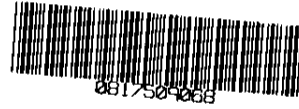


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Doc#: 0817509068 Fee: \$150.00
Eugene "Gene" Moore RHSP Fee: \$10.00
Cook County Recorder of Deeds
Date: 06/23/2008 01:26 PM Pg: 1 of 25

**THIRD AMENDMENT TO
DECLARATION OF CONDOMINIUM OWNERSHIP
AND OF
EASEMENTS, RESTRICTIONS, COVENANTS AND BY-LAWS
FOR 400 NORTH LASALLE, A CONDOMINIUM**

Property of Cook County Clerk's Office

02050129 LL (of)

THIS INSTRUMENT WAS PREPARED BY AND
AFTER RECORDING SHOULD BE RETURNED TO:

Jeff Richman
Bancroft & Richman, LLC
303 W. Madison, Suite 1000
Chicago, Illinois 60606



RECORDING FEE \$ 150
DATE 6-23-08 COPIES 6x
OK C.F.

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

2596

UNOFFICIAL COPY

THIRD AMENDMENT TO DECLARATION OF CONDOMINIUM OWNERSHIP FOR FOR 400 NORTH LASALLE, A CONDOMINIUM

WHEREAS, that certain Declaration of Condominium Ownership And Of Easements, Restrictions, Covenants And By-Laws For 400 North LaSalle, A Condominium was recorded on October 14, 2005 with the Recorder of Deeds of Cook County, Illinois as Document Number 0528710194 (the "Declaration"). The Declaration submitted the property described on Exhibit A hereto to the Condominium Property Act of the State of Illinois. A First Amendment to the Declaration was recorded March 15, 2007 as document number 0707415044 and a Second Amendment to the Declaration recorded February 7, 2008 as document number 0803815072. Initially capitalized terms not otherwise defined herein shall have the meaning given such terms in the Declaration.

WHEREAS, the Declarant remains the Owner of Unit numbers 3801 and 3802, which Units currently have ownership interest percentages of 0.2341% and 0.4002%, respectively.

WHEREAS, Declarant desires to combine said Units 3801 and 3802 into a single Unit (to be Unit 3801) pursuant to and in accordance with the terms of Sections 4.12 and 13.12 of the Declaration and Section 31 of the Act.

WHEREAS, the Board of Managers, as currently presided over by the Declarant has approved such combination.

NOW THEREFORE, the Declaration is hereby amended as follows:

1. Exhibit C to the Declaration is hereby amended by (i) deleting therefrom Unit 3802 and (ii) increasing the percentage of ownership interest in the Common Elements of Unit 3801 to 0.6343%. A revised version of Exhibit C reflecting such modification is attached as Exhibit C hereto.

2. The sheet of the Plat depicting the 38th Floor of the Building is hereby replaced with the plat of the 38th Floor attached hereto as Exhibit B.

UNOFFICIAL COPY

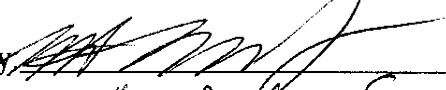
IN WITNESS WHEREOF, the Declarant, as owner of Units 3801 and 3802, and the Association by its President, have executed this Third Amendment as of June 22, 2008.

400 NORTH LASALLE STREET LLC,
a Delaware limited liability company

By: 400 Chicago Group LLC,
a Delaware limited liability company,
one of its Managing Members


By: DK Investors, LLC,
an Illinois limited liability company,
one of its Managing Members

By: Draper and Kramer, Incorporated,
an Illinois corporation,
its sole Member and Manager

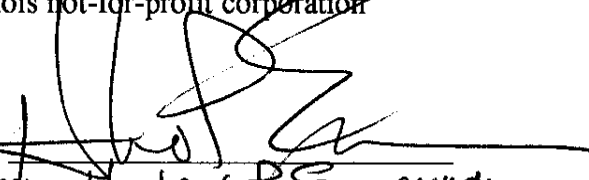
By: 
Name: William F. von Soos, Jr.
Title: Senior Vice President

- and -

By: EM's Associates, L.L.C.,
an Illinois limited liability company,
one of its Managing Members

By: 
Name: CHERYL BAUCROFT
Title: MEMBER

400 NORTH LASALLE CONDOMINIUM ASSOCIATION, an
Illinois not-for-profit corporation

By: 
Name: Herbert P. Emmerman
President

UNOFFICIAL COPY

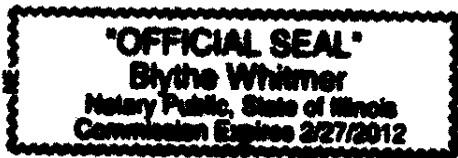
ACKNOWLEDGEMENTS

STATE OF ILLINOIS)
)
 COUNTY OF COOK)

SS

The undersigned, a Notary Public in and for the County and State aforesaid, do hereby certify that William F. Van Senus, Jr., as Senior Vice President of Draper and Kramer, Incorporated, as the sole Member and Manager of DK Investors, LLC, as one of the Managing Members of 400 Chicago Group LLC, as one of the Managing Members of 400 North LaSalle Street LLC, a Delaware limited liability company, personally known to me to be the same person whose name is subscribed to the foregoing instrument as such member, appeared before me this day in person and acknowledged that he signed and delivered the said instrument as his own free and voluntary act, as the free and voluntary act of said and as the free and voluntary act of said company, for the uses and purposes therein set forth.

GIVEN, under my hand and Notarial Seal June 23, 2008.



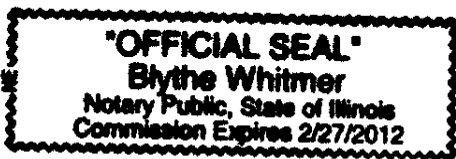
Blythe Whitmer
 Notary Public

STATE OF ILLINOIS)
)
 COUNTY OF COOK)

SS

The undersigned, a Notary Public in and for the County and State aforesaid, do hereby certify that Cheryl Bancroft, as Member of EMS Associates, L.L.C., as one of the Managing Members of 400 Chicago Group LLC, as one of the Managing Members of 400 North LaSalle Street LLC, a Delaware limited liability company, personally known to me to be the same person whose name is subscribed to the foregoing instrument as such member, appeared before me this day in person and acknowledged that he signed and delivered the said instrument as his own free and voluntary act, as the free and voluntary act of said and as the free and voluntary act of said company, for the uses and purposes therein set forth.

GIVEN, under my hand and Notarial Seal June 23, 2008.



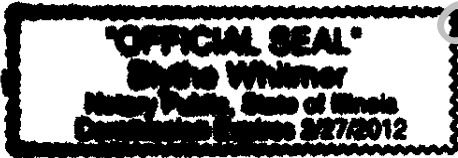
Blythe Whitmer
 Notary Public

UNOFFICIAL COPY

STATE OF ILLINOIS)
) SS
 COUNTY OF COOK)

The undersigned, a Notary Public in and for the County and State aforesaid, do hereby certify that Herbert P. Emmertman, as President of 400 North LaSalle Condominium Association, personally known to me to be the same person whose name is subscribed to the foregoing instrument as such member, appeared before me this day in person and acknowledged that he signed and delivered the said instrument as his own free and voluntary act, as the free and voluntary act of said and as the free and voluntary act of said association, for the uses and purposes therein set forth.

GIVEN, under my hand and Notarial Seal June 23, 2008.



Beyene Ephemer
 Notary Public

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CONSENT OF FIRST MORTGAGEE

LASALLE BANK NATIONAL ASSOCIATION, holder of a first priority Mortgage encumbering the Property dated as of April 19, 2005, and recorded as Document Number 0511244025, hereby consents to the execution and recording of the within Declaration of Condominium Ownership and of Easements, Restrictions, Covenants and By-Laws for 400 North LaSalle, a Condominium, and agrees that such Mortgage is subject thereto and to the provisions of the Condominium Property Act of the State of Illinois.

IN WITNESS WHEREOF, LaSalle Bank National Association has caused this Consent of Mortgage to be signed by its duly authorized officer on its behalf, on this 23 day of June __, 2008.

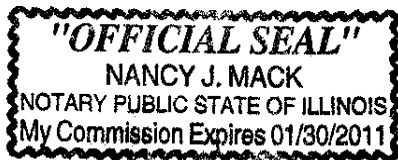
LASALLE BANK NATIONAL ASSOCIATION

By: [Signature]
Its: LOAN OFFICER

STATE OF ILLINOIS)
)
) SS
COUNTY OF COOK)

The undersigned, a Notary Public in and for the County and State aforesaid, do hereby certify that DAVID POPP, as LOAN OFFICER of LASALLE BANK NATIONAL ASSOCIATION, 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 own free and voluntary act, as the free and voluntary act of said 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 June 23, 2008.



[Signature]
Notary Public

UNOFFICIAL COPY

CONSENT OF SECOND MORTGAGEE

LASALLE BANK NATIONAL ASSOCIATION, holder of a second priority Mortgage encumbering the Property dated as of April 19, 2005, and recorded as Document Number 0511244027, hereby consents to the execution and recording of the within Declaration of Condominium Ownership and of Easements, Restrictions, Covenants and By-Laws for 400 North LaSalle, a Condominium, and agrees that such Mortgage is subject thereto and to the provisions of the Condominium Property Act of the State of Illinois.

IN WITNESS WHEREOF, LaSalle Bank National Association has caused this Consent of Mortgage to be signed by its duly authorized officer on its behalf, on this 23 day of June, 2008.

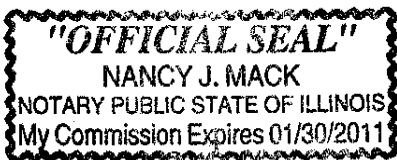
LASALLE BANK NATIONAL ASSOCIATION

By: [Signature]
Its: LOAN OFFICER

STATE OF ILLINOIS)
)
) SS
COUNTY OF COOK)

The undersigned, a Notary Public in and for the County and State aforesaid, do hereby certify that DAVID POPP, as LOAN OFFICER of LASALLE BANK NATIONAL ASSOCIATION, 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 own free and voluntary act, as the free and voluntary act of said 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 June 23, 2008.



[Signature]
Notary Public

UNOFFICIAL COPY

CONSENT OF THIRD MORTGAGEE

NORTH LASALLE FUNDING COMPANY, holder of a third priority Mortgage encumbering the Property dated as of April 19, 2005, and recorded as Document Number 0511244031, hereby consents to the execution and recording of the within Declaration of Condominium Ownership and of Easements, Restrictions, Covenants and By-Laws for 400 North LaSalle, a Condominium, and agrees that such Mortgage is subject thereto and to the provisions of the Condominium Property Act of the State of Illinois.

IN WITNESS WHEREOF, NORTH LASALLE FUNDING COMPANY has caused this Consent of Mortgagee to be signed by its duly authorized officer on its behalf, on this 19 day of June, 2008.

NORTH LASALLE FUNDING COMPANY

By: Yetta Y. Tropper
Its: Vice President

[Signature]
STATE OF ILLINOIS)
[Signature]) SS
COUNTY OF COOK)

The undersigned, a Notary Public in and for the County and State aforesaid, do hereby certify that Yetta Y. Tropper, as Vice President of NORTH LASALLE FUNDING COMPANY, 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 own free and voluntary act, as the free and voluntary act of said 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 June 19, 2008.

[Signature]
Notary Public

ESTHER MARY KRIVDA
NOTARY PUBLIC, STATE OF NEW YORK
NO. 01KR6051251
QUALIFIED IN BRONX COUNTY
MY COMMISSION EXPIRES NOV. 20, 2010

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EXHIBIT A

Legal Description of Property

Lots 1 to 8, inclusive, together with the Private Court South of and adjoining said Lot 2, East of and adjoining said Lots 3 and 4, North of and adjoining said Lots 6 and 7 and West of and adjoining said Lot 8 in the Assessor's Division of Block 9 in Newberry's Addition to Chicago, together with Lots 1 (except that part taken for LaSalle Street) and Lots 2, 3, 4, 5 and 6 (except the East 20 feet of Lot 6) and that part of the East-West 18.00 foot public alley lying North of Lots 1, 2 and 3 (except the East 20 feet of Lot 1 taken for widening LaSalle Street) and lying south of Lots 4, 5 and 6 (except the East 20 feet of Lot 6 taken for widening LaSalle Street) in Block 4 in Wolcott's Addition to Chicago in Section 9, Township 39 North, Range 14, East of the Third Principal Meridian, all taken as a tract, lying East of a line described as follows: beginning on the South line of said Lot 8, a distance of 175.12 feet East of the Southwest corner of Lot 5; thence North, perpendicular to said South line, 121.80 feet; thence West, perpendicular to the last described course, 1.46 feet; thence North, perpendicular to the last described course, 9.70 feet; thence West, perpendicular to the last described course, 1.00 foot; thence North, perpendicular to the last described course, 20.00 feet; thence East, perpendicular to the last described course, 1.00 foot; thence North, perpendicular to the last described course, 2.00 feet; thence West, perpendicular to the last described course, 1.00 foot; thence North, perpendicular to the last described course, 20.00 feet; thence East, perpendicular to the last described course, 1.00 foot; thence North, perpendicular to the last described course, 2.00 feet; thence West, perpendicular to the last described course, 1.00 foot; thence North, perpendicular to the last described course 20.00 feet; thence East, perpendicular to the last described course, 1.00 foot; thence North, perpendicular to the last described course, 16.42 feet; thence East, perpendicular to the last described course, 1.46 feet; thence North, perpendicular to the last described course, 8.53 feet to a point on the North line of said Lot 8, a distance of 174.57 feet East of the Northwest corner of said Lot 1, in Cook County, Illinois.

Common Address: 400 North LaSalle, Chicago, Illinois.

PINs: 17-09-259-022-1001 through 17-09-259-022-1424

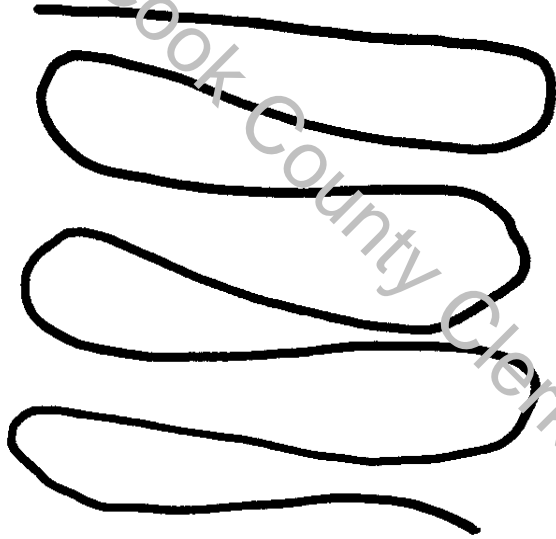
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Exhibit B

Revised Plat of 38th Floor

(See Attached)

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EXHIBIT C
TO DECLARATION OF CONDOMINIUM OWNERSHIP AND
OF EASEMENTS, RESTRICTIONS, COVENANTS AND BY-LAWS
FOR 400 NORTH LASALLE, A CONDOMINIUM

Unit Ownership Percentage Interests

UNIT	PERCENTAGE OWNERSHIP
101	0.3261%
801	0.1951%
802	0.3416%
803	0.1234%
804	0.5722%
811	0.1951%
812	0.1625%
901	0.1951%
902	0.3416%
903	0.1234%
904	0.1951%
905	0.2472%
906	0.1299%
907	0.2602%
908	0.1886%
909	0.1625%
910	0.1918%
911	0.1951%
912	0.1625%
1001	0.1977%
1002	0.3455%
1003	0.1247%
1004	0.1977%
1005	0.2504%
1006	0.1312%
1007	0.2635%
1008	0.1912%

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1009	0.1645%
1010	0.1944%
1011	0.1977%
1012	0.1645%
1101	0.1977%
1102	0.3455%
1103	0.1247%
1104	0.1977%
1105	0.2504%
1107	0.3947%
1108	0.1912%
1109	0.1645%
1110	0.1944%
1111	0.1977%
1112	0.1645%
1201	0.2003%
1202	0.3494%
1203	0.1260%
1204	0.2003%
1205	0.2537%
1206	0.1325%
1207	0.2667%
1208	0.1938%
1209	0.1664%
1210	0.1970%
1211	0.2003%
1212	0.1664%
1301	0.2003%
1302	0.3494%
1303	0.1260%
1304	0.2003%
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1307	0.2667%

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1308	0.1938%
1309	0.1664%
1310	0.1970%
1311	0.2003%
1312	0.1664%
1401	0.2029%
1402	0.3533%
1403	0.1273%
1404	0.2029%
1405	0.2569%
1406	0.1338%
1407	0.2700%
1408	0.1964%
1409	0.1684%
1410	0.1996%
1411	0.2029%
1412	0.1684%
1501	0.2029%
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1504	0.2029%
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1603	0.1286%
1604	0.2055%
1605	0.2602%

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1606	0.1351%
1607	0.2732%
1608	0.1990%
1609	0.1703%
1610	0.2022%
1611	0.2055%
1612	0.1703%
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1809	0.1703%
1810	0.2022%
1811	0.2055%
1812	0.1703%
1901	0.2107%
1902	0.3651%
1903	0.1312%

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1904	0.2081%
1905	0.2635%
1906	0.1364%
1907	0.2765%
1908	0.2016%
1909	0.1723%
1910	0.2048%
1911	0.2107%
1912	0.1742%
2001	0.2107%
2002	0.3651%
2003	0.1312%
2004	0.2081%
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2009	0.1723%
2010	0.2048%
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2012	0.1742%
2101	0.2107%
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2205	0.2667%
2206	0.1378%
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2210	0.2074%
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4007	0.3042%
4008	0.2237%
4009	0.1889%
4010	0.2270%
4011	0.2341%
4012	0.1938%
4101	0.2341%
4102	0.4002%
4103	0.1430%
4104	0.2315%
4105	0.2928%
4106	0.1475%
4107	0.3042%
4108	0.2237%
4109	0.1889%
4110	0.2270%
4111	0.2341%
4112	0.1938%

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4201	0.2381%
4202	0.4061%
4203	0.1449%
4204	0.2354%
4205	0.2976%
4207	0.4585%
4208	0.2276%
4209	0.1918%
4210	0.2309%
4211	0.2381%
4212	0.1970%
4301	0.2381%
4302	0.4061%
4303	0.1449%
4304	0.2354%
4305	0.2976%
4306	0.1495%
4307	0.3090%
4308	0.2276%
4309	0.1918%
4310	0.2309%
4311	0.2381%
4312	0.1970%
4401	0.2381%
4402	0.4061%
4403	0.1449%
4404	0.2354%
4405	0.2976%
4406	0.1495%
4407	0.3090%
4408	0.2276%
4409	0.1918%
4410	0.2309%
4411	0.2381%

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4412	0.1970%
4501	0.2381%
4502	0.4061%
4503	0.1449%
4504	0.2354%
4505	0.2976%
4506	0.1495%
4507	0.3090%
4508	0.2276%
4509	0.1918%
4510	0.2309%
4511	0.2381%
4512	0.1970%
TOTAL	100.0000%

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24-PG
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25-TOTAL

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