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Doc#: 0907034078 Fee: \$42.00  
Eugene "Gene" Moore RHSP Fee: \$10.00  
Cook County Recorder of Deeds  
Date: 03/11/2009 01:36 PM Pg: 1 of 4

## SPECIAL AMENDMENT TO DECLARATION OF CONDOMINIUM OWNERSHIP AND OF EASEMENTS, RESTRICTIONS, COVENANTS AND BY-LAWS FOR THE 4341 N. LINCOLN CONDOMINIUM

THIS SPECIAL AMENDMENT is made on  
June 4, 2008 by J.M.B. Development Corp., an  
Illinois corporation ("Declarant").

### RECITALS:

A. The Declaration of Condominium Ownership and of Easements, Restrictions, Covenants and By-Laws for the 4341 N. Lincoln Condominium was made on October 12, 2007 by the Declarant and filed with the Recorder of Deeds of Cook County, Illinois on October 12, 2007 as Document No. 0728503082 (the "Declaration") with respect to the real estate legally described on Exhibit "A" hereto;

B. Section 13.13 of Article 13 of the Declaration permits the Declarant to file a Special Amendment to correct clerical or typographical or similar errors and for various other purposes;

C. Through typographical or clerical error, Section 4.11 of Article 4 of the Declaration refers to Unit "3" instead of Unit "4"; and

D. The purpose of this Special Amendment is to revise Section 4.11 to refer to the correct unit, Unit 4.

### AMENDMENTS:

Therefore, Declarant, pursuant to the aforementioned Section 13.13 of Article 13 and other legal authority, does hereby modify and amend the Declaration as follows:

1. Section 4.11 of Article 4 is revised in its entirety to read as follows:

**4.11. Roof Area.** The Roof Area is a Limited Common Element. The Board or the Association may prescribe such rules and regulations with respect to the Roof Areas as it may deem fit provided such rules and regulations do not unreasonably interfere with the use of the roof use area by the owner of Unit 4.

Notwithstanding anything contained herein to the contrary, the use of the Roof Area by the Owner of Unit 4 shall be subject to: (i) all

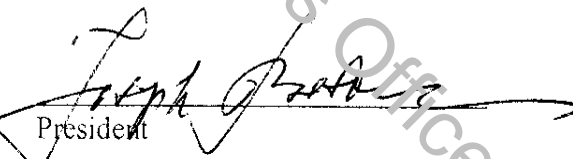
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flues, shafts, pipes, wires, conduits, ducts, roof penetrations and equipment which may now or hereafter be installed, located or maintained in the Roof Area, (ii) all rules and regulations as may be promulgated from time to time by the Board or the Association relating to the Roof Area which do not unreasonably interfere with the use of the Roof Area by the Owner of Unit 4, (iii) an easement for access over and across the Roof Area in the event of an emergency, which easement is hereby granted in favor of all Unit Owners and Occupants of the Property and their respective agents, guests, and invitees, and (iv) the right of the Board or Association to perform any repairs, replacements or other maintenance work in the Roof Area, and in connection therewith, the Board and the Association shall have the right to remove, at the Unit 4 Owner's sole cost and expense, any and all patios, roof decks and other improvements constructed, installed or located in the Roof Area. In addition to and not in limitation of the foregoing, all roof decks, patios and other improvements in the Roof Area shall be subject to the Board's prior written consent, and prior to beginning such work in the Roof Area, the Unit 4 Owner shall furnish the Board for its written approval, plans, drawings and specifications relating to such work. The Board may reject any plan on the basis of excessive dead load, pressure on the roof and wind load and may require architectural calculations at the Unit 4 Owner's expense. The Unit 4 Owner shall cause all such roof decks, patios, planters, and other improvements to be constructed, installed and maintained strictly in accordance with plans, drawings and specifications approved by the Board.

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

J.M.B. Development Corp.

By:   
Its: President

STATE OF ILLINOIS        )  
  )        SS  
COUNTY OF COOK        )

The undersigned, a Notary Public in and for the county and State aforesaid, do hereby certify that Joseph Basan, the President of J.M.B. Development Corp. known to me to be the authorized agent of the corporation, appeared before me this day in person and acknowledged that he signed and delivered the foregoing instrument as his own free and

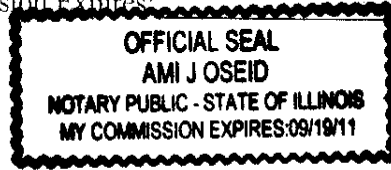
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voluntary act and as the free and voluntary act of said corporation by authority of its Bylaws or by resolution of its board of Directors, for the uses and purposes therein set forth.

GIVEN, under my hand and Notarial Seal this 6 day of MARCH, 2009

AMI JOSEID  
Notary Public

My Commission Expires: \_\_\_\_\_



Prepared by: Bruno W. Tabis Jr.

Return to:  
Bruno W. Tabis Jr.  
CROWLEY BARRETT & KARARA  
20 S. Clark Street, Suite 2310  
Chicago, IL 60603

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**SPECIAL AMENDMENT TO  
DECLARATION OF CONDOMINIUM  
OWNERSHIP AND  
OF EASEMENTS, RESTRICTIONS,  
COVENANTS AND BY-LAWS FOR THE 4341 N.  
LINCOLN CONDOMINIUM**

**EXHIBIT A  
Legal Description of Parcel**

LOT 62 IN ELIZABETH NASLUND'S ADDITION TO CHICAGO, A SUBDIVISION OF LOTS 1, 2 AND 3 IN BLOCK 2 IN W. B. OGDEN'S SUBDIVISION OF THE SOUTHWEST ¼ OF SECTION 18, TOWNSHIP 40 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

Permanent Index No: 14-18-305-010-0000 (underlying)

Common Address: 4341 N. Lincoln Avenue, Chicago, IL 60618

14-18-305-040-1001  
14-18-305-040-1002  
14-18-305-040-1003  
14-18-305-040-1004