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Eugene "Gene" Moore RHSP Fee: \$10.00  
Cook County Recorder of Deeds  
Date: 08/29/2008 11:55 AM Pg: 1 of 7

8/29/08 12:70:28 PM

RECORDING FEE \$ 48  
DATE 8/29/08 COPIES 64  
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This instrument was prepared by and after recording return to:

Daspin & Aument, LLP  
227 West Monroe, Suite 3500  
Chicago, Illinois 60606  
Attention: D. Albert Daspin

## THIRD AMENDMENT TO DECLARATION OF CONDOMINIUM OWNERSHIP AND OF EASEMENTS, RESTRICTIONS AND COVENANTS

THIS THIRD AMENDMENT TO DECLARATION OF CONDOMINIUM OWNERSHIP AND OF EASEMENTS, RESTRICTIONS AND COVENANTS (hereinafter referred to as the "**Third Amendment**"), is made as of the 27 day of August, 2008, by Opus Real Estate IL VII Burr Ridge, L.L.C., a Delaware limited liability company ("**Declarant**").

### WITNESSETH:

WHEREAS, Declarant has heretofore entered into that certain Declaration of Condominium Ownership and of Easements, Restrictions and Covenants of 850 Village Center Drive Condominium Association dated as of May 19, 2008, and recorded with the Recorder of Deeds for Cook County, Illinois, on May 23, 2008, as Document Number 0814422089, as amended by that certain First Amendment to Declaration of Condominium Ownership and of Easements, Restrictions and Covenants dated as of May 22, 2008, and recorded with the Recorder of Deeds for Cook County, Illinois, on May 23, 2008, as Document Number 0814422092, and as further amended by that certain Second Amendment to Declaration of Condominium Ownership and of Easements, Restrictions and Covenants dated as of July 25, 2008, and recorded with the Recorder of Deeds for Cook County, Illinois, on July 30, 2008, as Document Number 0821245093 (as so amended, the "**Original Declaration**") with respect to those certain tracts of real property located in the Village of Burr Ridge, Cook County, State of Illinois, which are more particularly described in Exhibit A attached hereto and made a part hereof.

WHEREAS, pursuant to Section 3.5(b) of the Original Declaration, Declarant has the authority, without obtaining the consent of any other party, to make any amendment to the Declaration necessary to reallocate and reassign the Parking Spaces theretofore assigned to such

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Units and, if necessary, to change the percentage of ownership interest in the Common Elements attributable to such Units.

WHEREAS, pursuant to Section 3.6(b) of the Original Declaration, Declarant has the authority, without obtaining the consent of any other party, to make any amendment to the Declaration necessary to reallocate and reassign the Storage Spaces theretofore assigned to such Units and, if necessary, to change the percentage of ownership interest in the Common Elements attributable to such Units.

WHEREAS, Declarant desires to reassign certain of the Parking Spaces and the Storage Spaces currently assigned to certain of the Units, subject to the terms and conditions of this Third Amendment.

NOW, THEREFORE, for and in consideration of the mutual covenants and agreements hereinafter set forth, and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Declarant hereby agrees as follows:

Section 1: Definitions. All terms used but not defined in this Third Amendment shall have the meanings ascribed to such terms in the Original Declaration.

Section 2: Exhibit C. Exhibit C to the Original Declaration is hereby deleted in its entirety and is replaced with Exhibit C to this Third Amendment.

Section 3: Full Force and Effect; Inconsistencies. The Original Declaration (as modified by this Third Amendment) and the recitals and exhibits to this Third Amendment are hereby incorporated into this Third Amendment by this reference. Except as set forth in this Third Amendment, the terms, covenants, conditions and agreements of the Original Declaration shall remain unmodified and otherwise in full force and effect. In the event of any inconsistency between the terms of the Original Declaration and the terms of this Third Amendment, the terms of this Third Amendment shall control.

Section 4: Recordation. This Third Amendment shall be recorded with the Recorder of Deeds for Cook County, Illinois.

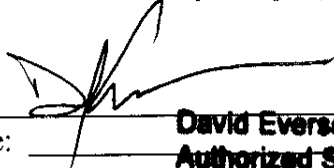
Section 5: Counterparts. This Third Amendment may be executed in any number of counterparts, each of which shall be deemed to constitute an original hereof. The signature of any party to any counterpart shall be deemed a signature to, and may be appended to, any other counterpart.

*[The balance of this page has been left blank intentionally.]*

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IN WITNESS WHEREOF, Declarant has executed this Third Amendment as of the day and year first written above.

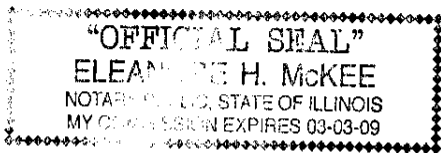
Opus Real Estate IL VII Burr Ridge, L.L.C.,  
a Delaware limited liability company

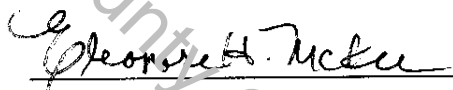
By:   
Name: David Everson  
Its: Authorized Signatory

STATE OF ILLINOIS     )  
  )  
COUNTY OF COOK     )

I, Eleanor H. McKee, a Notary Public in and for the County and State aforesaid, do hereby certify that David Everson, as Authorized Signatory of Opus Real Estate IL VII Burr Ridge, L.L.C., a Delaware limited liability company, personally known to me to be the same person whose name is subscribed to the foregoing instrument as such Authorized Signatory, appeared before me this day in person and acknowledged that he signed and delivered such instrument as his own free and voluntary act, and as the free and voluntary act of such company for the uses and purposes therein set forth.

GIVEN under my hand and notarial seal this 27<sup>th</sup> day of August, 2008.



  
Notary Public

My Commission Expires:



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## Exhibit A

### Legal Description

Lot 6-2 in Final Plat of Subdivision for Burr Ridge Village Center Resubdivision, a subdivision of part of the West ½ of Section 30, Township 38 North, Range 12 East of the Third Principal Meridian, in Cook County, Illinois.

PINs: A portion of 18-30-300-030

Commonly Known As: 850 Village Center Drive, Burr Ridge, Illinois

**UNOFFICIAL COPY****EXHIBIT C**  
**PERCENTAGE OF OWNERSHIP**

<u>UNIT</u>	<u>PARKING SPACE LIMITED COMMON ELEMENT</u>	<u>STORAGE SPACE LIMITED COMMON ELEMENT</u>	<u>PERCENTAGE OF OWNERSHIP</u>
201	37, 90	S-48	1.5535%
202	54	S-20	1.2070%
203	65	S-21	1.2070%
204	68, 71	S-62	1.5260%
205	59, 92	S-28	1.6694%
206	39	S-50	1.5662%
207	79	S-2	1.4526%
208	4	S-14	1.2552%
209	21, 55	S-32, S-66	2.3383%
210	7	S-72	1.1474%
211	67	S-5	1.4824%
212	28, 50	S-71	1.9482%
213	42, 81	S-53, S-64	1.6453%
214	34, 44	S-45, S-70	1.6453%
215	29, 49	S-40, S-67	1.6453%
216	30, 48	S-41	2.2488%
217	26, 52	S-37	2.2879%
218	70	S-12	1.3768%
219	84, 88	S-57	1.3768%
220	72	S-11	1.3768%
221	86	S-58	1.3768%
301	22	S-33	1.5535%
302	11, 63	S-22, S-23, S-61	2.4143%
304	74	S-63	1.5260%
305	19, 57	S-30	1.6694%
306	38	S-49	1.5662%
307	6	S-3	1.4526%
308	2	S-13	1.2552%
309	18, 58	S-29	2.3383%

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310	5	S-18	1.1474%
311	9, 73	S-6	1.4824%
312	25, 53	S-36	1.9482%
313	41, 87	S-52	1.6453%
314	32, 46	S-43, S-69	1.6453%
315	14, 62	S-25	1.6453%
316	33, 45	S-44	2.2488%
317	27, 51	S-38	2.2879%
318	80	S-10	1.3768%
319	85	S-59	1.3768%
320	75	S-9	1.3768%
321	93	S-60	1.3768%
401	43	S-54	1.5535%
402	8, 10	S-15, S-16, S-17	2.4143%
404	35	S-46	1.5260%
405	20, 56	S-31	1.6694%
406	36	S-47	1.5662%
407	3	S-4	1.4526%
408	1, 12, 13	S-8, S-24	3.5939%
410	66	S-19	1.1474%
411	64	S-7	1.4824%
412	23, 78	S-34	1.9482%
413	40, 82	S-51	1.6453%
414	31, 47	S-42	1.6453%
415	16, 60	S-27	1.6453%
416	15, 61	S-26	2.2488%
417	24, 77	S-35, S-68	2.2879%
418	91	S-55	1.3768%
419	69	S-1	1.3768%
420	89	S-56	1.3768%
421	76	S-65	1.3768%

TOTAL

100.0000%