

UNOFFICIAL COPY



Doc#: 1014529106 Fee: \$52.00
Eugene "Gene" Moore RHSP Fee: \$10.00
Cook County Recorder of Deeds
Date: 05/25/2010 03:56 PM Pg: 1 of 9

This instrument prepared by and
after recording mail to:
Leo G. Aubel, Esq.
Deutsch, Levy & Engel, Chtd.
225 W. Washington Street
Suite 1700
Chicago, Illinois 60606

RECORDER'S STAMP ABOVE

FIRST AMENDMENT TO RECIPROCAL EASEMENT AGREEMENT FOR 3748 NORTH ASHLAND CONDOMINIUM

THIS FIRST AMENDMENT TO RECIPROCAL EASEMENT AGREEMENT FOR 3748 NORTH ASHLAND CONDOMINIUM is made as of this 5th day of May, 2010, by 3748 N. Ashland, LLC, an Illinois limited liability company (the "Declarant")

WHEREAS, the Declarant desires to amend the Declaration of Condominium heretofore recorded on April 1, 2010 with the Office of the Cook County (Illinois) Recorder of Deeds as Document No. 1009144064, for the purpose of correcting a scrivener's error.

NOW THEREFORE, the said Declaration of Condominium ("Declaration") is hereby amended as follows:

1. The Reciprocal Easement Agreement is hereby amended to delete Paragraph 7.3 thereof, and substituting the following therefor:

7.3 Until such a tax division has been completed, the sum of (a) the real estate taxes levied and assessed against the Total Property, and (b) the cost of tax counsel and appraisal fees, if any, shall be allocated between the Owners and paid by the respective Owners and follows: Owner of the North Commercial Unit shall bear Seven and Eighty-One Hundredths (7.81%), times 2.5 (to take into account the difference between the assessment for commercial properties and the assessment for residential properties), and the Owner of the South Commercial Unit shall bear Six and Thirty-Six One Hundredths Percent (6.36%), times 2.5 (to take into account the difference between the assessment for commercial properties and the assessment for residential properties), and the Owner of the Residential Property shall bear the difference after the foregoing calculations are made, and an Owner of a Commercial Unit shall be responsible for and shall pay to or as directed by, or shall reimburse the Owner of the Residential Property within ten (10) days after the demand of the Owner of the Residential Property therefore, for its share of the

RECORDING FEE 52
DATE 5/25/10 COPIES 6x
OK BY RJ

UNOFFICIAL COPY

total real estate taxes levied and assessed in the tax bill for the Total Property, prorated on an accrual basis from the date of the conveyance of the Commercial Units to the Owner of the Commercial Units.

- 2. The Reciprocal Easement Agreement is hereby amended to delete Paragraph 8.1(a) thereof, with the following being substituted therefor:

8.1 The Owner of the Residential Property and the Commercial Units shall procure and maintain the following insurance:

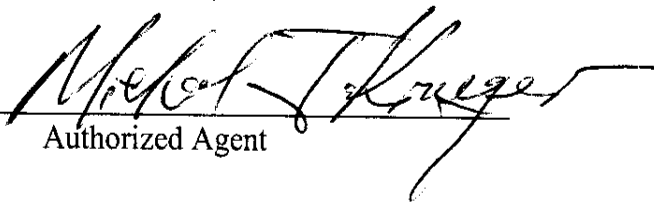
(a) The Owner of the Residential Property shall keep the Total Property insured for no less than all risk or special form coverage on real property and broad form on personal property for an amount not less than One Hundred (100%) Percent of the insurable replacement cost thereof. Such policies shall be endorsed with a replacement coverage endorsement and an agreed amount clause and no co-insurance penalty shall be applicable.

- 3. Exhibit B of the Reciprocal Easement Agreement is hereby amended, and that amended Exhibit B is attached hereto, for the purpose of clarifying that the percentages of ownership are to be allocated only to the residential units, and not to the commercial units.

In all other respects, the Reciprocal Easement Agreement is hereby ratified and confirmed.

IN WITNESS WHEREOF, this First Amendment to Reciprocal Easement Agreement is executed as of the date first written above.

3748 N. ASHLAND, LLC

By: 
 Its: Authorized Agent

UNOFFICIAL COPY

STATE OF ILLINOIS)
)
 COUNTY OF C O O K) s.s.

I, the undersigned, a Notary Public in and for the County and State aforesaid, do hereby certify that Michael J. Krueger, personally known to me to be the same person whose name is subscribed to the foregoing instrument as such Authorized Agent, appeared before me this day in person and acknowledged that the said instrument was signed and delivered as the Authorized Agent's own free and voluntary act, and as the free and voluntary act of said 3748 N. Ashland, LLC, an Illinois limited liability company, for the uses and purposes therein set forth.

Given under my hand and Notarial Seal this 2nd day of May, 2010.

Teresa A. Frustaci

Notary Public

My Commission Expires: 02-19-14



Cook County Clerk's Office

UNOFFICIAL COPY

EXHIBIT A **LEGAL DESCRIPTION**

LOTS 4 AND 5 IN CHARLES J. FORD'S SUBDIVISION OF BLOCK 19 OF THE SUBDIVISION OF SECTION 19, TOWNSHIP 40 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, (EXCEPT THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF THE SOUTH EAST 1/4 OF THE NORTHWEST 1/4 AND THE EAST 1/2 OF THE SOUTH EAST 1/4 THEREOF) AND (EXCEPT THAT PART OF LOTS 4 AND 5 LYING EAST OF A LINE 50 FEET WEST OF AND PARALLEL WITH THE EAST LINE OF SECTION 19, AFORESAID).

COMMONLY KNOWN AS: 3748 N. ASHLAND AVENUE, CHICAGO, ILLINOIS 60613

PERMANENT INDEX NUMBER: 14-19-224-023-0000

Property of Cook County Clerk's Office

UNOFFICIAL COPY

FIRST AMENDED EXHIBIT B

AMENDED LEGAL DESCRIPTION

UNITS 2S, 2N, 3S, 3N AND 4 IN THE 3748 N. ASHLAND CONDOMINIUMS AS DELINEATED ON A SURVEY OF THE FOLLOWING DESCRIBED REAL ESTATE: LOTS 4 AND 5 IN CHARLES J. FORD'S SUBDIVISION OF BLOCK 19 OF THE SUBDIVISION OF SECTION 19, TOWNSHIP 40 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, (EXCEPT THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF THE SOUTH EAST 1/4 OF THE NORTHWEST 1/4 AND THE EAST 1/2 OF THE SOUTH EAST 1/4 THEREOF) AND (EXCEPT THAT PART OF LOTS 4 AND 5 LYING EAST OF A LINE 50 FEET WEST OF AND PARALLEL WITH THE EAST LINE OF SECTION 19, AFORESAID); WHICH SURVEY IS ATTACHED AS EXHIBIT "A" TO THE DECLARATION OF CONDOMINIUM RECORDED AS DOCUMENT NUMBER 1009144064 WITH THE COOK COUNTY RECORDER OF DEEDS ON APRIL 1, 2010, TOGETHER WITH ITS UNDIVIDED PERCENTAGE INTEREST IN THE COMMON ELEMENTS, ALL IN COOK COUNTY, ILLINOIS.

COMMONLY KNOWN AS: 3748 N. ASHLAND AVENUE, CHICAGO, ILLINOIS 60613
PERMANENT INDEX NUMBER: 14-19-224-023-0000

EXCEPTING THEREFROM:

COMMERCIAL UNIT NORTH:

THAT PROPERTY AND SPACE CONTAINED WITHIN AND BETWEEN A CERTAIN HORIZONTAL PLANE LOCATED 18.83 FEET ABOVE CHICAGO CITY DATUM AND THAT CERTAIN OTHER HORIZONTAL PLANE LOCATED 30.78 FEET ABOVE CHICAGO CITY DATUM, LYING WITHIN THE BOUNDARIES PROJECTED VERTICALLY OF THAT PART OF SAID LOTS 4 AND 5, TAKEN AS A SINGLE TRACT, IN CHARLES J. FORD'S SUBDIVISION OF BLOCK 19 OF THE SUBDIVISION OF SECTION 19, TOWNSHIP 40 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN (EXCEPT THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 AND THE EAST 1/2 OF THE SOUTHWEST 1/4 THEREOF) AND (EXCEPT THAT PART OF LOTS 4 AND 5 LYING EAST OF A LINE 50 FEET WEST OF AND PARALLEL WITH THE EAST LINE OF SECTION 19, AFORESAID) IN COOK COUNTY, ILLINOIS, DESCRIBED AS FOLLOWS; COMMENCING AT THE NORTHEAST CORNER OF SAID TRACT; THENCE SOUTH ALONG THE EAST LINE OF SAID TRACT, A DISTANCE OF 1.00 FEET; THENCE WEST ALONG A LINE MAKING AN ANGLE OF 90 DEGREES 02 MINUTES 54 SECONDS MEASURED COUNTER-CLOCKWISE, SOUTH TO WEST FROM THE LAST DESCRIBED COURSE EXTENDED, A DISTANCE OF 1.27 FEET TO A POINT ON THE VERTICAL LINE OF INTERSECTION OF THE INTERIOR FACES OF TWO WALLS OF A THREE AND FOUR STORY BRICK BUILDING COMMONLY KNOWN AS 3748 NORTH ASHLAND AVENUE IN CHICAGO, BEING THE POINT OF BEGINNING OF THE PARCEL HEREIN DESCRIBED;

UNOFFICIAL COPY

THENCE ALONG THE INTERIOR FACES OF THE WALLS OF THE ENCLOSED SPACE DESCRIBED HEREIN, THE FOLLOWING COURSES AND DISTANCES; ALL AT RIGHT ANGLES TO EACH OTHER UNLESS NOTED OTHERWISE:

SOUTH, A DISTANCE OF 20.62 FEET; WEST, A DISTANCE OF 4.57 FEET;
 NORTH, A DISTANCE OF 1.74 FEET; WEST, A DISTANCE OF 8.94 FEET;
 SOUTH, A DISTANCE OF 0.15 FEET; WEST, A DISTANCE OF 17.23 FEET;
 NORTH, A DISTANCE OF 1.85 FEET; WEST, A DISTANCE OF 7.65 FEET;
 SOUTH, A DISTANCE OF 0.35 FEET; WEST, A DISTANCE OF 17.00 FEET;
 NORTH, A DISTANCE OF 11.52 FEET; EAST, A DISTANCE OF 17.40 FEET;
 NORTH, A DISTANCE OF 3.00 FEET; EAST, A DISTANCE OF 37.98 FEET;
 TO THE POINT OF BEGINNING.

ALSO EXCEPTING:

UTILITY ROOM (1)

THAT PROPERTY AND SPACE CONTAINED WITHIN AND BETWEEN A CERTAIN HORIZONTAL PLANE LOCATED 18.90 FEET ABOVE CHICAGO CITY DATUM AND THAT CERTAIN OTHER HORIZONTAL PLANE LOCATED 30.77 FEET ABOVE CHICAGO CITY DATUM, LYING WITHIN THE BOUNDARIES PROJECTED VERTICALLY OF THAT PART OF SAID LOTS 4 AND 5, TAKEN AS A SINGLE TRACT, IN CHARLES J. FORD'S SUBDIVISION OF BLOCK 19 OF THE SUBDIVISION OF SECTION 19, TOWNSHIP 40 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN (EXCEPT THE SOUTHWEST $\frac{1}{4}$ OF THE NORTHEAST $\frac{1}{4}$ OF THE SOUTHEAST $\frac{1}{4}$ OF THE NORTHWEST $\frac{1}{4}$ AND THE EAST $\frac{1}{2}$ OF THE SOUTHEAST $\frac{1}{4}$ THEREOF) AND (EXCEPT THAT PART OF LOTS 4 AND 5 LYING EAST OF A LINE 50 FEET WEST OF AND PARALLEL WITH THE EAST LINE OF SECTION 19, AFORESAID) IN COOK COUNTY, ILLINOIS, DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF SAID TRACT; THENCE WEST ALONG THE NORTH LINE OF SAID TRACT, A DISTANCE OF 57.41 FEET; THENCE SOUTH ALONG A LINE MAKING AN ANGLE OF 90 DEGREES 00 MINUTES 00 SECONDS MEASURED CLOCKWISE, EAST TO SOUTH FROM THE LAST DESCRIBED COURSE A DISTANCE OF 3.94 FEET TO A POINT ON THE VERTICAL LINE OF INTERSECTION OF THE INTERIOR FACES OF TWO WALLS OF A THREE AND FOUR STORY BRICK BUILDING COMMONLY KNOWN AS 3748 NORTH ASHLAND AVENUE IN CHICAGO, BEING THE POINT OF BEGINNING OF THE PARCEL HEREIN DESCRIBED;

THENCE ALONG THE INTERIOR FACES OF THE WALLS OF THE ENCLOSED SPACE DESCRIBED HEREIN, THE FOLLOWING COURSES AND DISTANCES; ALL AT RIGHT ANGLES TO EACH OTHER UNLESS NOTED OTHERWISE:

SOUTH, A DISTANCE OF 11.56 FEET;
 WEST, A DISTANCE OF 4.56 FEET;
 NORTH, A DISTANCE OF 0.24 FEET;

UNOFFICIAL COPY

WEST, A DISTANCE OF 3.73 FEET;
 NORTH, A DISTANCE OF 11.36 FEET;
 EAST, A DISTANCE OF 8.29 FEET TO THE POINT OF BEGINNING.

ALSO EXCEPTING:

UTILITY ROOM (2)

THAT PROPERTY AND SPACE CONTAINED WITHIN AND BETWEEN A CERTAIN HORIZONTAL PLANE LOCATED 18.90 FEET ABOVE CHICAGO CITY DATUM AND THAT CERTAIN OTHER HORIZONTAL PLANE LOCATED 29.24 FEET ABOVE CHICAGO CITY DATUM, LYING WITHIN THE BOUNDARIES PROJECTED VERTICALLY OF THAT PART OF SAID LOTS 4 AND 5, TAKEN AS A SINGLE TRACT, IN CHARLES J. FORD'S SUBDIVISION OF BLOCK 19 OF THE SUBDIVISION OF SECTION 19, TOWNSHIP 40 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN (EXCEPT THE SOUTHWEST $\frac{1}{4}$ OF THE NORTHEAST $\frac{1}{4}$ OF THE SOUTHEAST $\frac{1}{4}$ OF THE NORTHWEST $\frac{1}{4}$ AND THE EAST $\frac{1}{2}$ OF THE SOUTHEAST $\frac{1}{4}$ THEREOF) AND (EXCEPT THAT PART OF LOTS 4 AND 5 LYING EAST OF A LINE 50 FEET WEST OF AND PARALLEL WITH THE EAST LINE OF SECTION 19, AFORESAID) IN COOK COUNTY, ILLINOIS, DESCRIBED AS FOLLOWS; COMMENCING AT THE NORTHEAST CORNER OF SAID TRACT; THENCE WEST ALONG THE NORTH LINE OF SAID TRACT, A DISTANCE OF 66.10 FEET; THENCE SOUTH ALONG A LINE MAKING AN ANGLE OF 90 DEGREES 00 MINUTES 00 SECONDS MEASURED CLOCKWISE, EAST TO SOUTH FROM THE LAST DESCRIBED COURSE, A DISTANCE OF 3.93 FEET TO A POINT ON THE VERTICAL LINE OF INTERSECTION OF THE INTERIOR FACES OF TWO WALLS OF A THREE AND FOUR STORY BRICK BUILDING COMMONLY KNOWN AS 3748 NORTH ASHLAND AVENUE IN CHICAGO, BEING THE POINT OF BEGINNING OF THE PARCEL HEREIN DESCRIBED;

THENCE ALONG THE INTERIOR FACES OF THE WALLS OF THE ENCLOSED SPACE DESCRIBED HEREIN, THE FOLLOWING COURSES AND DISTANCES; ALL AT RIGHT ANGLES TO EACH OTHER UNLESS NOTED OTHERWISE:

SOUTH, A DISTANCE OF 7.24 FEET;
 WEST, A DISTANCE OF 3.57 FEET;
 NORTH, A DISTANCE OF 7.24 FEET;
 EAST, A DISTANCE OF 3.57 FEET TO THE POINT OF BEGINNING.

ALSO EXCEPTING:

UTILITY ROOM (3)

THAT PROPERTY AND SPACE CONTAINED WITHIN AND BETWEEN A CERTAIN HORIZONTAL PLANE LOCATED 18.90 FEET ABOVE CHICAGO CITY DATUM AND THAT CERTAIN OTHER HORIZONTAL PLANE LOCATED 29.24 FEET ABOVE CHICAGO CITY DATUM, LYING WITHIN THE BOUNDARIES PROJECTED

UNOFFICIAL COPY

VERTICALLY OF THAT PART OF SAID LOTS 4 AND 5, TAKEN AS A SINGLE TRACT, IN CHARLES J. FORD'S SUBDIVISION OF BLOCK 19 OF THE SUBDIVISION OF SECTION 19, TOWNSHIP 40 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN (EXCEPT THE SOUTHWEST $\frac{1}{4}$ OF THE NORTHEAST $\frac{1}{4}$ OF THE SOUTHEAST $\frac{1}{4}$ OF THE NORTHWEST $\frac{1}{4}$ AND THE EAST $\frac{1}{2}$ OF THE SOUTHEAST $\frac{1}{4}$ THEREOF) AND (EXCEPT THAT PART OF LOTS 4 AND 5 LYING EAST OF A LINE 50 FEET WEST OF AND PARALLEL WITH THE EAST LINE OF SECTION 19, AFORESAID) IN COOK COUNTY, ILLINOIS, DESCRIBED AS FOLLOWS; COMMENCING AT THE NORTHEAST CORNER OF SAID TRACT; THENCE WEST ALONG THE NORTH LINE OF SAID TRACT, A DISTANCE OF 66.10 FEET; THENCE SOUTH ALONG A LINE MAKING AN ANGLE OF 90 DEGREES 00 MINUTES 00 SECONDS MEASURE CLOCKWISE EAST TO SOUTH FROM THE LAST DESCRIBED COURSE, A DISTANCE OF 11.57 FEET TO A POINT ON THE VERTICAL LINE OF INTERSECTION OF THE INTERIOR FACES OF TWO WALLS OF A THREE AND FOUR STORY BRICK BUILDING COMMONLY KNOWN AS 3748 NORTH ASHLAND AVENUE IN CHICAGO, BEING THE POINT OF BEGINNING OF THE PARCEL HEREIN DESCRIBED.

THENCE ALONG THE INTERIOR FACES OF THE WALLS OF THE ENCLOSED SPACE DESCRIBED HEREIN, THE FOLLOW COURSES AND DISTANCES; ALL AT RIGHT ANGLES TO EACH OTHER UNLESS NOTED OTHERWISE:

SOUTH, A DISTANCE OF 3.57 FEET;
 WEST A DISTANCE OF 3.58 FEET;
 NORTH, A DISTANCE OF 3.57 FEET;
 EAST, A DISTANCE OF 3.58 FEET TO THE POINT OF BEGINNING.

ALSO EXCEPTING:

COMMERCIAL UNIT SOUTH:

THAT PROPERTY AND SPACE CONTAINED WITHIN AND BETWEEN A CERTAIN HORIZONTAL PLANE LOCATED 18.83 FEET ABOVE CHICAGO CITY DATUM AND THAT CERTAIN OTHER HORIZONTAL PLANE LOCATED 30.78 FEET ABOVE CHICAGO CITY DATUM, LYING WITHIN THE BOUNDARIES PROJECTED VERTICALLY OF THAT PART OF SAID LOTS 4 AND 5, TAKEN AS A SINGLE TRACT, IN CHARLES J. FORDS SUBDIVISION OF BLOCK 19 OF THE SUBDIVISION OF SECTION 19, TOWNSHIP 40 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN (EXCEPT THE SOUTHWEST $\frac{1}{4}$ OF THE NORTHEAST $\frac{1}{4}$ OF THE SOUTHEAST $\frac{1}{4}$ OF THE NORTHWEST $\frac{1}{4}$ AND THE EAST $\frac{1}{2}$ OF THE SOUTHEAST $\frac{1}{4}$ THEREOF) AND (EXCEPT THAT PART OF LOTS 4 AND 5 LYING EAST OF A LINE 50 FEET WEST OF AND PARALLEL WITH THE EAST LINE OF SECTION 19, AFORESAID) IN COOK COUNTY, ILLINOIS, DESCRIBED AS FOLLOWS; COMMENCING AT THE NORTHEAST CORNER OF SAID TRACT; THENCE SOUTH ALONG THE EAST LINE OF SAID TRACT, A DISTANCE OF 28.08 FEET; THENCE WEST ALONG A LINE MAKING AN ANGLE OF 89 DEGREES 59 MINUTES 28 SECONDS MEASURED COUNTER-CLOCKWISE, SOUTH TO THE WEST FROM THE LAST DESCRIBED COURSE

UNOFFICIAL COPY

EXTENDED, A DISTANCE OF 1.30 FEET TO A POINT OF THE VERTICAL INTERSECTION OF THE INTERIOR FACES OF TWO WALLS OF A THREE AND STORY BRICK BUILDING COMMONLY KNOWN AS 3748 NORTH ASHLAND AVE. IN CHICAGO, BEING THE POINT OF BEGINNING OF THE PARCEL HERE DESCRIBED;

THENCE ALONG THE INTERIOR FACES OF THE WALLS OF THE ENCLOSED SPACE DESCRIBED HEREIN, THE FOLLOWING COURSES AND DISTANCES; ALL AT RIGHT ANGLES TO EACH OTHER UNLESS NOTED OTHERWISE

SOUTH, A DISTANCE OF 20.55 FEET; WEST, A DISTANCE OF 36.47 FEET;
NORTH, A DISTANCE OF 1.15 FEET; WEST, A DISTANCE OF 1.37 FEET;
NORTH, A DISTANCE OF 1.71 FEET; WEST, A DISTANCE OF 5.48 FEET;
NORTH, A DISTANCE OF 5.00 FEET; WEST, A DISTANCE OF 0.60 FEET;
NORTH, A DISTANCE OF 4.00 FEET; WEST, A DISTANCE OF 3.75 FEET;
NORTH, A DISTANCE OF 7.08 FEET; EAST, A DISTANCE OF 43.06 FEET;
NORTH, A DISTANCE OF 1.61 FEET; EAST, A DISTANCE OF 4.65 FEET;
TO THE POINT OF BEGINNING.

Office of Cook County Clerk's Office