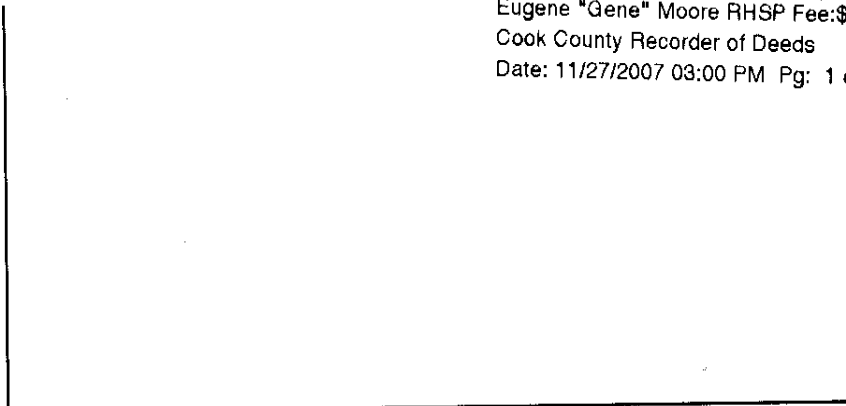




Doc#: 0733115120 Fee: \$38.00  
Eugene "Gene" Moore RHSP Fee:\$10.00  
Cook County Recorder of Deeds  
Date: 11/27/2007 03:00 PM Pg: 1 of 8

**AMENDMENT TO  
DECLARATION OF  
CONDOMINIUM  
OWNERSHIP FOR  
THE 330 SOUTH  
MICHIGAN AVENUE  
CONDOMINIUM  
ASSOCIATION –  
COMBINATION OF  
UNITS 1804 AND 1805**



This Amendment to the Declaration of Condominium Ownership for The 330 South Michigan Avenue Condominium made by the Board of Managers (the "Board") of The 330 South Michigan Avenue Condominium Association (the "Association"):

**WITNESSETH:**

WHEREAS, the property described on Exhibit A hereto was submitted to the provisions of the Illinois Condominium Property Act by a Declaration of Condominium Ownership recorded with the Cook County Recorder of Deeds on January 7, 2000 as Document No. 00021064, (as amended, the "Declaration").

WHEREAS, Unit 1804 and Unit 1805 in The 330 South Michigan Avenue Condominium (the "Affected Units") are both owned by Augusta Read Thomas and Bernard Rands (collectively, the "Owners").

WHEREAS, the Owners of the Affected Units have made written application to the Board, pursuant to Section 31 of the Illinois Condominium Property Act, requesting an amendment to the Declaration (a) to combine the Affected Units into a single unit to be designated "Unit 1804/1805", and (b) to grant Unit 1804/1805 the exclusive right to use as a limited common element a portion of the 18<sup>th</sup> floor Common Element hallway highlighted on Exhibit 1 attached hereto (the "Unit 1804/1805 Limited Common Element Hallway").

WHEREAS, the Owners of the Affected Units have also made written application to the Board to make certain alterations to accommodate the Owners' exclusive use of the Unit 1804/1805 Limited Common Element Hallway, all is more fully depicted and described on Exhibit 1 attached hereto.

WHEREAS, each of the Owners of the Affected Units have joined in this Amendment to evidence their consent to the terms hereof.

THIS INSTRUMENT WAS PREPARED BY AND  
AFTER RECORDING RETURN TO:

COMMON ADDRESS  
330 S. Michigan Ave., Chicago, Illinois  
Units 1804 and 1805

DAVID SUGAR  
ARNSTEIN & LEHR LLP  
120 S. RIVERSIDE PLAZA, SUITE 1200  
CHICAGO, IL 60606  
RECORDER'S BOX 378

PINs: 17-15-107-049-1043 (Unit 1804)  
17-15-107-049-1044 (Unit 1805)  
17-15-107-049 -1001 through  
17-15-107-049 -1076

RECORDING FEE 38  
DATE 11/27/07 COPIES 6X  
OK BY AE

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WHEREAS, this Amendment to the Declaration is being made by the Board pursuant to authority granted by Section 31 of the Illinois Condominium Property Act.

NOW, THEREFORE, the Board amends the Declaration as follows:

1. Combination of Units. Unit 1804 and Unit 1805 are hereby combined into a single unit to be known as "Unit 1804 /1805".
2. Combination of Percentage Interest. The "current" and "estimated minimum" percentage interests in the Common Elements allocated to Unit 1804 in Exhibit B to the Declaration are 1.29998% and 0.81004%, respectively, and the "current" and "estimated minimum" percentage interests in the Common Elements allocated to Unit 1805 in Exhibit B to the Declaration are 2.05082% and 1.27790%, respectively. Exhibit B to the Declaration is hereby amended to delete the references to Unit 1804 and Unit 1805, and to allocate to Unit 1804/1805 a "current" and "estimated minimum" percentage interests in the Common Elements of 3.35080% and 2.08794%, respectively.
3. Amendment of Plat of Survey. The Plat of Survey attached to the Declaration as Exhibit A is hereby amended by replacing page 17 thereof with the attached amended page 17, which amended page reflects the combination of the Affected Units and depicts Unit 1804/1805.
4. Designation as Exclusive Limited Common Element; Conditions; Alterations. The Unit 1804/1805 Limited Common Element Hallway is hereby designated as an Exclusive Limited Common Element appurtenant to Unit 1804/1805 and the Owners are hereby authorized to make the alterations depicted and described on Exhibit 1 hereto, subject to the following terms and conditions:
  - a. Owners may, in accordance with and as specified in Exhibit 1 hereto, enclose the Unit 1804/1805 Limited Common Element Hallway and make the other alterations depicted and described on Exhibit 1 hereto, provided that any new doors and doorframes shall be the building standard corridor entry door and building standard single-door doorframe.
  - b. Existing hallway light fixtures in the Unit 1804/1805 Limited Common Element Hallway (if any) must be removed and delivered to the Board's managing agent, and electrical service in the Unit 1804/1805 Limited Common Element Hallway shall be re-wired, so that all electrical service to the Unit 1804/1805 Limited Common Element Hallway is charged to the electrical service account of the owner of Unit 1804/1805, and not to that of the Association.
  - c. Owners shall bear and pay all costs and expenses associated with this Amendment and the renovations to be performed by the Owners pursuant hereto, including but not limited to all costs and charges incurred by the Association in connection with the preparation, execution and delivery of this Amendment.
  - d. Owners shall maintain the Unit 1804/1805 Limited Common Element Hallway in good condition and repair, and use the Unit 1804/1805 Limited Common

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Element Hallway in accordance with the Association's Declaration, Bylaws, and Rules and Regulations.

e. Owners shall obtain, maintain and provide the Board with proof of insurance on the Unit 1804/1805 Limited Common Element Hallway, naming the Association and its Board as additional named insureds.

f. Owners shall not be obligated to pay any additional common expense assessments to the Association solely on account of Owner's exclusive use of the Unit 1804/1805 Limited Common Element Hallway.

g. The designation of the Unit 1804/1805 Limited Common Element Hallway as a Limited Common Element appurtenant to Unit 1804/1805 shall terminate upon (1) the occurrence of any breach by Owners of any of the terms, covenants or provisions of any paragraph of this Section 4, which breach continues uncured for ten (10) days after written notice from the Board to Owners, (2) any division of Unit 1804/1805, or (3) any sale or lease of less than all of Unit 1804/1805. Upon termination, the Owner shall, at Owners' sole cost and expense, restore the Unit 1804/1805 Limited Common Element Hallway to its condition prior to the date of this Amendment, all within sixty (60) days.

h. The provisions of this Section 4 shall be binding upon the Owners and all subsequent purchasers of Unit 1804/1805 or any part thereof.

5. Continuation. Except as expressly modified herein, all terms and conditions of the Declaration shall continue in full force and effect.

NOW, THEREFORE, the Board has caused this Amendment to Declaration to be executed and delivered this \_\_\_ day of \_\_\_\_\_, 2006.

**330 SOUTH MICHIGAN AVENUE CONDOMINIUM ASSOCIATION**

By: [Signature]  
Its President

Attest: [Signature]  
Its Secretary

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STATE OF ILLINOIS            )  
  ) ss.  
COUNTY OF COOK            )

I, Victoria M. Simpson, a Notary Public in and for said County, in the State aforesaid, do hereby certify that Mary Zavett, President of The 330 South Michigan Avenue Condominium Association and David Wilner, Secretary of The 330 South Michigan Avenue Condominium Association, personally appeared before me and signed the foregoing instrument as such officers on behalf of The 330 South Michigan Avenue Condominium Association, as their free and voluntary act and deed for the uses and purposes therein set forth.

WITNESS my hand and seal as such Notary Public on December 19, 2006.

Victoria M. Simpson  
Notary Public

\*OFFICIAL SEAL\*  
VICTORIA M. SIMPSON  
Notary Public, State of Illinois  
My Commission Expires September 5, 2009

Commission Expires:

Property of Cook County Clerk's Office

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## CONSENT OF OWNERS OF AFFECTED UNITS

The undersigned hereby certify that they are the owners of Unit 1804 and Unit 1805 in The 330 South Michigan Avenue Condominium, that they have reviewed the Amendment to Declaration to which this Consent is attached, and agree to be bound by its terms.

Augusta R. Thomas  
Augusta Read Thomas

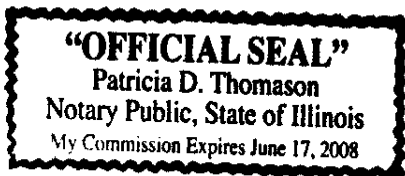
Bernard Rands  
Bernard Rands

STATE OF ILLINOIS

COUNTY OF COOK

I, PATRICIA THOMASON, a Notary Public in and for said County, in the State aforesaid, do hereby certify that Augusts Read Thomas and Bernard Rands, personally appeared before me and acknowledged that they signed the foregoing instrument, as their free and voluntary act and deed for the uses and purposes therein set forth.

WITNESS my hand and seal as such Notary Public on 12/19, 2006.



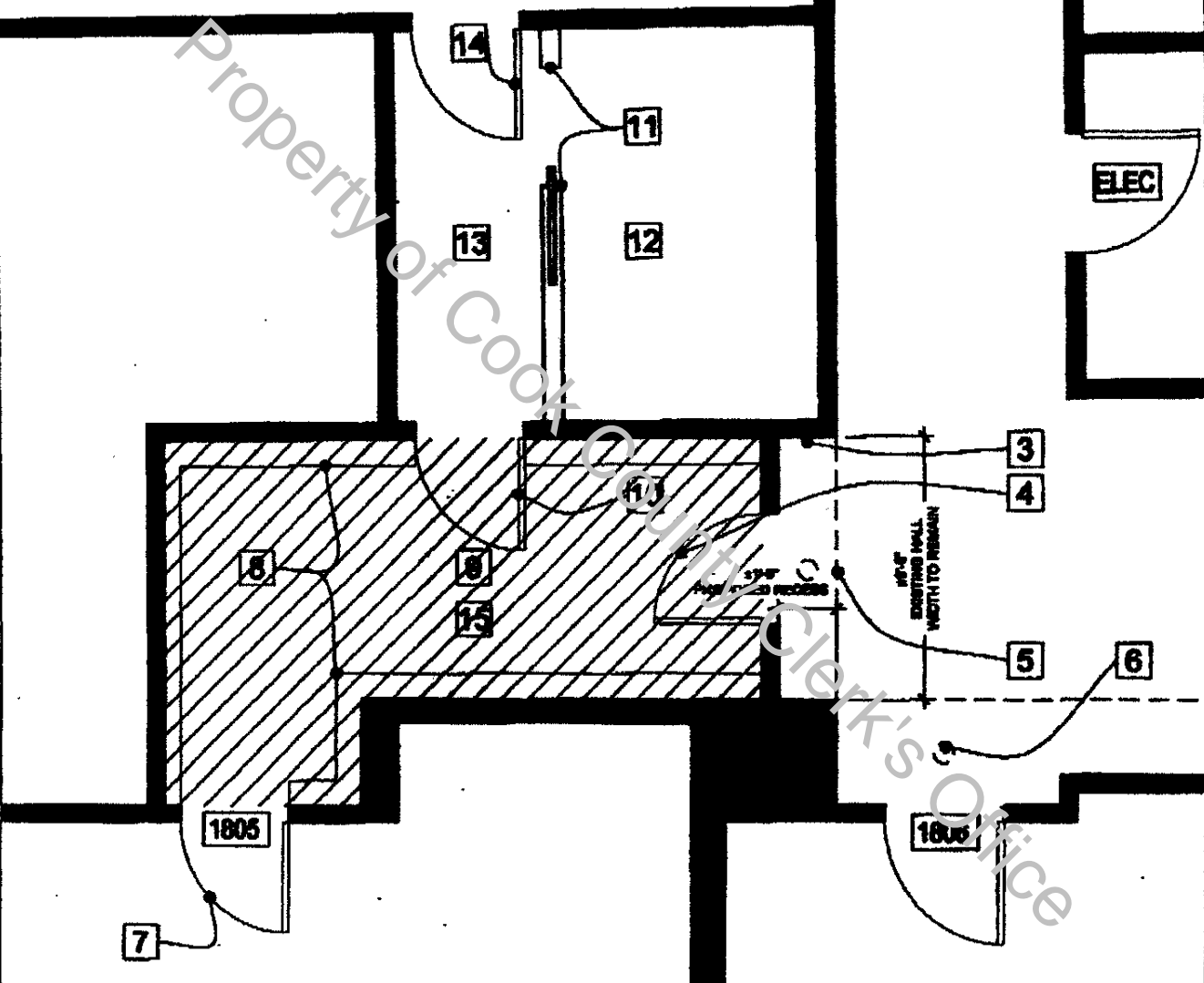
Patricia D. Thomason  
Notary Public

Commission Expires: June 17, 2008



### FLOOR PLAN KEY NOTES

- 1 EXISTING DOOR TO REMAIN
- 2 EXISTING RECESS TO REMAIN
- 3 NEW RECESS TO MATCH EXISTING
- 4 NEW DOOR: REUSE EXISTING DOOR AT UNIT 1805
- 5 PROPOSED SOFFIT AND LIGHT FIXTURE MATCH EXIST.
- 6 EXISTING SOFFIT AND LIGHT FIXTURE
- 7 EXISTING ENTRY DOOR AT UNIT 1805 TO BE RELOCATED
- 8 PROPOSED BOOKSHELVES
- 9 EXISTING FIRE EQUIPMENT IN VESTIBULE TO BE RELOCATED INTO HALLWAY ACCORDING TO CODE
- 10 MODIFY EXISTING WALL AS REQUIRED FOR NEW DOOR TO CONNECT UNITS
- 11 NEW WALL AND POCKET DOOR TO CREATE NEW HALL
- 12 EXISTING LAUNDRY ROOM
- 13 NEW HALL
- 14 EXISTING DOOR
- 15 EXISTING COMMON ELEMENT HALLWAY TO BECOME LIMITED HALLWAY



GOOD DESIGN STUDIO LLC  <small>330 S. Michigan Avenue Suite 400 Chicago, Illinois 60606</small>	<b>PROPOSED CHANGES TO THOMAS/RANDS RESIDENCE</b>			SD-01	
	<b>PROJECT LOCATION:</b> 330 S. MICHIGAN AVE, #1804/1805				
	<b>DRAWN BY:</b> HC	<b>DESIGNED BY:</b> THOMAS	<b>SHEET REFERENCES</b>		
	<b>CHECKED BY:</b> JAMES	<b>DATE:</b> 07-28-2006	REVISIONS: N/A		

- EXHIBIT 1 -

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**EXHIBIT A**  
(Legal Description)

ALL OF LOTS 2, 2A, 2A\*, 2G AND LOT 3, IN 330 SOUTH MICHIGAN SUBDIVISION, BEING A SUBDIVISION OF PART OF FRACTIONAL SECTION 15, TOWNSHIP 39 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, EXCEPTING THEREFROM THAT PART OF LOT 2 AFORESAID HAVING AS A LOWER LIMIT A HORIZONTAL PLANE OF ELEVATION +264.71 FEET, CHICAGO CITY DATUM, AND HAVING AS AN UPPER LIMIT A HORIZONTAL PLANE OF ELEVATION +276.70 FEET, CHICAGO CITY DATUM, AND EXCEPTING THAT PART OF LOT 2A\* AFORESAID HAVING AS A LOWER LIMIT A HORIZONTAL PLANE OF ELEVATION +264.71 FEET, CHICAGO CITY DATUM, AND HAVING AS AN UPPER LIMIT A HORIZONTAL PLANE OF ELEVATION +310.00 FEET, CHICAGO CITY DATUM, ACCORDING TO THE PLAT THEREOF RECORDED JANUARY 7, 2000 AS DOCUMENT NUMBER 00021051 IN COOK COUNTY, ILLINOIS, WHICH SURVEY IS ATTACHED AS EXHIBIT "A" TO THE DECLARATION OF CONDOMINIUM RECORDED JANUARY 7, 2000 AS DOCUMENT NUMBER 00021064 AS AMENDED FROM TIME TO TIME, TOGETHER WITH ITS UNDIVIDED PERCENTAGE INTEREST IN THE COMMON ELEMENTS.