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This instrument was prepared by  
and after recording return to:

Murray J. Lewison  
Johnson and Colmar  
2201 Waukegan Road - Suite 260  
Bannockburn, IL 60015

Doc#: 1029429067 Fee: \$48.00  
Eugene "Gene" Moore RHSP Fee: \$10.00  
Cook County Recorder of Deeds  
Date: 10/21/2010 02:28 PM Pg: 1 of 7

00910287

AMENDMENT OF  
SITE DEVELOPMENT AGREEMENT

This Amendment is entered into as of this 29 day of Sept, 2010, by and between C & K Partnership ("C&K") as successor in interest to Chicago Title Land Trust Company as Trustee under Trust No. 110552 ("Land Trust"), One Place Condominium LLC ("One Place") and The South Loop Shops, LLC ("SLS") as successors in interest to C & K Partnership and Astoria Tower LLC, an Illinois limited liability company ("Astoria").

WHEREAS, Land Trust, as owner of the land legally described in Exhibit A, attached hereto and made a part hereof ("Trust Parcel") and Astoria, as owner of the land legally described in Exhibit B, attached hereto and made a part hereof ("Astoria Parcel") did enter into a Site Development Agreement dated July 31, 2006 (the "Development Agreement") which was recorded in the office of the Cook County Recorder of Deeds as Document No. 0624118066; and

WHEREAS, C&K has succeeded to the interest of Land Trust; and

WHEREAS, One Place and SLS have succeeded to the interest of C & K; and

WHEREAS, the parties hereto desire to further modify said Development Agreement;

NOW THEREFORE, in consideration of the covenants contained in this Amendment, the mutual promises and such other sufficient consideration, the parties agree as follows:

1. The parties hereto confirm that all provisions regarding shared costs during construction have been satisfied and that all cost sharing reimbursements have been paid to and received by each respective party and the parties hereby waive any further claims each may have to the other regarding any further construction related shared costs.

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2. The parties hereto further confirm that all Restrictions on Development set forth in Article III of the Development Agreement have been complied with and that the highest point of the Structure on the Trustee Parcel is substantially in accordance with Article III and accepted and that all restricted development in the Air Rights Parcel set forth in Paragraph 3.2 of the Development Agreement have been complied with and accepted.

3. All other provisions of the Development Agreement except as may be modified herein, are hereby ratified and reaffirmed.

C & K Partnership

Astoria Tower LLC

By: *Leah Kay*  
Partner

By: F/D Astoria LLC,  
its Manager

By: *[Signature]*  
Manager

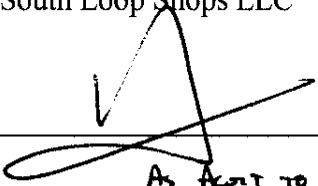
One Place Condominium LLC

By: *[Signature]* AS AGENT TO ONE PLACE  
Manager CONDOMINIUMS, LLC

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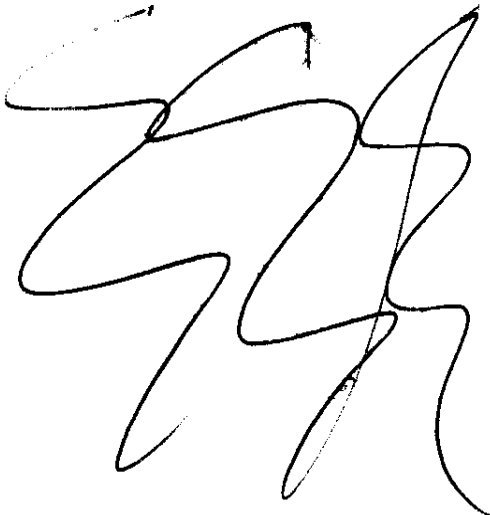
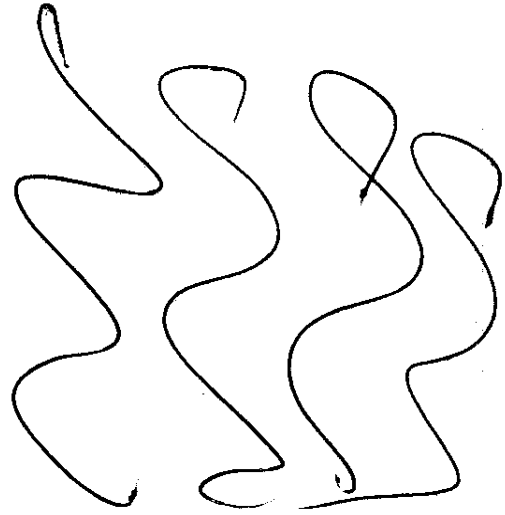
The South Loop Shops LLC

By: \_\_\_\_\_



AS AGENT TO SOUTH LOOP SHOPS, LLC

Property of Cook County Clerk's Office







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## EXHIBIT A

### TRUST PARCEL

All the property and space lying below a horizontal plane located 119 feet above Chicago City Datum, contained within the boundaries projected vertically of that part of Sublot 1 and 2 of Lot 2, Sublot 1 and 2 of Lot 3, Sublot 1 and 2 of Lot 6 and Sublot 1 of the North 1/4 of Lot 7 (excepting from said Lots the West 27 feet thereof condemned by the City of Chicago for widening of State Street) in Block 18 in Canal Trustees Addition to Chicago in Fractional Section 15, Township 39 North, Range 14 East of the Third Principal Meridian,

Together with that part of Lots 1 to 6 in E. Smith's Subdivision of Lot 10 and the South 3/4 of Lot 7 in Block 18 in Fractional Section 15 Addition to Chicago (except the West 27 feet thereof condemned by the City of Chicago for widening State Street), in Fractional Section 15, Township 39 North, Range 14, East of the Third Principal Meridian,

Together with that part of Lots 7 and 8 in E. Smith's subdivision of Lot 10 and the South 3/4 of Lot 7 all in Block 18 in Fractional Section 15 Addition to Chicago, Township 39 North, Range 14, East of the Third Principal Meridian,

Together with that part of the vacant alley in E. Smith's Subdivision of Lot 10 and the South 3/4 of Lot 7 all in Block 18 Fractional Section 15 Addition to Chicago, Township 39 North, Range 14, East of the Third Principal Meridian, all taken as a tract lying North of a Line drawn at right angles to the West Line of said tract through a point therein 140.48 feet North of the Southwest corner of said tract, in Cook County, Illinois.

Common Address: 1 E. 8<sup>th</sup> Street, Chicago, IL  
801 - 825 S. State Street, Chicago, IL

PIN: 17-15-304-

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## EXHIBIT B

### ASTORIA PARCEL

#### Parcel 1

That part of Sublot 1 and 2 of Lot 2, Sublot 1 and 2 of Lot 3, Sublot 1 and 2 of Lot 6 and Sublot 1 of the North 1/4 of Lot 7 (excepting from said Lots the West 27 feet thereof condemned by the City of Chicago for widening of State Street) in Block 18 in Canal Trustees Addition to Chicago in Fractional Section 15, Township 39 North, Range 14 East of the Third Principal Meridian,

Together with that part of Lots 1 to 6 in E. Smith's Subdivision of Lot 10 and the South 3/4 of Lot 7 in Block 18 in Fractional Section 15 Addition to Chicago (except the West 27 feet thereof condemned by the City of Chicago for widening State Street), in Fractional Section 15, Township 39 North, Range 14, East of the Third Principal Meridian,

Together with that part of Lots 7 and 8 in E. Smith's subdivision of Lot 10 and the South 3/4 of Lot 7 all in Block 18 in Fractional Section 15 Addition to Chicago, Township 39 North, Range 14, East of the Third Principal Meridian,

Together with that part of the vacated alley in E. Smith's Subdivision of Lot 10 and the South 3/4 of Lot 7 all in Block 18 Fractional Section 15 Addition to Chicago, Township 39 North, Range 14, East of the Third Principal Meridian, all taken as a tract lying South of a Line drawn at right angles to the West Line of said tract through a point therein 140.48 feet North of the Southwest corner of said tract, in Cook County, Illinois.

#### Parcel 2 (Air Rights)

All the property and space lying above a horizontal plane located 119 feet above Chicago City Datum, contained within the boundaries projected vertically of that part of Sublot 1 and 2 of Lot 2, Sublot 1 and 2 of Lot 3, Sublot 1 and 2 of Lot 6 and Sublot 1 of the North 1/4 of Lot 7 (excepting from said Lots the West 27 feet thereof condemned by the City of Chicago for widening of State Street) in Block 18 in Canal Trustees Addition to Chicago in Fractional Section 15, Township 39 North, Range 14 East of the Third Principal Meridian,

Together with that part of Lots 1 to 6 in E. Smith's Subdivision of Lot 10 and the South 3/4 of Lot 7 in Block 18 in Fractional Section 15 Addition to Chicago (except the West 27 feet thereof condemned by the City of Chicago for widening State Street), in Fractional Section 15, Township 39 North, Range 14, East of the Third Principal Meridian,

Together with that part of Lots 7 and 8 in E. Smith's subdivision of Lot 10 and the South 3/4 of Lot 7 all in Block 18 in Fractional Section 15 Addition to Chicago, Township 39 North, Range 14, East of the Third Principal Meridian,

Together with that part of the vacated alley in E. Smith's Subdivision of Lot 10 and the South 3/4 of Lot 7 all in Block 18 Fractional Section 15 Addition to Chicago, Township 39 North, Range 14, East of the Third Principal Meridian, all taken as a tract lying North of a Line drawn at right angles to the West Line of said tract through a point therein 140.48 feet North of the Southwest corner of said tract, in Cook County, Illinois.

Common Address: 8 E. Ninth Street, Chicago, IL  
 PIN: 17-15-304-053-0000; 17-15-304-055-0000; 17-15-304-057-0000