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Eugene "Gene" Moore RHSP Fee: \$10.00
Cook County Recorder of Deeds
Date: 04/21/2010 11:38 AM Pg: 1 of 7

FREEDOM TITLE CORP. 6711968 1/3

FIRST AMENDMENT TO THE DECLARATION OF CONDOMINIUM OWNERSHIP AND BY-LAWS, EASEMENTS, RESTRICTIONS AND COVENANTS FOR 205 SOUTH DUNTON AVENUE CONDOMINIUMS

WHEREAS, 205 South Dunton, LLC ("**Declarant**"), an Illinois Limited Liability Company, is the owner of the real property commonly known as 205 South Dunton Avenue, Arlington Heights, Illinois ("**Property**"), and legally described in **Exhibit A** attached hereto; and

WHEREAS, on November 2, 2009, the Declarant recorded the Declaration of Condominium Ownership and By-Laws, Easements, Restrictions and Covenants for 205 South Dunton Condominiums pursuant to the Condominium Property Act establishing the 205 South Dunton Avenue Condominiums ("**Declaration**") which Declaration was recorded as Document Number 0930618015 in the County Recorder's Office; and

WHEREAS, all capitalized terms used herein that are not otherwise defined shall have the meanings ascribed to them in the Declaration; and

WHEREAS, Declarant desires to correct the typographical error in the Survey regarding the rear brick patio designated as a Limited Common Element for Unit 1.

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NOW, THEREFORE, pursuant to the right of the Declarant under Article XX, Paragraph 15 of the Declaration, Declarant hereby amends Exhibit A-2, page 3 of 5 of the Declaration by deleting the Exhibit A-2, page 3 of 5 presently in the Declaration and substituting in its stead the Exhibit A-2, page 3 of 5 and described in **Exhibit B** attached hereto to this First Amendment.

IN WITNESS WHEREOF, Declarant has caused its name to be signed to this First Amendment to the Declaration by its Manager this 30th day of March, 2010.

205 South Dunton, LLC

By: Scott F. Gilmore
Scott F. Gilmore, Manager

This document was prepared by,
and after recording return to:

Dennis W. Winkler
Bryce Downey & Lenkov, LLC
200 North LaSalle Street, Suite 2700
Chicago, IL 60601

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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 Scott F. Gilmore, the Manager of 205 South Dunton, LLC, an Illinois limited liability company, and 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, sealed and delivered this instrument as his own free and voluntary act, and as the free and voluntary on behalf of said limited liability company, for the uses and purposes herein set forth.

Given under my hand and official seal, this 29 day of March, 2010.



Marilyn L Hayes

NOTARY PUBLIC

County Clerk's Office

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CONSENT OF MORTGAGEE

Ben Franklin Bank of Illinois, holder of that certain Mortgage on the Property dated, October 30, 2008, and recorded at the Office of the Recorder of Deeds of Cook County, Illinois (the "**Recorder**") on November 7, 2008, as Document No. 0831247045, (the "**Mortgage**"), hereby consents to the execution and recording of the within First Amendment to the Declaration of Condominium Ownership and By-Laws, Easements, Restrictions, and Covenants for Condominium Association and agrees that the Mortgage is subject to the provisions of the Declaration.

IN WITNESS WHEREOF, the undersigned has caused this instrument to be signed by its duly authorized officers on its behalf, at Arling Court Heights Illinois, on this 3rd day of March, 2010.

Ben Franklin Bank of Illinois

By: [Signature]
Its: SVP

ATTEST:

[Signature]
Its: AVP

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STATE OF ILLINOIS)
) SS.
COUNTY OF COOK)

I, IDA IZRAEL, a Notary Public in and for the County and State aforesaid, DO
HEREBY CERTIFY, that ROBIN JENKINS and MARK D. JOHNSON, a
SENIOR VICE President and ASST. V.P., respectively of BEN FRANKLIN BANK
personally known to me to be the same persons whose names are subscribed to the foregoing
instrument as such President and , appeared before me this day in person and acknowledged that
they signed, sealed and delivered said instrument as their free voluntary act and as the free and
voluntary act of said banking institution for the use and purpose therein set forth.

Given under my hand and official seal, this 3RD day of MARCH, 2010.

Ida Izrael
NOTARY PUBLIC

My commission expires 9/04/13



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EXHIBIT A

Legal Description of Property

THE SOUTH 50.00 FEET OF LOT 9 IN FLENTIE'S SUBDIVISION OF PART OF THE NORTH 30 ACRES OF THE WEST 1/2 OF THE NORTHWEST 1/4 OF SECTION 32, TOWNSHIP 42 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT OF SAID SUBDIVISION RECORDED SEPTEMBER 8, 1890 AS DOCUMENT NUMBER 1332337, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SAID LOT 9, THENCE EAST 139.15 FEET, THENCE NORTH 50.00 FEET THENCE WEST 139.15 FEET, THENCE SOUTH 50.00 FEET TO THE POINT OF BEGINNING IN COOK COUNTY, ILLINOIS.

Common Address: 205 South Dunton Avenue
Arlington Heights, Illinois 60005

PIN: 03-32-102-011-0000

Property of Cook County Clerk's Office

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EXHIBIT B

AMENDED SURVEY

[See Attached]

Property of Cook County Clerk's Office

