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**FIRST AMENDMENT TO DECLARATION  
OF CONDOMINIUM OWNERSHIP AND  
BY-LAWS, EASEMENTS, RESTRICTIONS  
AND COVENANTS FOR MARQUETTE  
ROW 685 CONDOMINIUM**

THIS FIRST AMENDMENT (the "First Amendment") to the DECLARATION OF CONDOMINIUM OWNERSHIP AND BY-LAWS, EASEMENTS, RESTRICTIONS AND COVENANTS FOR MARQUETTE ROW 685 CONDOMINIUM (the "Declaration") is made as of the 5th day of March, 2009.



Doc#: 0907031090 Fee: \$94.00  
Eugene "Gene" Moore RHSP Fee: \$10.00  
Cook County Recorder of Deeds  
Date: 03/11/2009 03:42 PM Pg: 1 of 11

WHEREAS, the Declaration was recorded on December 27, 2007 as Document Number 0736115084 in the Office of the Recorder of Deeds of Cook County, Illinois;

WHEREAS, the Declarant has reserved for itself and its successors and assigns in Article XIX of the Declaration the right and option, at any time and from time to time, within ten (10) years from the date of the recording of this Declaration in the office of the Recorder of Deeds of Cook County, Illinois, to add-on and annex to the property all or any portion of the Future Development Parcel and in connection therewith to reallocate percentage interests in the Common Elements as hereinafter described, by recording an amendment or amendments to the Declaration setting forth the legal description of the Additional Parcel within the Future Development Parcel to be annexed to the Property. Article XIX requires the Future Development Parcel shall consist of not more than four (4) Residential Units and two (2) Parking Units.

WHEREAS, the Declarant now desires to add-on and annex the Future Development Parcel to the property.

NOW THEREFORE,

1. All terms not defined herein shall have the same meaning as defined in the Declaration.
2. Exhibit A to the Declaration is amended in the following manner and to the following extent only, so that the Legal Description of Exhibit A to the Declaration shall now include the following property:

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THAT PART OF A TRACT OF LAND COMPRISED OF THE SOUTH 15-6/12 FEET OF LOT 2 AND ALL OF LOTS 3, 4, 5, 6, 7, 8, 9, 10, AND 11 IN PHILLIPS AND FAY'S SUBDIVISION IN THE NORTHEAST 1/4 OF SECTION 8, TOWNSHIP 39 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

AND

THAT PART OF BLOCK 10 IN RIDGELY'S ADDITION TO CHICAGO IN THE NORTHEAST 1/4 OF SECTION 8, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWESTERLY CORNER OF BLOCK 10; THENCE SOUTHERLY ALONG THE WESTERLY LINE OF SAID BLOCK 10, A DISTANCE OF 116.61 FEET TO THE NORTHEASTERLY CORNER OF LOT 7 IN PHILLIPS AND FAY'S ADDITION TO CHICAGO IN THE NORTHEAST 1/4 OF SAID SECTION 8; THENCE EASTERLY PARALLEL WITH THE NORTH LINE OF SAID BLOCK 10, A DISTANCE OF 70.32 FEET TO A POINT 6.00 FEET DISTANT SOUTHWESTERLY, MEASURED AT RIGHT ANGLES, FROM THE FOOTING OF THE SOUTHWESTERLY RETAINING WALL OF THE CHICAGO AND NORTHWESTERN RAILWAY COMPANY; THENCE NORTHWESTERLY PARALLEL WITH THE FOOTING OF SAID RETAINING WALL, A DISTANCE OF 81.04 FEET, MORE OR LESS TO A LINE PARALLEL WITH AND 6.00 FEET DISTANT WESTERLY, MEASURED AT RIGHT ANGLES, FROM THE FOOTING OF THE WESTERLY RETAINING WALL, EXTENDED SOUTHERLY, OF SAID RAILWAY COMPANY; THENCE NORTHERLY PARALLEL WITH THE FOOTING OF THE LAST SAID RETAINING WALL, AND THE SAME EXTENDED, A DISTANCE OF 49.5 FEET, MORE OR LESS TO THE NORTHERLY LINE OF SAID BLOCK 10; THENCE WESTERLY, ALONG THE NORTHERLY LINE OF SAID BLOCK 10, A DISTANCE OF 23.37 FEET, MORE OR LESS TO THE POINT OF BEGINNING, ALL IN COOK COUNTY, ILLINOIS, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID TRACT, BEING ALSO THE INTERSECTION OF THE SOUTH LINE OF WEST HURON STREET WITH THE EAST LINE OF NORTH PEORIA STREET;

THENCE SOUTH 00 DEGREES 00 MINUTES 36 SECONDS WEST, BEING THE ASSUMED BEARING OF THE SAID EAST LINE OF NORTH PEORIA STREET, COINCIDENT WITH THE WEST LINE OF SAID TRACT, A DISTANCE OF 95.19 FEET TO THE POINT OF BEGINNING OF THE PARCEL HEREIN DESCRIBED;

THENCE SOUTH 89 DEGREES 59 MINUTES 24 SECONDS EAST, A DISTANCE OF 154.17 FEET;

THENCE SOUTH 00 DEGREES 00 MINUTES 36 SECONDS WEST, A DISTANCE OF 20.35 FEET;

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THENCE SOUTH 89 DEGREES 43 MINUTES 02 SECONDS WEST, A DISTANCE OF 28.30 FEET;

THENCE SOUTH 00 DEGREES 00 MINUTES 00 SECONDS WEST, A DISTANCE OF 11.30 FEET;

THENCE NORTH 89 DEGREES 59 MINUTES 24 SECONDS WEST, A DISTANCE OF 21.21 FEET;

THENCE SOUTH 00 DEGREES 00 MINUTES 36 SECONDS WEST, A DISTANCE OF 17.03 FEET;

THENCE NORTH 89 DEGREES 59 MINUTES 24 SECONDS WEST, A DISTANCE OF 104.65 FEET TO A POINT ON THE WEST LINE OF SAID TRACT;

THENCE NORTH 00 DEGREES 00 MINUTES 36 SECONDS EAST, A DISTANCE OF 48.83 FEET TO THE POINT OF BEGINNING.

PIN: 17-08-222-035-0000, 17-08-222-036-0000, 17-08-222-039-1001,  
17-08-222-039-1002, 17-08-222-039-1003, 17-08-222-039-1004,  
17-08-222-039-1005, 17-08-222-039-1006, 17-08-222-039-1007,  
17-08-222-039-1008, 17-08-222-039-1009, 17-08-222-039-1010,  
17-08-222-039-1011

Address: 685 N. Peoria, Chicago, Illinois

3. An amendment to the Plat of Survey which was attached as Exhibit B to the Declaration which shows the boundaries of the portion or portions of the Future Development Parcel annexed to the Parcel, and delineating and describing the Units constructed or to be constructed on the portions of the annexed Future Development Parcel is attached hereto as "Appendix A".

4. An amendment of Exhibit C to the Declaration is attached hereto as "Appendix B" which sets forth the amended percentages of ownership interest in the Common Elements, including the Common Elements attributable to those portions of the Future Development Parcel annexed to the Property, allocable to every Unit, including all existing Units and additional Units, if any, added by this First Amendment.

This FIRST AMENDMENT TO DECLARATION OF CONDOMINIUM OWNERSHIP AND BY-LAWS, EASEMENTS, RESTRICTIONS AND COVENANTS FOR MARQUETTE ROW 685 CONDOMINIUM is executed by Castlepoint Peoria, L.L.C. which hereby warrants that it possesses full power and authority to execute this instrument.

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IN WITNESS WHEREOF, Castlepoint Peoria, L.L.C., an Illinois limited liability company, not individually hereby certifies and its name to be signed to these presents by its Manager, Castlepoint 60/40, L.L.C., by one of its Managers, Steven Golovan, this 5 day of March, 2009.

CASTLEPOINT PEORIA, L.L.C.,  
an Illinois limited liability company

By: Castlepoint 60/40, L.L.C.,  
an Illinois limited liability company  
one of its managers

By: *Steven Golovan*  
Steven Golovan, a Manager

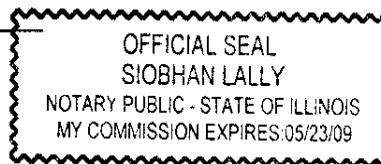
STATE OF ILLINOIS     )  
                                  )     SS  
COUNTY OF COOK     )

I, the undersigned, a Notary Public in and for said County, in the State aforesaid, DO HEREBY CERTIFY THAT Steven Golovan, a Manager of Castlepoint 60/40, L.L.C., Manager of CASTLEPOINT PEORIA, L.L.C., an Illinois limited liability company, personally known to me to be the same person whose name is subscribed to the foregoing instrument as such Manager, appeared before me this day in person and acknowledged that he signed and delivered the said instrument as his own free and voluntary act, and as the free and voluntary act of said Illinois limited liability company, for the uses and purposes therein set forth.

GIVEN under my hand and Notarial Seal this 5<sup>th</sup> day of March, 2009.

\_\_\_\_\_  
Notary Public

(SEAL)



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**CONSENT OF MORTGAGEE**

New Century Bank holder of a certain Construction Mortgage, Assignment of Rents and Leases, Security Agreement and Fixture Financing Statement dated June 20, 2005, and recorded with the Recorder of Deeds of Cook County, Illinois on June 22, 2005 as document number 0517302185 hereby consents to the execution and recording of the within First Amendment to Declaration of Condominium Ownership and By-Laws, Easements, Restrictions and Covenants, and agrees that said Mortgage is subject thereto.

IN WITNESS WHEREOF, New Century Bank has caused this instrument to be signed by its duly authorized officers on its behalf; all done in Chicago, Illinois, on the 6<sup>th</sup> day of March, 2009.

By: *James L. [Signature]*  
Its: *Vice President*

ATTEST:

By: *[Signature]*  
Its: *ASSISTANT VICE PRESIDENT*

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<b>APPENDIX B</b> <b>Amended Percentage of Common Ownership Per Unit</b>
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UNIT	FINAL PERCENTAGE OF OWNERSHIP
Garden	04.776%
1N	8.00%
1S	13.66%
2N	10.60%
2S	10.60%
3N	11.232%
3S	10.84%
4N	12.262%
4S	11.87%
P-1	00.77%
P-2	00.77%
P-3	00.77%
P-4	00.77%
P-5	00.77%
P-6	00.77%
P-7	00.77%
P-8	00.77%
TOTAL	100.00%

This document has been prepared by  
 and after recording RETURN TO:  
 David L. Goldstein & Associates, L.L.C.  
 35 East Wacker Drive, Suite 650  
 Chicago, Illinois 60601  
 (312.236.5689)

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**EXHIBIT**

**ATTACHED TO**

Property of Cook County Clerk's Office

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Eugene "Gene" Moore RHSP Fee: \$10.00  
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**DOCUMENT**

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**SEE PLAT INDEX**

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