 0 degrees 43 minutes 55 seconds east, 32.04 feet; thence north 89 degrees 16 minutes 05 seconds east, 41.51 feet to the east line of said lot 1; thence north 0 degrees 00 minutes 00 seconds east, along said east line, 46.86 feet to the point of beginning, lying above a horizontal plane of +14.40 feet Chicago City Datum and lying below a horizontal plane of +36.03 feet Chicago City Datum, in Cook County, Illinois.