

# UNOFFICIAL COPY



Doc#: 1016934068 Fee: \$46.00  
Eugene "Gene" Moore RHSP Fee: \$10.00  
Cook County Recorder of Deeds  
Date: 06/18/2010 01:35 PM Pg: 1 of 6

**THIS DOCUMENT HAS BEEN  
PREPARED BY, AND AFTER  
RECORDATION SHOULD BE  
RETURNED TO:**

Michael C. Kim  
Michael C. Kim & Associates  
19 South LaSalle Street, Suite 303  
Chicago, Illinois 60603

**URBAN BASEMENT TRANSFER AMENDMENT  
TO  
THE DECLARATION OF CONDOMINIUM OWNERSHIP  
FOR  
340 ON THE PARK CONDOMINIUMS  
(AFFECTS RESIDENTIAL UNITS 4106 AND 5801)**

This document is recorded for the purpose of amending the Declaration of Condominium Ownership (hereafter the "Declaration") for 340 On The Park Condominiums (hereafter the "Association"), which Declaration was originally recorded on June 22, 2007, as Document No. 0717322066 in the Office of the Recorder of Deeds of Cook County, Illinois, and covers the property (hereafter the "Property") legally described in Exhibit "A", which is attached hereto and made a part hereof.

This amendment is adopted pursuant to the provisions of Article III, Section 4 of the aforesaid Declaration and Sections 17 and 26 of the Illinois Condominium Property Act (the "Act"). Said Article III, Section 4 of the Declaration provides that a Unit Owner may transfer, to another Unit Owner, the use of a limited common element appurtenant to his/her Unit, upon the recording of an amendment to the Declaration in accordance with the Condominium Instruments and Section 26 of the Act. Section 26 of the Act provides that each transfer of limited common elements shall be made by an amendment to the Declaration executed by all unit owners who are parties to the transfer and consented to by all other unit owners who have any right to use the limited common elements affected and further provides that the amendment shall contain a certificate showing that a copy of the amendment has been delivered to the Board of Managers of the Association, and shall contain a statement from the parties involved in the transfer which sets forth any change in the parties' proportionate shares of the common elements. All mortgagees who have any interest in the affected limited common element must also consent to the transfer. Section 17 of the Act provides that the amendment shall be executed by the President of the Association or such other officer authorized by the Board of Managers. No transfer shall become effective until

RECORDING FEE 46-  
DATE 6-18-10 COPIES OK  
OK BY PK

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the amendment has been recorded in the Office of the Recorder of Deeds of Cook County, Illinois.

## RECITALS

WHEREAS, by the Declaration recorded in the Office of the Recorder of Deeds of Cook County, Illinois, the Property has been submitted to the provisions of the Act; and

WHEREAS, the Owner of Residential Unit #4106 (the "Transferor") desires to transfer and the Owner of Residential Unit # 5801 (the "Transferee") desires to receive Urban Basement #UB-31, as a limited common element with attendant exclusive use rights, and to amend the Declaration to reflect this transaction; and

WHEREAS, this amendment has been executed by the Transferor and Transferee (and there being no other Unit Owners having any right to use the limited common elements affected nor any mortgagee having any interest therein), executed by the President of the Association or such other officer authorized by the Board of Managers, and contains a statement from the Transferor and Transferee which sets forth the changes in the parties' proportionate shares of the common elements, and a copy of the amendment having been delivered to the Board of Managers of the Association, all in compliance with Article III, Section 4 of the Declaration and Sections 17 and 26 of the Act.

NOW THEREFORE, the Declaration of Condominium Ownership for 340 On The Park Condominiums is hereby amended in accordance with the text which follows:

1. Urban Basement #UB-31, including the exclusive use thereof, is hereby transferred from Residential Unit #4106 to Residential Unit #5801.
2. The Residential percentages of ownership in the Common Elements for the Transferor's Residential Unit #4601 and for the Transferee's Residential Unit #5801 are not changed by this transfer.
3. Except to the extent expressly set forth hereinabove, the remaining provisions of the Declaration shall continue in effect without change.

END OF TEXT OF AMENDMENT

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## UNIT OWNERS' CONSENT

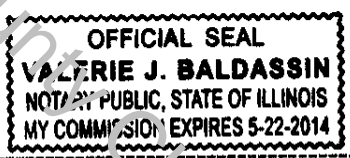
The undersigned are all of the Unit Owners who are parties to the transfer of Urban Basement #UB-31 in 340 On The Park Condominiums, there being no other Unit Owners having any right to use Urban Basement #UB-31 nor any mortgage on either Residential Unit #4106 or Residential Unit #5801, nor any mortgagee having any interest in said Urban Basement #UB-31, and by our respective signatures below do hereby execute, consent to and approve the foregoing amendment to the Declaration of Condominium Ownership for 340 On The Park Condominiums and certify delivery of the foregoing Amendment to the Board of Managers of said Condominium.

Executed this 4 day of June, 2010.

Transferor: 1. [Signature]  
(Seller) Leila H. Zammatta/Residential Unit #4106  
2. [Signature]  
Bobbie J. Zammatta/Residential Unit #4106

This instrument was acknowledged before me on June 4, 2010 by Leila H. Zammatta and Bobbie J. Zammatta.

[Signature]  
Notary Public



Transferee: 1. \_\_\_\_\_  
(Buyer) Lily Von Schtupp Trust/Residential Unit #5801

By: \_\_\_\_\_  
Anthony J. Madonia, as Trustee

This instrument was acknowledged before me on \_\_\_\_\_, 20\_\_\_\_ by Anthony J. Madonia, as trustee of the Lily Von Schtupp Trust.

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

**THIS SIGNATURE PAGE MAY BE EXECUTED IN COUNTERPARTS,  
WHICH TOGETHER COMPRISE A SINGLE AGREEMENT/CONSENT.**

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## UNIT OWNERS' CONSENT

The undersigned are all of the Unit Owners who are parties to the transfer of Urban Basement #UB-31 in 340 On The Park Condominiums, there being no other Unit Owners having any right to use Urban Basement #UB-31 nor any mortgage on either Residential Unit #4106 or Residential Unit #5801, nor any mortgagee having any interest in said Urban Basement #UB-31, and by our respective signatures below do hereby execute, consent to and approve the foregoing amendment to the Declaration of Condominium Ownership for 340 On The Park Condominiums and certify delivery of the foregoing Amendment to the Board of Managers of said Condominium.

Executed this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Transferor: 1. \_\_\_\_\_  
(Seller) Leila H. Zammatta/Residential Unit #4106

2. \_\_\_\_\_  
Bobbie J. Zammatta/Residential Unit #4106

This instrument was acknowledged before me on \_\_\_\_\_, 20\_\_\_\_ by Leila H. Zammatta and Bobbie J. Zammatta.

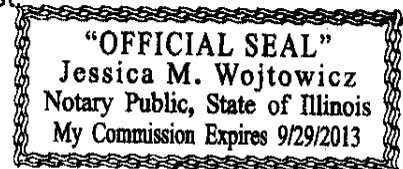
\_\_\_\_\_  
Notary Public

Transferee: 1. Anthony J. Madonia  
(Buyer) Lily Von Schtupp Trust/Residential Unit #5801

By: Anthony J. Madonia  
Anthony J. Madonia, as Trustee

This instrument was acknowledged before me on June 3, 2010 by Anthony J. Madonia, as trustee of the Lily Von Schtupp Trust.

Jessica M. Wojtowicz  
Notary Public

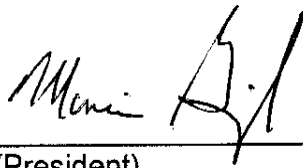


**THIS SIGNATURE PAGE MAY BE EXECUTED IN COUNTERPARTS,  
WHICH TOGETHER COMPRISE A SINGLE AGREEMENT/CONSENT.**

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EXECUTION BY PRESIDENT  
OR OTHER AUTHORIZED OFFICER  
INDICATING BOARD OF MANAGERS' CONSENT

To evidence the consent of the Board of Managers to the foregoing amendment as required by Article III, Section 4 of the Declaration, and pursuant to Section 17 of the Illinois Condominium Property Act, the undersigned President (or other duly authorized officer) hereby executes the foregoing amendment to the Declaration of Condominium Ownership for 340 On The Park Condominiums.



Its (President) \_\_\_\_\_

Property of Cook County Clerk's Office

**UNOFFICIAL COPY****EXHIBIT A -Legal Description of Property**

PARCEL 1: UNITS 202 - 207, 300 - 307, 400 - 407, 500 - 507, 600 - 607, 700 - 707, 800 - 807, 900 - 907, 1000 - 1007, 1100 - 1107, 1200 - 1207, 1300 - 1307, 1400 - 1407, 1501 - 1506, 1601 - 1606, 1701 - 1706, 1801 - 1806, 1901 - 1906, 2001 - 2006, 2101 - 2106, 2201 - 2206, 2301 - 2306, 2401 - 2406, 2601, 2606, 2701 - 2706, 2801 - 2806, 2901 - 2906, 3001 - 3006, 3101 - 3106, 3201 - 3206, 3301 - 3306, 3401 - 3406, 3501 - 3506, 3601 - 3606, 3701 - 3706, 3801 - 3806, 3901 - 3906, 4001 - 4006, 4101 - 4106, 4201 - 4206, 4301 - 4306, 4401 - 4406, 4501 - 4506, 4601 - 4606, 4701 - 4706, 4801 - 4806, 4901 - 4906, 5001 - 5006, 5101 - 5106, 5201 - 5206, 5301 - 5306, 5401 - 5406, 5501 - 5506, 5601 - 5606, 5701 - 5703, 5801 - 5803, 5901 - 5903, 6001 - 6003, 61-PH-E, 61-PH-W, 62-PH-E, 62-PH-W, P1-1 - P1-65, P2-1 - P2-82, P3-1 - P3-84, P4-1 - P4-89, P5-1 - P5-80, P6-1 - P6-70, IN THE 340 ON THE PARK CONDOMINIUMS; AS DELINEATED ON A SURVEY OF THE FOLLOWING DESCRIBED REAL ESTATE: PART OF LOT 17 IN LAKESHORE EAST SUBDIVISION, BEING A SUBDIVISION OF PART OF THE UNSUBDIVIDED LANDS LYING EAST OF AND ADJOINING FOR DEARBORN ADDITION TO CHICAGO, SAID ADDITION BEING IN THE SOUTHWEST FRACTIONAL QUARTER OF SECTION 10, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN IN COOK COUNTY, ILLINOIS ACCORDING TO THE PLAT OF SAID LAKESHORE EAST SUBDIVISION RECORDED MARCH 4, 2003 AS DOCUMENT NUMBER 0030301045 TOGETHER WITH NON-EXCLUSIVE EASEMENTS APPURTENANT TO AND FOR THE BENEFIT OF THE PARCEL AND OTHER PROPERTY, INCLUDING EASEMENTS FOR PEDESTRIAN AND VEHICULAR INGRESS AND EGRESS ON, OVER, THROUGH AND ACROSS THE STREETS, AND TO UTILIZE THE UTILITIES AND UTILITY EASEMENTS, IN AND UPON LOTS AND PARTS OF LOTS IN LAKESHORE EAST SUBDIVISION AFORESAID, AS DEFINED, DESCRIBED AND CREATED BY DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS FOR LAKESHORE EAST DATED JUNE 26, 2002 AND RECORDED JULY 2, 2002 AS DOCUMENT NUMBER 0020732020, AS AMENDED FROM TIME TO TIME, AND NON-EXCLUSIVE EASEMENTS APPURTENANT TO AND FOR THE BENEFIT OF THE PARCEL AND OTHER PROPERTY FOR ENCROACHMENTS, SANITARY AND STORM SEWER LINES, EMERGENCY EXITING PATH AND FOR USE OF WALLS FOR SEPARATION AS DEFINED, DESCRIBED AND CREATED BY THE PARCELS 16, 17 AND 17A DECLARATION DEVELOPMENT AND EASEMENT AGREEMENT DATED FEBRUARY 24, 2005 AND RECORDED FEBRUARY 25, 2005 AS DOCUMENT NUMBER 0505632010, AND NON-EXCLUSIVE EASEMENTS FOR EXPANSION JOINTS APPURTENANT TO AND FOR THE BENEFIT OF THE PARCEL AND OTHER PROPERTY AS DESCRIBED, DEFINED AND CREATED BY THE EASEMENT AGREEMENT DATED MAY 9, 2006 AND RECORDED JUNE 16, 2006 AS DOCUMENT NUMBER 0616745017; WHICH SURVEY IS ATTACHED AS EXHIBIT "A-2" TO THE DECLARATION OF CONDOMINIUM RECORDED AS DOCUMENT NUMBER 0717322066, AS AMENDED FROM TIME TO TIME, TOGETHER WITH ITS UNDIVIDED PERCENTAGE INTEREST IN THE COMMON ELEMENTS, ALL IN COOK COUNTY, ILLINOIS.

PARCEL 2: NON-EXCLUSIVE EASEMENTS FOR THE BENEFIT OF PARCEL 1 AND OTHER PROPERTY, FOR INGRESS, EGRESS, USE, SUPORT, USE AND ENJOYMENT AS CREATED BY AND SET FORTH IN THE DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS RECORDED AS DOCUMENT NUMBER 0717322065.

Common Address: 340 East Randolph Street  
Chicago, Illinois 60601

Permanent Index Numbers: 17-10-318-058-1000 though and including  
17-10-318-058-1814