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THIS INSTRUMENT PREPARED BY AND SHOULD BE MAILED TO:

Doc#: 0826941082 Fee: \$46.00 Eugene "Gene" Moore RHSP Fee:\$10.00 Cook County Recorder of Deeds Date: 09/25/2008 11:58 AM Pg: 1 of 6

DEAN KALAMATIANOS ATTORNEY AT LAW 1730 W. Carroll Avenue CHICAGO, IL 60612

### AMENDMENT TO THE

DECLARATION OF CONDOMINIUM OWNERSHIP FOR

401 EAST ONTARIO CONDOMINIUM ASSOCIATION

**401 EAST ONTARIO STREET** 

CHICAGO, ILLINOIS 60611

THIS AMENDMENT TO DECLARATION made and entered into this <u>24th</u> day of <u>September</u>, 2008 by Heidi Lakani (Gereinafter referred to as "Lakani Unit 906") and Heidi Lakani (hereinafter referred to as "Lakani Unit 301") as follows:

# WITN ESSETH:

WHEREAS, Lakani Unit 906 is the owner of record of the real estate commonly known as 401 E. Ontario, Unit #906, Chicago, Illinois 60611, peing legally described in Exhibit "A" attached hereto and made a part hererof (hereinafter referred to as Parcel 1); and

WHEREAS, Lakani Unit 301 is the owner of record of the real estate commonly known as 401 E. Ontario, Unit #301, Chicago, Illinois 60611, being legally described in Exhibit "B" attached hereto and made a part hereof (hereinafter referred to as Paccei 2); and

WHEREAS, at the current time, Lakani Unit 906, as the owner of Parcel 1, has a limited common element for parking purposes in and to parking space number P4-220; and

WHEREAS, a Declaration of Condominium Ownership for 401 East Ontario Condominium Association (the "Condominium Declaration") has been previously recorded with the Recorder of Deeds of Cook County, Illinois as Document Number 99310979; and

WHEREAS, Sections 2.03 and 3.04 of the Condominium Declaration provides that any Unit Owner who has a parking space(s) appurtenant to his Unit has the right to sell his Parking Space to another Unit Owner and upon conveyance of said easement it shall become appurtenant to the Unit of the Purchaser; and

WHEREAS, the parties hereto have entered into an Agreement whereby Lakani Unit 906 has agreed to transfer to Lakani Unit 301 and Lakani Unit 301 has agreed to receive from Lakani 906 the limited common element for parking purposes in and to parking space number P4-220; and

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WHEREAS, Section 26 of the Condominium Property Act of the State of Illinois provides that such transfer shall be made by an Amendment to the Declaration executed by all unit owners who are parties to the transfer and consented by all other unit owners who have any interest to use the limited common elements affected and shall contain a certificate showing that a copy of the amendment has been delivered to the board of managers.

WHEREAS, the parties hereto wish to amend the Declaration by transferring the limited common element for parking purposes in and to parking space number P4-220 from the Owner of Parcel 1 to the Owner of Parcel 2.

NOW, THEREFORE, the parties hereto hereby declare that the Condominium Declaration he and is hereby amended as follows:

- 1. The Declaration of Condominium Ownership for 401 East Ontario Condominium Association, Chicago, Illinois is hereby amended by transferring the limited common element for parking purposes in and to parking space number P4-220 from the Unit Owner of 401 E. Ontario, Unit #906, Chicago, Illinois 60611 to the Unit Owner of 401 E. Ontario, Unit #301, Chicago, Illinois 60611.
- 2. That upon the recording of this Amendment, the limited common element for parking purposes in and to parking space number P4-220 shall be appurtenant to the ownership of 401 E. Ontario, Unit #301, Chicago, Illinois 60611 and every deed, lease, mortgage or other instrument affecting the title to 401 E. Ontario, Unit #301, Chicago, Illinois 60611 shall be deemed and taken to include the said parking limited common element to parking space number P4-220, even though not expressly mentioned or described therein.
- 3. That there are no other unit owners in the Condominium Association who have a right to use parking space number P4-220.
- 4. A certificate showing that a copy of this Amendment has been delivered to the board of managers of the Condominium Association is attached hereto.
- 5. There is no change in the common element percentage, of the units as a result of this transfer.

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IN WITNESS WHEREOF, Heidi Lakani has caused her name to be signed to these presents on the day and year first above written.
X Heidi Lakani, for Unit 906  Heidi Lakani, for Unit 301
STATE OF ILLINOIS ) ) SS COUNTY OF COOK )
I, the undersigned, a Notary Public in and for the County and State aforesaid, DO HEREBY CERTIFY THAT Heidi Lakani, 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 she signed, sealed and delivered the said instrument as her free and voluntary act for the uses and purposes therein set forth.
Given under my hand and sea this 1 day of, 2008.
Constantine Kalamatianos  Constantine Kalamatianos  Notary Public, State of Illinois  Commission Expires 5/10/2011
Notary Public
STATE OF ILLINOIS ) ) SS
COUNTY OF COOK )
<b>T</b> /

I, the undersigned, a Notary Public in and for the County and State aforesaid, DO HEREBY CERTIFY THAT Heidi Lakani, 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 she signed, sealed and delivered the said instrument as her rece and voluntary act for the uses and purposes therein set forth.

Given under my hand and seal this given day of Seyler (part), 2008.

Constantine Kalamatianos Hotary Public, State of Illinois Commission Expires 5/10/2011

**Notary Public** 

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# **AFFIDAVIT**

STATE OF ILLINOIS )
) SS
COUNTY OF COOK )

The undersigned, being first duly sworn on oath, states and deposes that a true and correct copy of this Amendment to the Declaration of Condominium Ownership for 401 East Ontario Condominium Association, Chicago, Illinois has been delivered to the Board of Managers of the Condominium Association.

FURTHER AFFIANT SAYETH NOT.

Jantontito Celementon

Sollhit Clert's Office

SUBSCRIBED AND SWORN TO before me this 2 4 day

. 2008.

JOAN LOWERY

NOTARY PUBLIC, STATE OF ILLINOIS

MY COMMISSION EXPIRES 12/28/2010

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#### **EXHIBIT A**

# LEGAL DESCRIPTION

PARCEL 1:

UNIT 906 IN THE 401 EAST ONTARIO CONDOMINIUMS AS DELINEATED ON A SURVEY OF THE FOLLOWING DESCRIBED REAL ESTATE:

PARTS OF LOTS 19 AND 20 (EXCEPT THEREFROM THE WESTERLY 4 FEET THEREOF) IN THE CIRCUIT COURT PARTITION OF THE OGDEN ESTATE SUBDIVISION OF PARTS OF BLOCKS 20, 31, AND 32, IN KINZIE'S ADDITION TO CHICAGO, IN THE NORTHEAST FRACTIONAL 1/4 OF SECTION 10, TOWNSHIP 39 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN;

WHICH SURVEY IS ATTACHED AS EXHIBIT 'C' TO THE DECLARATION OF CONDOMINIUM RECORDED AS DOCUMENT NUMBER 99310979, TOGETHER WITH ITS UNDIVIDED PERCENTAGE INTEREST IN THE COMMON ELEMENTS, ALL IN COOK COUNTY, ILLINOIS.

#### PARCEL 2:

EASEMENTS FOR THE BENEFIT OF PARCEL 1 FOR STRUCTURAL SUPPORT, ENCLOSURE, INGRESS AND EGRESS, UTILITY SERVICES AND OTHER FACILITIES AS SET FORTH IN THE DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS AND RECIPROCAL EASEMENTS RECORDED AS DOCUMENT NUMBER 99310978.

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### **EXHIBIT B**

### LEGAL DESCRIPTION

### PARCEL 1:

UNIT 301 IN THE 401 EAST ONTARIO CONDOMINIUMS AS DELINEATED ON A SURVEY OF THE FOLLOWING DESCRIBED REAL ESTATE:

PARTS OF LOTS 19 AND 20 (EXCEPT THEREFROM THE WESTERLY 4 FEET THEREOF) IN THE CIRCUIT COURT PARTITION OF THE OGDEN ESTATE SUBDIVISION OF PARTS OF BLOCKS 20, 31, AND 32, IN KINZIE'S ADDITION TO CHICAGO, IN THE NORTHEAST FRACTIONAL 1/4 OF SECTION 10, TOWNSHIP 39 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN:

WHICH SURVEY IS ATTACHED AS EXHIBIT 'C' TO THE DECLARATION OF CONDOMINIUM RECORDED AS DOCUMENT NUMBER 99310979, TOGETHER WITH ITS UNDIVIDED PERCENTAGE INTEREST IN THE COMMON ELEMENTS, ALL IN COOK COUNTY, ILLINOIS.

### PARCEL 2:

EASEMENTS FOR THE BENEFIT OF PARCEL 1 FOR STRUCTURAL SUPPORT, ENCLOSURE, INGRESS AND EGRESS, UTILITY SERVICES AND OTHER FACILITIES AS SET FORTH IN THE DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS AND RECIPROCAL EASEMENTS RECORDED AS DOCUMENT NUMBER 99310978.