



1014829092

Taylor C-2 Rental - 4/22/10

Doc#: 1014829092 Fee: \$60.00  
Eugene "Gene" Moore RHSP Fee: \$10.00  
Cook County Recorder of Deeds  
Date: 05/28/2010 03:35 PM Pg: 1 of 13

This instrument was prepared by:  
Jay Gilbert, Esq.  
Kutak Rock LLP  
1 S. Wacker Dr., Suite 2050  
Chicago, IL 60606

After recording, this instrument  
should be returned to:

Roberta Gates Edwards, Esq.  
Chicago Housing Authority  
60 East Van Buren St., 12th Floor  
Chicago, IL 60605

4399332 PR-112

## FIRST AMENDMENT TO RIGHT OF FIRST REFUSAL AGREEMENT (Rental Development)

This First Amendment to Right of First Refusal Agreement (this "**First Amendment**") is entered into as of the 28<sup>th</sup> day of May, 2010, by and between Legends C-2, LLC, an Illinois limited liability company (the "**Company**"), Chicago Housing Authority, an Illinois municipal corporation ("**CHA**"), and Legends C-2 Manager, LLC, an Illinois limited liability company (the "**Managing Member**").

### RECITALS:

A. CHA, the Company and the Managing Member have heretofore entered into that certain Right of First Refusal Agreement, dated December 1, 2007 (the "**Agreement**"), and recorded with the Cook County Recorder on December 10, 2007 as Document No. 0734409042. The Agreement encumbered the property described on Exhibit A attached hereto (the "**Original Land**"). All capitalized terms used in this First Amendment that are not defined herein shall have the meanings set forth in the Agreement.

B. The building constructed by the Owner on Tract 4 of the Original Land encroaches onto the property to the south of Tract 4.

C. CHA has acquired title to that property to the south of Tract 4, which property is described on Exhibit B attached hereto (the "**Additional Land**"). The Ground Lease and other documents are being amended, concurrently herewith, to add the Additional Land to the land demised and encumbered thereby.

D. The parties desire to amend the Agreement to add the Additional Land to the property encumbered thereby, and to require that the north 30.5 feet of Tract 4 (i.e. the north 30.5 feet of Lot 1 in Legends 4200 Prairie) (the "**Open Space Parcel**") shall be used as landscaped open space.

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**NOW, THEREFORE**, the parties agree as follows:

1. The Agreement is hereby amended to add the Additional Land to the property encumbered thereby. After giving effect to such amendment, the property on which the Development is to be constructed, as contemplated by the Agreement, is described on Exhibit C attached hereto, which includes the Original Land and the Additional Land. From and after the date of this First Amendment, the term "**Land**", as used in the Agreement, shall mean the Original Land and the Additional Land.

2. The Open Space Parcel shall be landscaped by the Owner in a manner acceptable to the Authority, and shall be maintained and used only as open space.


3. As amended by this First Amendment, the Agreement shall continue to be and remain in full force and effect, and is hereby ratified and confirmed.

[The remainder of this page is blank. Signatures appear on the following pages.]

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IN WITNESS WHEREOF, the parties have executed this First Amendment as of the date first above written.

Chicago Housing Authority

By:   
Lewis A. Jordan  
Chief Executive Officer

Legends C-2, LLC,  
an Illinois limited liability company

By: Legends C-2 Manager, LLC,  
an Illinois limited liability company,  
its Managing Member

By: Brinshore Holding, LLC,  
an Illinois limited liability company,  
a member

By: Brinshore Development, L.L.C.,  
an Illinois limited liability company,  
its sole member

By: Brint Development, Inc.,  
an Illinois corporation,  
its member

By: \_\_\_\_\_  
David Brint, President

By: Michaels Chicago Holding Company, LLC,  
an Illinois limited liability company,  
a member

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_

# UNOFFICIAL COPY

IN WITNESS WHEREOF, the parties have executed this First Amendment as of the date first above written.

Chicago Housing Authority

By: \_\_\_\_\_  
Lewis A. Jordan  
Chief Executive Officer

Legends C-2, LLC  
an Illinois limited liability company

By: Legends C-2 Manager, LLC,  
an Illinois limited liability company,  
its Managing Member

By: Brinshore Holding, LLC,  
an Illinois limited liability company,  
a member

By: Brinshore Development, L.L.C.,  
an Illinois limited liability company,  
its sole member

By: Brint Development, Inc.,  
an Illinois corporation,  
its member

By: David Brint  
David Brint, President

By: Michaels Chicago Holding Company, LLC,  
an Illinois limited liability company,  
a member

By: \_\_\_\_\_  
Name: John J. Donnell  
Title: Vice President

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State of Illinois )  
 ) SS  
County of Cook )

This instrument was acknowledged before me on May 25, 2010, by Lewis A. Jordan, as Chief Executive Officer of the Chicago Housing Authority.



Rose M. Allen  
Notary Public

State of Illinois )  
 ) SS  
County of \_\_\_\_\_ )

This instrument was acknowledged before me on \_\_\_\_\_, 2010, by David Brint, as President of Brint Development, Inc., in its capacity as member of Brinshore Development, L.L.C., in its capacity as sole member of Brinshore Holding, LLC, in its capacity as member of Legends C-2 Manager, LLC, in its capacity as managing member of Legends C-2, LLC.

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

State of \_\_\_\_\_ )  
 ) SS  
County of \_\_\_\_\_ )

This instrument was acknowledged before me on \_\_\_\_\_, 2010, by \_\_\_\_\_, as \_\_\_\_\_ of Michaels Chicago Holding Company, LLC, in its capacity as member of Legends C-2 Manager, LLC, in its capacity as managing member of Legends C-2, LLC.

\_\_\_\_\_  
Notary Public  
My commission expires: \_\_\_\_\_

# UNOFFICIAL COPY

State of Illinois )  
 ) SS  
County of Cook )

This instrument was acknowledged before me on \_\_\_\_\_, 2010, by Lewis A. Jordan, as Chief Executive Officer of the Chicago Housing Authority.

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

State of Illinois )  
 ) SS  
County of Cook )

This instrument was acknowledged before me on May 24, 2010, by David Brint, as President of Brit Development, Inc., in its capacity as member of Brinshore Development, L.L.C., in its capacity as sole member of Brinshore Holding, LLC, in its capacity as member of Legends C-2 Manager, LLC in its capacity as managing member of Legends C-2, LLC.

Margaret A. Grassano  
Notary Public



State of New Jersey )  
 ) SS  
County of Burlington )

This instrument was acknowledged before me on May 20<sup>th</sup>, 2010, by John O'Donnell, as Vice President of Michaels Chicago Holding Company, LLC, in its capacity as member of Legends C-2 Manager, LLC, in its capacity as managing member of Legends C-2, LLC.

Catherine A. Freas  
Notary Public

My commission expires **CATHERINE A. FREAS**  
NOTARY PUBLIC OF NEW JERSEY  
COMMISSION EXPIRES 6/30/2015

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## EXHIBIT A

### LEGAL DESCRIPTION OF THE ORIGINAL LAND

**Tract 1:**

Lots 1 through 7, both inclusive, in Legends Wabash (a resubdivision of the south 40 feet of Lot 2 and Lots 3, 4, 5, 6, 7, and 8 (except that part taken for the widening of Wabash Avenue) in Block 10 of Pryor and Hopkins Subdivision of the West ½ of the Northwest ¼ of Section 3, Township 38 North, Range 14 East of the Third Principal Meridian, in Cook County, Illinois), according to the plat thereof, recorded November 14, 2007 as document number 0731803070, in Cook County, Illinois.

**PINs:**

20-03-118-012  
 20-03-118-013  
 20-03-118-014  
 20-03-118-015  
 20-03-118-016  
 20-03-118-019  
 20-03-118-020  
 20-03-118-021  
 20-03-118-022  
 20-03-118-023  
 20-03-118-024  
 20-03-118-033

Commonly known as the following addresses, all in Chicago, Illinois:

4206 S. Wabash Ave.  
 4208 S. Wabash Ave.  
 4210 S. Wabash Ave.  
 4216 S. Wabash Ave.  
 4220 S. Wabash Ave.  
 4226 S. Wabash Ave.  
 4228 S. Wabash Ave.  
 4230 S. Wabash Ave.  
 4236 S. Wabash Ave.

**Tract 2:**

Lots 1 through 9, both inclusive, in Legends 4100 Prairie (a resubdivision of Lots 1 through 13, both inclusive, in Owner's Subdivision of Lots 13 through 24, both inclusive, in Andrew's Subdivision of the Northwest ¼ of the Southeast ¼ of the Northwest ¼ of Section 3, Township 38 North, Range 14 East of the Third Principal Meridian, in Cook County, Illinois), according

# UNOFFICIAL COPY

to the plat thereof, recorded November 14, 2007 as document number 0731803069, in Cook County, Illinois.

PINs:

20-03-115-019  
20-03-115-020  
20-03-115-021  
20-03-115-022  
20-03-115-023  
20-03-115-026  
20-03-115-029  
20-03-115-032  
20-03-115-033

20-03-115-034

Commonly known as the following addresses, all in Chicago, Illinois:

223 E. 41st Street  
225 E. 41st Street  
4108 S. Prairie Ave  
4112 S. Prairie Ave  
4116 S. Prairie Ave  
4118 S. Prairie Ave  
4120 S. Prairie Ave.  
4122 S. Prairie Ave.  
4128 S. Prairie Ave.  
4132 S. Prairie Ave.  
4134 S. Prairie Ave.  
4136 S. Prairie Ave.  
4142 S. Prairie Ave.  
4148 S. Prairie Ave.

Tract 3:

Lots 1, 2, 3 and 4 in Legends Indiana (a resubdivision of Lots 1 through 5, both inclusive, in Block 1 of Pryor and Hopkins Subdivision of the West ½ of the Northwest ¼ of Section 3, Township 38 North, Range 14 East of the Third Principal Meridian, in Cook County, Illinois), according to the plat thereof, recorded November 14, 2007 as document number 0731803068, in Cook County, Illinois.

PINs:

20-03-102-024  
20-03-102-025



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Commonly known as the following addresses, all in Chicago, Illinois:

123 E. Pershing Road  
125 E. Pershing Road  
3908 S. Indiana Ave.  
3912 S. Indiana Ave.  
3916 S. Indiana Ave.  
3920 S. Indiana Ave.

Tract 4:

Lot 1 in Legend's 4200 Prairie (a resubdivision of Lot 5 (except the north 1 ¼ inches thereof), all of Lots 6 and 7 and the North ½ of Lot 8 in Broad's Subdivision of the West 2/3 of the Southwest ¼ of the Southeast ¼ of the Northwest ¼ of Section 3, Township 38 North, Range 14 East of the Third Principal Meridian, in Cook County, Illinois), according to the plat thereof, recorded November 14, 2007 as document number 0731803067, in Cook County, Illinois.

PINs:

20-03-121-026  
20-03-121-040

Commonly known as the following addresses, all in Chicago, Illinois:

4220 S. Prairie Ave.  
4222 S. Prairie Ave.  
4224 S. Prairie Ave.  
4226 S. Prairie Ave.  
4228 S. Prairie Ave.  
4230 S. Prairie Ave.  
4232 S. Prairie Ave.  
4234 S. Prairie Ave.

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## EXHIBIT B

### LEGAL DESCRIPTION OF THE ADDITIONAL LAND

THE SOUTH 1/2 OF LOT 8 IN BROAD'S SUBDIVISION OF THE WEST 2/3 OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 3, TOWNSHIP 38 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

P.I.N. 20-03-121-031

Property of Cook County Clerk's Office

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## EXHIBIT C

### REVISED LEGAL DESCRIPTION OF THE LAND (INCLUDING THE ORIGINAL LAND AND THE ADDITIONAL LAND)

#### Tract 1:

Lots 1 through 7, both inclusive, in Legends Wabash (a resubdivision of the South 40 feet of Lot 2 and Lots 3, 4, 5, 6, 7, and 8 (except that part taken for the widening of Wabash Avenue) in Block 10 in Pryor and Hopkins Subdivision of the West ½ of the Northwest ¼ of Section 3, Township 38 North, Range 14 East of the Third Principal Meridian, in Cook County, Illinois), according to the plat thereof, recorded November 14, 2007 as document number 0731803070, in Cook County, Illinois.

#### PINs:

20-03-118-036, 20-03-118-037,  
20-03-118-038, 20-03-118-039, 20-03-118-040, 20-03-118-041, 20-03-118-042

Commonly known as the following addresses, all in Chicago, Illinois:

4206 S. Wabash Ave.	4226 S. Wabash Ave.
4206 S. Wabash Ave.	4228 S. Wabash Ave.
4210 S. Wabash Ave.	4230 S. Wabash Ave.
4216 S. Wabash Ave.	4236 S. Wabash Ave.
4220 S. Wabash Ave.	

#### Tract 2:

Lots 1 through 9, both inclusive, in Legends 4100 Prairie (a resubdivision of Lots 1 through 13, both inclusive, in Owner's Subdivision of Lots 13 through 24, both inclusive, in Andrew's Subdivision of the Northwest ¼ of the Southeast ¼ of the Northwest ¼ of Section 3, Township 38 North, Range 14 East of the Third Principal Meridian, in Cook County, Illinois), according to the plat thereof, recorded November 14, 2007 as document number 0731803069, in Cook County, Illinois.

#### PINs:

20-03-115-038, 20-03-115-039,  
20-03-115-040, 20-03-115-041,  
20-03-115-042, 20-03-115-043,  
20-03-115-044, 20-03-115-045 AND  
20-03-115-046

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Commonly known as the following addresses, all in Chicago, Illinois:

223 E. 41st Street	4118 S. Prairie Ave.	4134 S. Prairie Ave.
225 E. 41st Street	4120 S. Prairie Ave.	4136 S. Prairie Ave.
4108 S. Prairie Ave.	4122 S. Prairie Ave.	4142 S. Prairie Ave.
4112 S. Prairie Ave.	4128 S. Prairie Ave.	4148 S. Prairie Ave.
4116 S. Prairie Ave.	4132 S. Prairie Ave.	

**Tract 3:**

Lots 1, 2, 3 and 4 in Legends Indiana (a resubdivision of Lots 1 through 5, both inclusive, in Block 1 of Pryor and Hopkins Subdivision of the West ½ of the Northwest ¼ of Section 3, Township 38 North, Range 14 East of the Third Principal Meridian, in Cook County, Illinois), according to the plat thereof, recorded November 14, 2007 as document number 0731803068, in Cook County, Illinois.

PINs:

20-03-102-026, 20-03-102-027,  
20-03-102-028 AND 20-03-102-029

Commonly known as the following addresses, all in Chicago, Illinois:

123 E. Pershing Road	3912 S. Indiana Ave.
125 E. Pershing Road	3916 S. Indiana Ave.
3908 S. Indiana Ave.	3920 S. Indiana Ave.

**Tract 4:**

Lot 1 in Legends 4200 Prairie (a resubdivision of Lot 5 (except the north 1 ¼ inches thereof), all of Lots 6 and 7 and the North ½ of Lot 8 in Broad's Subdivision of the West 2/3 of the Southwest ¼ of the Southeast ¼ of the Northwest ¼ of Section 3, Township 38 North, Range 14 East of the Third Principal Meridian, in Cook County, Illinois), according to the plat thereof, recorded November 14, 2007 as document number 0731803067, in Cook County, Illinois.

ALSO:

The South 1/2 of Lot 8 in Broad's Subdivision of the West 2/3 of the Southwest ¼ of the Southeast ¼ of the Northwest ¼ of Section 3, Township 38 North, Range 14 East of the Third Principal Meridian, in Cook County, Illinois

PINs:

20-03-121-043 AND 20-03-121-031

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Commonly known as the following addresses, all in Chicago, Illinois:

4220 S. Prairie Ave.  
4222 S. Prairie Ave.  
4224 S. Prairie Ave.  
4226 S. Prairie Ave.  
4238 S. Prairie Ave.

4228 S. Prairie Ave.  
4230 S. Prairie Ave.  
4232 S. Prairie Ave.  
4234 S. Prairie Ave.

Property of Cook County Clerk's Office