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Cook County Recorder of Deeds
Date: 06/11/2012 10:20 AM Pg: 1 of 42

ELIZABETH COLSANT O'BRIEN
Stahl, Cowen, Crowley & Addis, LLC
55 W. Monroe St., Suite 1200
Chicago, Illinois 60603

100990000377

RECORDING FEE 220-
DATE 6.11.12 COPIES 6x
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FORTIETH AMENDMENT TO DECLARATION OF CONDOMINIUM OWNERSHIP AND OF EASEMENTS, RESTRICTIONS, COVENANTS AND BY-LAWS FOR THE 235 W. VAN BUREN CONDOMINIUMS

THIS FORTIETH AMENDMENT TO DECLARATION ("Fortieth Amendment") is made and entered into this 31st day of May, 2012 by the **235 W. VAN BUREN DEVELOPMENT CORPORATION**, an Illinois corporation (hereinafter referred to as the "Declarant").

WITNESSETH:

WHEREAS, by a Declaration of Condominium Ownership and of Easements, Restrictions, Covenants and By-Laws for the 235 W. Van Buren Condominiums dated the 5th day of June, 2009 and recorded in the Office of the Recorder of Deeds of Cook County, Illinois on the 8th day of June, 2009, as Document Number 0915934034 (hereinafter referred to as the "Original Declaration"), certain real estate was submitted to the Condominium Property Act of the State of Illinois (hereinafter referred to as the "Act"), said real estate being commonly known as the 235 W. Van Buren Condominiums (hereinafter referred to as the "Condominium"); and

WHEREAS, by a First Amendment to Declaration of Condominium Ownership and of Easement, Restrictions, Covenants and By-Laws for the 235 W. Van Buren Condominiums dated June 22, 2009 and recorded in the Office of the Recorder of Deeds of Cook County, Illinois on June 23, 2009 as Document Number 0917434052 (hereinafter referred to as the "First Amendment") certain real estate was submitted to the Act and the Condominium; and

WHEREAS, by a Second Amendment to Declaration of Condominium Ownership and of Easement, Restrictions, Covenants and By-Laws for the 235 W. Van Buren Condominiums dated July 7, 2009 and recorded in the Office of the Recorder of Deeds of Cook County, Illinois on July 9,

Attorneys' Title Guaranty Fund, Inc.
1 S. Wacker Dr., STE 2400
Chicago, IL 60606-4650
Attn: Search Department

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2009 as Document Number 0919034082 (hereinafter referred to as the "Second Amendment") certain real estate was submitted to the Act and the Condominium; and

WHEREAS, by a Third Amendment to Declaration of Condominium Ownership and of Easement, Restrictions, Covenants and By-Laws for the 235 W. Van Buren Condominiums dated July 20, 2009 and recorded in the Office of the Recorder of Deeds of Cook County, Illinois on July 21, 2009 as Document Number 0920218025 (hereinafter referred to as the "Third Amendment") certain real estate was submitted to the Act and the Condominium; and

WHEREAS, by a Fourth Amendment to Declaration of Condominium Ownership and of Easement, Restrictions, Covenants and By-Laws for the 235 W. Van Buren Condominiums dated August 3, 2009 and recorded in the Office of the Recorder of Deeds of Cook County, Illinois on August 3, 2009 as Document Number 0922334095 (hereinafter referred to as the "Third Amendment") certain real estate was submitted to the Act and the Condominium; and

WHEREAS, by a Special Amendment to Declaration of Condominium Ownership and of Easement, Restrictions, Covenants and By-Laws for the 235 W. Van Buren Condominiums dated August 20, 2009 and recorded in the Office of the Recorder of Deeds of Cook County, Illinois on August 20, 2009 as Document Number 0923231059 (hereinafter referred to as the "Special Amendment") the Declaration was amended and modified; and

WHEREAS, by a Fifth Amendment to Declaration of Condominium Ownership and of Easement, Restrictions, Covenants and By-Laws for the 235 W. Van Buren Condominiums dated August 20, 2009 and recorded in the Office of the Recorder of Deeds of Cook County, Illinois on August 24, 2009 as Document Number 0923634012 (hereinafter referred to as the "Fifth Amendment") certain real estate was submitted to the Act and the Condominium; and

WHEREAS, by a Sixth Amendment to Declaration of Condominium Ownership and of Easement, Restrictions, Covenants and By-Laws for the 235 W. Van Buren Condominiums dated September 10, 2009, and recorded in the Office of the Recorder of Deeds in Cook County, Illinois, on September 15, 2009, as Document Number 0925819076 (hereinafter referred to as the "Sixth Amendment") certain real estate was submitted to the Act and the Condominium; and

WHEREAS, by a Seventh Amendment to Declaration of Condominium Ownership and of Easement, Restrictions, Covenants and By-Laws for the 235 W. Van Buren Condominiums dated September 22, 2009, and recorded in the Office of the Recorder of Deeds in Cook County, Illinois, on September 29, 2009, as Document Number 0927234054 (hereinafter referred to as the "Seventh Amendment") certain real estate was submitted to the Act and the Condominium; and

WHEREAS, by a Eighth Amendment to Declaration of Condominium Ownership and of Easement, Restrictions, Covenants and By-Laws for the 235 W. Van Buren Condominiums dated October 5, 2009, and recorded in the Office of the Recorder of Deeds in Cook County, Illinois, on October 6, 2009, as Document Number 0927931131 (hereinafter referred to as the "Eighth Amendment") certain real estate was submitted to the Act and the Condominium; and

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WHEREAS, by a Ninth Amendment to Declaration of Condominium Ownership and of Easement, Restrictions, Covenants and By-Laws for the 235 W. Van Buren Condominiums dated October 19, 2009, and recorded in the Office of the Recorder of Deeds in Cook County, Illinois, on October 20, 2009, as Document Number 0929316031 (hereinafter referred to as the "Ninth Amendment") certain real estate was submitted to the Act and the Condominium; and

WHEREAS, by a Tenth Amendment to Declaration of Condominium Ownership and of Easement, Restrictions, Covenants and By-Laws for the 235 W. Van Buren Condominiums dated October 29, 2009, and recorded in the Office of the Recorder of Deeds in Cook County, Illinois, on October 30, 2009, as Document Number 0930344017 (hereinafter referred to as the "Tenth Amendment"), certain real estate was submitted to the Act and the Condominium; and

WHEREAS, by an Eleventh Amendment to Declaration of Condominium Ownership and of Easement, Restrictions, Covenants and By-Laws for the 235 W. Van Buren Condominiums dated November 16, 2009, and recorded in the Office of the Recorder of Deeds in Cook County, Illinois, on November 20, 2009, as Document Number 0932444056 (hereinafter referred to as the "Eleventh Amendment"); certain real estate was submitted to the Act and the Condominium; and

WHEREAS, by an Twelfth Amendment to Declaration of Condominium Ownership and of Easement, Restrictions, Covenants and By-Laws for the 235 W. Van Buren Condominiums dated November 24, 2009, and recorded in the Office of the Recorder of Deeds in Cook County, Illinois, on December 1, 2009, as Document Number 0933518001 (hereinafter referred to as the Twelfth Amendment"); certain real estate was submitted to the Act and the Condominium; and

WHEREAS, by an Thirteenth Amendment to Declaration of Condominium Ownership and of Easement, Restrictions, Covenants and By-Laws for the 235 W. Van Buren Condominiums dated December 15, 2009, and recorded in the Office of the Recorder of Deeds in Cook County, Illinois, on December 15, 2009, as Document Number 0934913045 (hereinafter referred to as the "Thirteenth Amendment") certain real estate was submitted to the Act and the Condominium; and

WHEREAS, by a Fourteenth Amendment to Declaration of Condominium Ownership and of Easement, Restrictions, Covenants and By-Laws for the 235 W. Van Buren Condominiums dated January 28, 2010, and recorded in the Office of the Recorder of Deeds in Cook County, Illinois, on January 29, 2010, as Document Number 1002916053 (hereinafter referred to as the "Fourteenth Amendment"); certain real estate was submitted to the Act and the Condominium; and

WHEREAS, by a Fifteenth Amendment to Declaration of Condominium Ownership and of Easement, Restrictions, Covenants and By-Laws for the 235 W. Van Buren Condominiums dated February 11, 2010, and recorded in the Office of the Recorder of Deeds in Cook County, Illinois, on February 16, 2010 as Document Number 1004731061 (hereinafter referred to as the "Fifteenth Amendment"); certain real estate was submitted to the Act and the Condominium; and

WHEREAS, by a Sixteenth Amendment to Declaration of Condominium Ownership and of Easement, Restrictions, Covenants and By-Laws for the 235 W. Van Buren Condominiums dated March 15, 2010, and recorded in the Office of the Recorder of Deeds in Cook County, Illinois, on

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March 25, 2010 as Document Number 1008434085 (hereinafter referred to as the "Sixteenth Amendment") certain real estate was submitted to the Act and the Condominium; and

WHEREAS, by a Seventeenth Amendment to Declaration of Condominium Ownership and of Easement, Restrictions, Covenants and By-Laws for the 235 W. Van Buren Condominiums dated April 9, 2010 and recorded in the Office of the Recorder of Deeds in Cook County, Illinois, on April 13, 2010 as Document Number 1010344133 (hereinafter referred to as the "Seventeenth Amendment"); certain real estate was submitted to the Act and the Condominium; and

WHEREAS, by an Eighteenth Amendment to Declaration of Condominium Ownership and of Easement, Restrictions, Covenants and By-Laws for the 235 W. Van Buren Condominiums dated April 15, 2010 and recorded in the Office of the Recorder of Deeds in Cook County, Illinois, on April 27, 2010 as Document Number 1011744060 (hereinafter referred to as the "Eighteenth Amendment"); certain real estate was submitted to the Act and the Condominium; and

WHEREAS, by a Nineteenth Amendment to Declaration of Condominium Ownership and of Easement, Restrictions, Covenants and By-Laws for the 235 W. Van Buren Condominiums dated May 7, 2010 and recorded in the Office of the Recorder of Deeds in Cook County, Illinois, on May 12, 2010 as Document Number 1013244076 (hereinafter referred to as the "Nineteenth Amendment"); certain real estate was submitted to the Act and the Condominium; and

WHEREAS, by a Twentieth Amendment to Declaration of Condominium Ownership and of Easement, Restrictions, Covenants and By-Laws for the 235 W. Van Buren Condominiums dated May 27, 2010 and recorded in the Office of the Recorder of Deeds in Cook County, Illinois, on June 11, 2010 as Document Number 1016244011 (hereinafter referred to as the "Twentieth Amendment"); certain real estate was submitted to the Act and the Condominium; and

WHEREAS, by a Twenty-First Amendment to Declaration of Condominium Ownership and of Easement, Restrictions, Covenants and By-Laws for the 235 W. Van Buren Condominiums dated June 30, 2010 and recorded in the Office of the Recorder of Deeds in Cook County, Illinois, on July 7, 2010 as Document Number 1018816033 (hereinafter referred to as the "Twenty-First Amendment"); certain real estate was submitted to the Act and the Condominium; and

WHEREAS, by a Twenty-Second Amendment to Declaration of Condominium Ownership and of Easement, Restrictions, Covenants and By-Laws for the 235 W. Van Buren Condominiums dated July 14, 2010 and recorded in the Office of the Recorder of Deeds in Cook County, Illinois, on July 29, 2010 as Document Number 10210269074 (hereinafter referred to as the "Twenty-Second Amendment"); certain real estate was submitted to the Act and the Condominium; and

WHEREAS, by a Twenty-Third Amendment to Declaration of Condominium Ownership and of Easement, Restrictions, Covenants and By-Laws for the 235 W. Van Buren Condominiums dated August 12, 2010 and recorded in the Office of the Recorder of Deeds in Cook County, Illinois, on August 16, 2010 as Document Number 1022831005 (hereinafter referred to as the "Twenty-Third Amendment"); certain real estate was submitted to the Act and the Condominium; and

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WHEREAS, by a Twenty-Fourth Amendment to Declaration of Condominium Ownership and of Easement, Restrictions, Covenants and By-Laws for the 235 W. Van Buren Condominiums dated September 21, 2010 and recorded in the Office of the Recorder of Deeds in Cook County, Illinois, on September 23, 2010 as Document Number 1026618016 (hereinafter referred to as the "Twenty-Fifth Amendment"); certain real estate was submitted to the Act and the Condominium; and

WHEREAS, by a Twenty-Fifth Amendment to Declaration of Condominium Ownership and of Easement, Restrictions, Covenants and By-Laws for the 235 W. Van Buren Condominiums dated September 28, 2010 and recorded in the Office of the Recorder of Deeds in Cook County, Illinois, on October 26, 2010 as Document Number 1029931018 (hereinafter referred to as the "Twenty-Fifth Amendment"); certain real estate was submitted to the Act and the Condominium; and

WHEREAS, by a Twenty-Sixth Amendment to Declaration of Condominium Ownership and of Easement, Restrictions, Covenants and By-Laws for the 235 W. Van Buren Condominiums dated October 22, 2010 and recorded in the Office of the Recorder of Deeds in Cook County, Illinois, on October 27, 2010 as Document Number 1030039051 (hereinafter referred to as the "Twenty-Sixth Amendment"); certain real estate was submitted to the Act and the Condominium; and

WHEREAS, by a Twenty-Seventh Amendment to Declaration of Condominium Ownership and of Easement, Restrictions, Covenants and By-Laws for the 235 W. Van Buren Condominiums dated November 24, 2010 and recorded in the Office of the Recorder of Deeds in Cook County, Illinois, on December 9, 2010 as Document Number 1034329033 (hereinafter referred to as the "Twenty-Seventh Amendment"); certain real estate was submitted to the Act and the Condominium; and

WHEREAS, by a Twenty-Eighth Amendment to Declaration of Condominium Ownership and of Easement, Restrictions, Covenants and By-Laws for the 235 W. Van Buren Condominiums dated December 17, 2010 and recorded in the Office of the Recorder of Deeds in Cook County, Illinois, on December 27, 2010 as Document Number 1036134088 (hereinafter referred to as the "Twenty-Eighth Amendment"); certain real estate was submitted to the Act and the Condominium; and

WHEREAS, by a Twenty-Ninth Amendment to Declaration of Condominium Ownership and of Easement, Restrictions, Covenants and By-Laws for the 235 W. Van Buren Condominiums dated February 3, 2011 and recorded in the Office of the Recorder of Deeds in Cook County, Illinois, on February 15, 2011 as Document Number 1104618010 (hereinafter referred to as the "Twenty-Ninth Amendment"); certain real estate was submitted to the Act and the Condominium; and

WHEREAS, by a Thirtieth Amendment to Declaration of Condominium Ownership and of Easement, Restrictions, Covenants and By-Laws for the 235 W. Van Buren Condominiums dated March 4, 2011 and recorded in the Office of the Recorder of Deeds in Cook County, Illinois, on

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March 18, 2011 as Document Number 1107718028 (hereinafter referred to as the "Thirtieth Amendment"); certain real estate was submitted to the Act and the Condominium; and

WHEREAS, by a Thirty-First Amendment to Declaration of Condominium Ownership and of Easement, Restrictions, Covenants and By-Laws for the 235 W. Van Buren Condominiums dated March 16, 2011 and recorded in the Office of the Recorder of Deeds in Cook County, Illinois, on March 29, 2011 as Document Number 1108845023 (hereinafter referred to as the "Thirty-First Amendment"); certain real estate was submitted to the Act and the Condominium; and

WHEREAS, by a Thirty-Second Amendment to Declaration of Condominium Ownership and of Easement, Restrictions, Covenants and By-Laws for the 235 W. Van Buren Condominiums dated May 3, 2011 and recorded in the Office of the Recorder of Deeds in Cook County, Illinois, on May 23, 2011 as Document Number 1114318032 (hereinafter referred to as the "Thirty-Second Amendment"); certain real estate was submitted to the Act and the Condominium; and

WHEREAS, by a Thirty-Third Amendment to Declaration of Condominium Ownership and of Easement, Restrictions, Covenants and By-Laws for the 235 W. Van Buren Condominiums dated June 30, 2011 and recorded in the Office of the Recorder of Deeds in Cook County, Illinois, on July 12, 2011 as Document Number 1119334053 (hereinafter referred to as the "Thirty-Third Amendment"); certain real estate was submitted to the Act and the Condominium; and

WHEREAS, by a Thirty-Fourth Amendment to Declaration of Condominium Ownership and of Easement, Restrictions, Covenants and By-Laws for the 235 W. Van Buren Condominiums dated September 8, 2011 and recorded in the Office of the Recorder of Deeds in Cook County, Illinois, on September 26, 2011 as Document Number 1126922051 (hereinafter referred to as the "Thirty-Fourth Amendment"); certain real estate was submitted to the Act and the Condominium; and

WHEREAS, by a Thirty-Fifth Amendment to Declaration of Condominium Ownership and of Easement, Restrictions, Covenants and By-Laws for the 235 W. Van Buren Condominiums dated December 22, 2011 and recorded in the Office of the Recorder of Deeds in Cook County, Illinois, on December 29, 2011 as Document Number 1136339103 (hereinafter referred to as the "Thirty-Fifth Amendment"); certain real estate was submitted to the Act and the Condominium; and

WHEREAS, by a Thirty-Sixth Amendment to Declaration of Condominium Ownership and of Easement, Restrictions, Covenants and By-Laws for the 235 W. Van Buren Condominiums dated January 31, 2012 and recorded in the Office of the Recorder of Deeds in Cook County, Illinois, on February 6, 2012 as Document Number 1203729057 (hereinafter referred to as the "Thirty-Sixth Amendment"); certain real estate was submitted to the Act and the Condominium; and

WHEREAS, by a Thirty-Seventh Amendment to Declaration of Condominium Ownership and of Easement, Restrictions, Covenants and By-Laws for the 235 W. Van Buren Condominiums dated February 15, 2012 and recorded in the Office of the Recorder of Deeds in Cook County, Illinois, on February 27, 2012 as Document Number 1205822062 (hereinafter referred to as the "Thirty-Seventh Amendment");

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WHEREAS, by a Thirty-Eighth Amendment to Declaration of Condominium Ownership and of Easement, Restrictions, Covenants and By-Laws for the 235 W. Van Buren Condominiums dated March 9, 2012 and recorded in the Office of the Recorder of Deeds in Cook County, Illinois, on March 16, 2012 as Document Number 1207618005 (hereinafter referred to as the "Thirty-Eighth Amendment");

WHEREAS, by a Thirty-Ninth Amendment to Declaration of Condominium Ownership and of Easement, Restrictions, Covenants and By-Laws for the 235 W. Van Buren Condominiums dated April 25, 2012 and recorded in the Office of the Recorder of Deeds in Cook County, Illinois, on May 8, 2012 as Document Number 1212918052 (hereinafter referred to as the "Thirty-Ninth Amendment"), the Original Declaration, the First Amendment, the Second Amendment, the Third Amendment, the Fourth Amendment, the Special Amendment, the Fifth Amendment, the Sixth Amendment, the Seventh Amendment, the Eighth Amendment, the Ninth Amendment, the Tenth Amendment, the Eleventh Amendment, the Twelfth Amendment, the Thirteenth Amendment, the Fourteenth Amendment, the Fifteenth Amendment, the Sixteenth Amendment, the Seventeenth Amendment, the Eighteenth Amendment, the Nineteenth Amendment, the Twentieth Amendment, the Twenty-First Amendment, the Twenty-Second Amendment, the Twenty-Third Amendment, the Twenty-Fourth Amendment, the Twenty-Fifth Amendment, the Twenty-Sixth Amendment, the Twenty-Seventh Amendment, the Twenty-Eighth Amendment, the Twenty-Ninth Amendment, the Thirtieth Amendment, the Thirty-First Amendment, the Thirty-Second Amendment, the Thirty-Third Amendment, the Thirty-Fourth Amendment, the Thirty-Fifth Amendment, the Thirty-Sixth Amendment, the Thirty-Seventh Amendment, the Thirty-Eighth Amendment and the Thirty-Ninth Amendment shall be collectively referred to as the "Declaration") certain real estate was submitted to the Act and the Condominium"); and,

WHEREAS, the Declarant is the legal holder of, and pursuant to Article XIV of the Declaration wishes to annex and add to the Parcel and the Property, as these terms are defined in the Declaration, and thereby submit same to the Act, the real estate described in Exhibit "A", attached hereto and made a part hereof (hereinafter referred to as "Additional Parcel").

NOW, THEREFORE, the Declarant, as the legal title holder of the Additional Property, and for the purposes set forth hereinabove, hereby declares that the Declaration be, and the same is hereby, amended as follows:

1. The Additional Parcel described in Exhibit "A" attached hereto and made a part hereof, is hereby added to the Parcel and the Property, and is hereby submitted to the provisions of the Act, and shall be deemed to be governed by in all respects by the terms and provisions of the Declaration.

2. It is understood that the Added Units, as this term is defined in the Declaration, being hereby added and annexed consists of space enclosed or bounded by the horizontal and vertical planes set forth in Exhibit "B", attached hereto and made a part hereof. Exhibit "B" to the Declaration is hereby amended by the addition thereto of Exhibit "B", which is attached hereto.

3. Exhibit "C" to the Declaration is hereby amended and superseded in its entirety by Exhibit "C", which is attached hereto and made a part hereof, and the respective percentages of

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ownership in the Common Elements appurtenant to each Unit described in former Exhibit "C" prior to this Amendment are hereby adjusted to the respective percentages set forth in the attached Exhibit "C".

4. The Added Common Elements, as that term is defined in the Declaration, are hereby granted and conveyed to the grantees of Units heretofore conveyed, all as set forth in the Declaration.

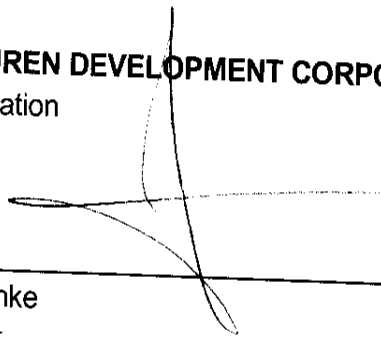
[SIGNATURES APPEAR ON NEXT PAGE]

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IN WITNESS WHEREOF, 235 W. VAN BUREN DEVELOPMENT CORPORATION, an Illinois corporation, executed this document as of the 14 day of June, 2012.

235 W. VAN BUREN DEVELOPMENT CORPORATION,
an Illinois corporation



By: _____
Name: Colin Kihnke
Its: President

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STATE OF ILLINOIS

COUNTY OF COOK

)
) SS.
)

I, Heather M. Shinn a Notary Public in and for the County and State aforesaid, DO HEREBY CERTIFY THAT **Colin Kihnke**, as President of **235 W. VAN BUREN DEVELOPMENT CORPORATION**, an Illinois corporation, personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that he signed and delivered the same instrument as his own free and voluntary act and as the free and voluntary act of said Corporation, for the uses and purposes therein set forth.

GIVEN under my hand and Notarial Seal this 4th day of June, 2012..



Heather M. Shinn
Notary Public

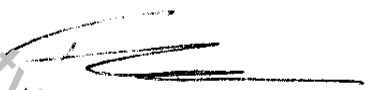
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UNOFFICIAL COPY**CONSENT OF MORTGAGEE**

Cole Taylor Bank ("Bank"), holder of: (i) a Mortgage dated as of July 19, 2007 and recorded in the office of the Recorder of Deeds of Cook County, Illinois, on September 6, 2007 as Document Number 0724918034; (ii) a Leasehold Mortgage dated as of July 19, 2007 and recorded in the Office of the Recorder of Deeds of Cook County, Illinois on September 6, 2007 as Document Number 0724918035; and (iii) Amended and Restated Mortgage dated as of June 8, 2009 and recorded on June 9, 2009 in the Office of the Recorder of Deeds of Cook County as Document Number 0915916043, as amended from time to time, hereby consents to the execution and recording of the attached Fortieth Amendment to Declaration of Condominium Ownership and of Easements, Restrictions, Covenants and By-Laws for the 235 W. Van Buren Condominiums and agrees that said Mortgage is subject thereto.

IN WITNESS WHEREOF, the said Bank has caused this Consent of Mortgagee to be signed by its duly authorized officers on its behalf in Chicago, Illinois, on this 31st day of May, 2012.

COLE TAYLOR BANK

By: 
 Name: Thomas C. Wallace
 Title: ESVP

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STATE OF ILLINOIS)
) SS.
 COUNTY OF COOK)

I, Sandra Zar, a Notary Public in and for said County and State, **DO HEREBY CERTIFY** that Thomas C. Wallace as G SVP of **COLE TAYLOR BANK**, as such G SVP, appeared before me this day in person and acknowledged that he signed, sealed and delivered said instrument as his free and voluntary act, and as the free and voluntary act of said Bank, for the uses and purposes therein set forth.

GIVEN under my hand and notarial seal this 31 day of May, 2012.

Sandra Zar

 Notary Public



UNOFFICIAL COPY**EXHIBIT "A"**

Legal Description

THAT PART OF LOTS 65, 66, 67, 68, 69, 70, 71, 72, 73 AND 74 (TAKEN AS A TRACT) IN BLOCK 90 IN SCHOOL SECTION ADDITION TO CITY OF CHICAGO, IN SECTION 16, TOWNSHIP 39 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, EXCEPT THOSE PARTS DESCRIBED AS FOLLOWS:

EXCEPTION 1: THAT PART OF THE ABOVE DESCRIBED TRACT LYING ABOVE A HORIZONTAL PLANE HAVING AN ELEVATION OF 14.46' CCD AND LYING BELOW A HORIZONTAL PLANE HAVING AN ELEVATION OF +26.56' CCD DESCRIBED AS: COMMENCING AT THE NORTHWEST CORNER OF SAID TRACT THENCE SOUTH 89 DEGREES 27 MINUTES 44 SECONDS EAST (ASSUMED) ALONG THE NORTH LINE OF SAID TRACT FOR A DISTANCE OF 44.81 FEET; THENCE SOUTH 00 DEGREES 32 MINUTES 16 SECONDS WEST FOR A DISTANCE OF 2.11 FEET A POINT TO THE POINT OF BEGINNING; THENCE SOUTH 00 DEGREES 29 MINUTES 54 SECONDS WEST FOR A DISTANCE OF 3.20 FEET; THENCE NORTH 89 DEGREES 29 MINUTES 58 SECONDS WEST FOR A DISTANCE OF 5.87 FEET; THENCE SOUTH 00 DEGREES 30 MINUTES 20 SECONDS WEST FOR A DISTANCE OF 1.55 FEET; THENCE NORTH 89 DEGREES 30 MINUTES 34 SECONDS WEST FOR A DISTANCE OF 1.54 FEET; THENCE SOUTH 00 DEGREES 29 MINUTES 55 SECONDS WEST FOR A DISTANCE OF 20.20 FEET; THENCE SOUTH 89 DEGREES 30 MINUTES 54 SECONDS EAST FOR A DISTANCE OF 1.50 FEET; THENCE SOUTH 00 DEGREES 30 MINUTES 13 SECONDS WEST FOR A DISTANCE OF 0.50 FEET; THENCE SOUTH 89 DEGREES 30 MINUTES 36 SECONDS EAST FOR A DISTANCE OF 67.22 FEET; THENCE SOUTH 00 DEGREES 30 MINUTES 10 SECONDS WEST FOR A DISTANCE OF 13.13 FEET; THENCE SOUTH 89 DEGREES 30 MINUTES 13 SECONDS EAST FOR A DISTANCE OF 1.75 FEET; THENCE NORTH 00 DEGREES 29 MINUTES 22 SECONDS EAST FOR A DISTANCE OF 33.72 FEET; THENCE NORTH 89 DEGREES 30 MINUTES 23 SECONDS WEST FOR A DISTANCE OF 2.55 FEET; THENCE NORTH 00 DEGREES 30 MINUTES 25 SECONDS EAST FOR A DISTANCE OF 1.60 FEET; THENCE NORTH 89 DEGREES 30 MINUTES 25 SECONDS WEST FOR A DISTANCE OF 5.90 FEET; THENCE NORTH 00 DEGREES 29 MINUTES 57 SECONDS EAST FOR A DISTANCE OF 3.25 FEET; THENCE NORTH 89 DEGREES 30 MINUTES 05 SECONDS WEST FOR A DISTANCE OF 20.25 FEET; THENCE SOUTH 00 DEGREES 29 MINUTES 58 SECONDS WEST FOR A DISTANCE OF 3.25 FEET; THENCE NORTH 89 DEGREES 30 MINUTES 26 SECONDS WEST FOR A DISTANCE OF 6.19 FEET; THENCE SOUTH 00 DEGREES 29 MINUTES 53 SECONDS WEST FOR A DISTANCE OF 13.20 FEET; THENCE NORTH 89 DEGREES 30 MINUTES 20 SECONDS WEST FOR A DISTANCE OF 2.15 FEET; THENCE NORTH 00 DEGREES 29 MINUTES 53 SECONDS EAST FOR A DISTANCE OF 13.20 FEET; THENCE NORTH 89 DEGREES 30 MINUTES 24 SECONDS WEST FOR A DISTANCE OF 5.84 FEET; THENCE NORTH 00 DEGREES 30 MINUTES 28 SECONDS EAST FOR A DISTANCE OF 3.25 FEET; THENCE NORTH 89 DEGREES 30 MINUTES 07 SECONDS WEST FOR A DISTANCE OF 20.17 FEET TO THE POINT OF BEGINNING; AND ALSO EXCEPTING THAT PART OF SAID TRACT LYING ABOVE A HORIZONTAL PLANE HAVING AN ELEVATION OF +14.46' CCD AND LYING BELOW AN INCLINED PLANE DESCRIBED AS: COMMENCING AT THE NORTHWEST CORNER OF SAID TRACT THENCE SOUTH 89 DEGREES 27 MINUTES 44 SECONDS EAST (ASSUMED) ALONG THE NORTH LINE OF SAID TRACT FOR A DISTANCE OF 107.87 FEET; THENCE SOUTH 00 DEGREES 32 MINUTES 16 SECONDS WEST FOR A DISTANCE OF 5.31 FEET TO A POINT HAVING AN ELEVATION OF +35.53 CCD BEING THE POINT OF BEGINNING; THENCE SOUTH 00 DEGREES 29 MINUTES 23 SECONDS WEST FOR A DISTANCE OF 1.60 FEET; THENCE SOUTH 00 DEGREES 29 MINUTES 22 SECONDS WEST FOR A DISTANCE OF 33.72 FEET TO A POINT HAVING AN ELEVATION OF

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+35.53 CCD; THENCE SOUTH 89 DEGREES 30 MINUTES 15 SECONDS EAST FOR A DISTANCE OF 34.70 FEET TO A POINT HAVING AN ELEVATION OF +33.62' CCD; THENCE NORTH 00 DEGREES 04 MINUTES 08 SECONDS WEST FOR A DISTANCE OF 21.94 FEET TO A POINT HAVING AN ELEVATION OF +33.62' CCD; THENCE NORTH 89 DEGREES 30 MINUTES 14 SECONDS WEST FOR A DISTANCE OF 2.20 FEET; THENCE NORTH 00 DEGREES 29 MINUTES 59 SECONDS EAST FOR A DISTANCE OF 13.38 FEET; THENCE NORTH 89 DEGREES 30 MINUTES 03 SECONDS WEST FOR A DISTANCE OF 6.22 FEET; THENCE NORTH 00 DEGREES 29 MINUTES 58 SECONDS EAST FOR A DISTANCE OF 3.25 FEET; THENCE NORTH 89 DEGREES 30 MINUTES 05 SECONDS WEST FOR A DISTANCE OF 20.20 FEET; THENCE SOUTH 00 DEGREES 29 MINUTES 57 SECONDS WEST FOR A DISTANCE OF 3.25 FEET; THENCE NORTH 89 DEGREES 30 MINUTES 16 SECONDS WEST FOR A DISTANCE OF 5.87 FEET TO THE POINT OF BEGINNING; AND ALSO EXCEPTING THAT PART OF SAID TRACT LYING ABOVE A HORIZONTAL PLANE HAVING AN ELEVATION OF +14.46' CCD AND LYING BELOW A HORIZONTAL PLANE HAVING AN ELEVATION OF +33.62' CCD DESCRIBED AS: COMMENCING AT THE NORTHWEST CORNER OF SAID TRACT, THENCE SOUTH 89 DEGREES 27 MINUTES 44 SECONDS EAST (ASSUMED) ALONG THE NORTH LINE OF SAID TRACT FOR A DISTANCE OF 142.36 FEET; THENCE SOUTH 00 DEGREES 32 MINUTES 16 SECONDS WEST FOR A DISTANCE OF 5.34 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 00 DEGREES 29 MINUTES 58 SECONDS WEST FOR A DISTANCE OF 13.33 FEET; THENCE SOUTH 00 DEGREES 04 MINUTES 08 SECONDS EAST FOR A DISTANCE OF 21.94 FEET; THENCE SOUTH 00 DEGREES 29 MINUTES 13 SECONDS WEST FOR A DISTANCE OF 5.40 FEET; THENCE SOUTH 89 DEGREES 30 MINUTES 35 SECONDS EAST FOR A DISTANCE OF 4.85 FEET; THENCE SOUTH 00 DEGREES 30 MINUTES 22 SECONDS WEST FOR A DISTANCE OF 2.10 FEET; THENCE SOUTH 89 DEGREES 30 MINUTES 28 SECONDS EAST FOR A DISTANCE OF 14.38 FEET; THENCE NORTH 00 DEGREES 30 MINUTES 14 SECONDS EAST FOR A DISTANCE OF 2.94 FEET; THENCE SOUTH 89 DEGREES 31 MINUTES 10 SECONDS EAST FOR A DISTANCE OF 4.95 FEET; THENCE SOUTH 44 DEGREES 19 MINUTES 32 SECONDS EAST FOR A DISTANCE OF 6.84 FEET; THENCE SOUTH 89 DEGREES 31 MINUTES 03 SECONDS EAST FOR A DISTANCE OF 39.95 FEET; THENCE NORTH 00 DEGREES 29 MINUTES 31 SECONDS EAST FOR A DISTANCE OF 20.19 FEET; THENCE NORTH 89 DEGREES 31 MINUTES 05 SECONDS WEST FOR A DISTANCE OF 5.50 FEET; THENCE NORTH 00 DEGREES 29 MINUTES 37 SECONDS EAST FOR A DISTANCE OF 2.55 FEET; THENCE SOUTH 89 DEGREES 31 MINUTES 16 SECONDS EAST FOR A DISTANCE OF 5.03 FEET; THENCE NORTH 00 DEGREES 30 MINUTES 11 SECONDS EAST FOR A DISTANCE OF 2.73 FEET; THENCE NORTH 89 DEGREES 31 MINUTES 41 SECONDS WEST FOR A DISTANCE OF 9.78 FEET; THENCE NORTH 00 DEGREES 30 MINUTES 04 SECONDS EAST FOR A DISTANCE OF 16.08 FEET; THENCE SOUTH 89 DEGREES 31 MINUTES 41 SECONDS EAST FOR A DISTANCE OF 9.78 FEET; THENCE NORTH 00 DEGREES 29 MINUTES 47 SECONDS EAST FOR A DISTANCE OF 1.47 FEET; THENCE NORTH 89 DEGREES 29 MINUTES 37 SECONDS WEST FOR A DISTANCE OF 1.27 FEET; THENCE NORTH 00 DEGREES 29 MINUTES 31 SECONDS EAST FOR A DISTANCE OF 1.65 FEET; THENCE NORTH 89 DEGREES 29 MINUTES 33 SECONDS WEST FOR A DISTANCE OF 5.79 FEET; THENCE NORTH 00 DEGREES 29 MINUTES 16 SECONDS EAST FOR A DISTANCE OF 3.27 FEET; THENCE NORTH 89 DEGREES 30 MINUTES 05 SECONDS WEST FOR A DISTANCE OF 20.26 FEET; THENCE SOUTH 00 DEGREES 29 MINUTES 57 SECONDS WEST FOR A DISTANCE OF 3.25 FEET; THENCE NORTH 89 DEGREES 30 MINUTES 09 SECONDS WEST FOR A DISTANCE OF 5.85 FEET; THENCE SOUTH 00 DEGREES 29 MINUTES 22 SECONDS WEST FOR A DISTANCE OF 1.60 FEET; THENCE NORTH 89 DEGREES 29 MINUTES 43 SECONDS WEST FOR A DISTANCE OF 2.55 FEET; THENCE NORTH 00 DEGREES 29 MINUTES 51 SECONDS EAST FOR A DISTANCE OF 1.63 FEET; THENCE NORTH 89 DEGREES 29 MINUTES 52 SECONDS WEST FOR A DISTANCE OF 5.85 FEET; THENCE NORTH 00 DEGREES 30 MINUTES 01 SECONDS EAST FOR A DISTANCE OF 3.30 FEET; THENCE NORTH 89 DEGREES 30 MINUTES 09 SECONDS WEST FOR A DISTANCE OF 20.25 FEET; THENCE SOUTH 00

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DEGREES 30 MINUTES 04 SECONDS WEST FOR A DISTANCE OF 3.35 FEET; THENCE NORTH 89 DEGREES 29 MINUTES 59 SECONDS WEST FOR A DISTANCE OF 5.87 FEET TO THE POINT OF BEGINNING; AND ALSO EXCEPTING:

EXCEPTION 2: THAT PART OF THE ABOVE DESCRIBED TRACT LYING ABOVE A HORIZONTAL PLANE HAVING AN ELEVATION OF +27.51' CCD AND LYING BELOW A HORIZONTAL PLANE HAVING AN ELEVATION OF +38.10' CCD DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF SAID TRACT THENCE SOUTH 89 DEGREES 27 MINUTES 44 SECONDS EAST (ASSUMED) ALONG THE NORTH LINE OF SAID TRACT FOR A DISTANCE OF 38.96 FEET; THENCE SOUTH 00 DEGREES 32 MINUTES 16 SECONDS WEST FOR A DISTANCE OF 0.89 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 00 DEGREES 29 MINUTES 19 SECONDS WEST FOR A DISTANCE OF 3.15 FEET; THENCE NORTH 89 DEGREES 30 MINUTES 58 SECONDS WEST FOR A DISTANCE OF 1.50 FEET; THENCE SOUTH 00 DEGREES 29 MINUTES 05 SECONDS WEST FOR A DISTANCE OF 23.14 FEET; THENCE SOUTH 89 DEGREES 29 MINUTES 48 SECONDS EAST FOR A DISTANCE OF 1.50 FEET; THENCE SOUTH 00 DEGREES 29 MINUTES 23 SECONDS WEST FOR A DISTANCE OF 3.20 FEET; THENCE NORTH 89 DEGREES 29 MINUTES 48 SECONDS WEST FOR A DISTANCE OF 1.50 FEET; THENCE SOUTH 00 DEGREES 29 MINUTES 05 SECONDS WEST FOR A DISTANCE OF 16.39 FEET; THENCE SOUTH 89 DEGREES 29 MINUTES 47 SECONDS EAST FOR A DISTANCE OF 1.50 FEET; THENCE SOUTH 00 DEGREES 28 MINUTES 54 SECONDS WEST FOR A DISTANCE OF 11.79 FEET; THENCE SOUTH 89 DEGREES 29 MINUTES 51 SECONDS EAST FOR A DISTANCE OF 25.61 FEET; THENCE NORTH 00 DEGREES 29 MINUTES 24 SECONDS EAST FOR A DISTANCE OF 9.25 FEET; THENCE SOUTH 89 DEGREES 31 MINUTES 43 SECONDS EAST FOR A DISTANCE OF 6.35 FEET; THENCE NORTH 00 DEGREES 29 MINUTES 12 SECONDS EAST FOR A DISTANCE OF 8.45 FEET; THENCE SOUTH 89 DEGREES 31 MINUTES 22 SECONDS EAST FOR A DISTANCE OF 2.17 FEET; THENCE NORTH 00 DEGREES 29 MINUTES 16 SECONDS EAST FOR A DISTANCE OF 21.85 FEET; THENCE NORTH 89 DEGREES 31 MINUTES 22 SECONDS WEST FOR A DISTANCE OF 2.17 FEET; THENCE NORTH 00 DEGREES 29 MINUTES 15 SECONDS EAST FOR A DISTANCE OF 18.13 FEET; THENCE NORTH 89 DEGREES 30 MINUTES 57 SECONDS WEST FOR A DISTANCE OF 31.56 FEET TO THE POINT OF BEGINNING; ALSO EXCEPTING THAT PART OF SAID TRACT LYING ABOVE A HORIZONTAL PLANE HAVING AN ELEVATION OF +27.51' CCD AND LYING BELOW AN INCLINED PLANE DESCRIBED AS: COMMENCING AT THE NORTHWEST CORNER OF SAID TRACT; THENCE SOUTH 89 DEGREES 27 MINUTES 44 SECONDS EAST (ASSUMED) ALONG THE NORTH LINE OF SAID TRACT FOR A DISTANCE OF 73.09 FEET; THENCE SOUTH 00 DEGREES 32 MINUTES 16 SECONDS WEST FOR A DISTANCE OF 0.86 FEET TO A POINT HAVING AN ELEVATION OF +38.10' CCD FOR THE POINT OF BEGINNING; THENCE SOUTH 00 DEGREES 29 MINUTES 15 SECONDS WEST FOR A DISTANCE OF 18.13 FEET; THENCE SOUTH 00 DEGREES 29 MINUTES 16 SECONDS WEST FOR A DISTANCE OF 21.85 FEET TO A POINT HAVING AN ELEVATION OF +38.10' CCD; THENCE SOUTH 89 DEGREES 31 MINUTES 25 SECONDS EAST FOR A DISTANCE OF 17.27 FEET; THENCE SOUTH 00 DEGREES 29 MINUTES 27 SECONDS WEST FOR A DISTANCE OF 8.38 FEET; THENCE SOUTH 89 DEGREES 31 MINUTES 25 SECONDS EAST FOR A DISTANCE OF 16.80 FEET; THENCE NORTH 00 DEGREES 29 MINUTES 33 SECONDS EAST FOR A DISTANCE OF 8.35 FEET; THENCE SOUTH 89 DEGREES 30 MINUTES 54 SECONDS EAST FOR A DISTANCE OF 0.75 FEET TO A POINT HAVING AN ELEVATION OF +35.53' CCD; THENCE NORTH 00 DEGREES 29 MINUTES 27 SECONDS EAST FOR A DISTANCE OF 36.76 FEET TO A POINT HAVING AN ELEVATION OF +35.53' CCD; THENCE NORTH 89 DEGREES 31 MINUTES 08 SECONDS WEST FOR A DISTANCE OF 2.50 FEET; THENCE NORTH 00 DEGREES 29 MINUTES 26 SECONDS EAST FOR A DISTANCE OF 3.25 FEET; THENCE NORTH 89 DEGREES 30 MINUTES 58 SECONDS WEST FOR A DISTANCE OF 32.32 FEET TO THE POINT OF BEGINNING;

EXCEPTION 3: THE FOLLOWING PROPOSED UNITS P-2, P-4, P-5, P-8, P-11T, P-13, P-14,

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P-16, P-17, P-23, P-24, P-26, P-27, P-30, P-31, P-37, P-38, P-39T, P-41T, P-45,
P-46, P-55, P-58, P-59, P-60, P-62, P-66, P-67, P-69, P-70, P-71, P-72, P-73,
P-74, P-76, P-77T, P-78, P-80, P-82, P-89, P-91, P-92, P-93, P-98T, P-99T,
P-101, P-104, P-108, P-114, P-118, P-119, P-121, P-122, P-126T, P-127, P-128,
P-129, P-134, P-135T, P-138, P-141, P-143, P-144, P-146, P-148, P-150, P-157T,
P-158, P-161, P-163, P-164, P-165, P-169, P-170, P-171, P-173, P-174, P-175,
P-176, P-178, P-180, P-183, P-184T, P-185, P-188, P-189, P-190, P-193T, P-195,
P-198, P-199, P-200, P-201, P-202, P-206, P-207, P-211, P-214T, P-215T, P-221,
P-227, P-231, P-232, P-234, P-235, P-236, P-239, P-241, P-243, P-244, P-245,
P-246, P-247, P-250, P-255, P-257, P-259, P-260, P-262, P-264, P-267, P-269,
P-270, P-271T, P-272T, P-273T, P-274, P-275, P-276, P-277, P-281, P-282, P-288,
P-290, P-292, P-293, P-295, P-297, P-301, P-302, P-304, P-306, P-309T, P-311,
P-314, P-315, P-316, P-317, P-318, P-319, P-321, P-322, P-324, P-326, P-330T,
P-331T, P-332, P-336, P-344, P-349, P-351, P-355, P-357, P-361, P-364, P-367T,
P-368, P-370, P-374, P-375, P-377, P-378, P-387T, P-388T, P-389T, P-390, P-391,
P-397, P-398, P-399, P-404, P-406, P-408, P-411, P-413, P-414, P-416T, P-425T,
P-426, P-427, P-431, P-441, P-445T, P-446T, P-447T, P-451, P-454, P-459, P-468,
P-469, P-471, P-472, P-477, P-479, P-480, P-483T, P-486, P-490, P-494, P-504T,
P-505T, P-506, P-508, P-517, P-518, P-521, P-524, P-560T, P-563, P-570, 2401,
2402, 2404, 2414, 2501, 2509, 2516, 2519, 2521, 2601, 2606, 2619, 2701, 2702,
2707, 2709, 2714, 2719, 2722, 2801, 2811, 2819, 2820, 2822, 2901, 2902, 2903,
2904, 2907, 2909, 2913, 2915, 2916, 2919, 2920, 2922, 3001, 3004, 3006, 3007,
3014, 3019, 3022, 3101, 3104, 3106, 3107, 3114, 3119, 3120, 3122, 3201, 3202,
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4115, 4116, 4119, 4122, 4204, 4205, 4206, 4207, 4211, 4213, 4214, 4215, 4216,
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4506, 4507, 4508, 4511, 4512, 4513, 4514, 4515, 4516, 4603, 4611, 4612, 4613,
4614, 4616, ALL IN COOK COUNTY, ILLINOIS.

UNITS ADDED IN THIS SUBMISSION ARE: 2507, 3521, 2609, 3016, 2711, 3116, 2616,
P-439, P-558T, P-152, P-529, P-28, ALL UNITS EXISTING AND PROPOSED ARE IN THE
CONDOMINIUM AS DEFINED IN THE DECLARATION OF CONDOMINIUM OWNERSHIP AND OF
EASEMENTS, RESTRICTIONS, COVENANTS, AND BYLAWS FOR THE 235 W. VAN BUREN
CONDOMINIUMS DATED THE 5TH DAY OF JUNE, 2009, AS DOCUMENT NUMBER 0915934034
ALL
IN COOK COUNTY, ILLINOIS.

{13098:345:00920639.DOC:}scca/03391.0001/d621

UNOFFICIAL COPY**EXHIBIT "C"****PERCENTAGE OWNERSHIP**

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EXHIBIT

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