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Doc#: 1328922099 Fee: \$62.00
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Karen A. Yarbrough
Cook County Recorder of Deeds
Date: 10/16/2013 03:32 PM Pg: 1 of 13

RECORDER'S STAMP

Property of Cook County Clerk's Office

SECOND AMENDMENT TO DECLARATION OF CONDOMINIUM FOR
LINCOLN ATRIUM CONDOMINIUM

RECORDING FEE 62
DATE 10-16-13 COPIES 6
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SECOND AMENDMENT TO DECLARATION OF CONDOMINIUM FOR LINCOLN ATRIUM CONDOMINIUM

THIS SECOND AMENDMENT TO DECLARATION OF CONDOMINIUM FOR THE LINCOLN ATRIUM CONDOMINIUM (this "Second Amendment") is made and entered into as of the 15th day of October, 2013 by National Realty Holdings, LLC, an Illinois company (hereinafter referred to as the "Building Owner").

RECITALS:

WHEREAS, pursuant to the terms of that certain Declaration of Condominium for the Lincoln Atrium Condominium dated as of January 16, 2004, and recorded in the office of the Recorder of Deeds of Cook County, Illinois on January 22, 2004, as Document No. 0402232122 as amended as of July 14, 2005, and recorded in the office of Recorder of Deeds of Cook County, Illinois on July 18, 2005, as Document No. 0519903017 (the "Declaration"), certain property located at 125, 135 and 145 Algonquin Road, Arlington Heights, Illinois was subjected to the provisions of the Condominium Property Act of the State of Illinois (765 ILCS 605/1 *et seq.*) (the "Act"), and Attachment 1 hereto is the legal description of 145 Algonquin Road, Arlington Heights, Illinois, and capitalized terms not expressly defined herein shall have the meanings ascribed to such terms in the Declaration; and

WHEREAS, pursuant to Article III of the Declaration, each Building Owner expressly reserved the right to subdivide Condominium Property Units pursuant to Section 31 of the Act; and

WHEREAS, Building Owner is the owner of 145 Algonquin Road, Arlington Heights, Illinois, (the "Building") and desires and elects to subdivide Unit 1 (comprising the entire Building) and thereby create Units 1A and 1B and subject such Units to the terms of the Declaration.

NOW THEREFORE, the Building Owner, as the legal title holder of Unit 1, and for the purposes above set forth, hereby declares that the Declaration is hereby amended as follows:

1. Unit 1 of the Building is hereby subdivided into Units 1A and 1B which, together with an Atrium, replace Unit 1, and such Units are added to the Condominium Property and are hereby submitted to the provisions of the Act and shall be deemed to be governed by the terms and provisions of the Declaration. This Amendment shall constitute a Declaration amendment under the terms of the Declaration.
2. The Plat attached to the Declaration as Exhibit D, is hereby amended by deleting Unit 1 of the Building and substituting therefor the plat of survey of Units 1, 1A, and 1B, which is attached hereto as Attachment 4 (the Unit 1/Unit 1A/Unit 1B Plat). All references in the Declaration to the Plat shall be deemed to refer to the Plat as supplemented and amended by the Unit 1/Unit 1A/Unit 1B Plat. The addition of the Unit 1/Unit 1A/Unit 1B Plat to the Plat as set forth hereunder shall be deemed to be a Plat amendment under the terms of the Declaration. The Unit 1 created hereby and shown on Attachment 4 shall constitute a portion of 135 Algonquin Road building. Ingress and egress to and from Unit 1 shall only be through the 135 Building Atrium.

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3. All references in the Declaration to the Units shall be deemed to refer to the Units set forth in Attachment 2 attached hereto and by this reference made a part thereof; which are depicted on the Plat and on the Unit 1/Unit 1A/Unit 1B Plat.
4. The Atrium Corridor shown on the Unit 1/Unit 1A/Unit 1B Plat and the Canopy at the north end thereof are hereby designated as Limited Common Elements for the benefit of Units 1A and 1B.
5. All references in the Declaration to the Undivided Interests shall be deemed to refer to the Undivided Interests set forth in Attachment 2 hereto and by this reference made a part thereof. Attachment 2 is hereby substituted for Exhibit E to the Declaration, such that all references in the Declaration to Exhibit E shall be deemed to refer to Attachment 2.
6. All references in the Declaration to the Limited Common Elements or Limited Common Element Expense Allocation shall be deemed to refer to the Limited Common Element Expense Allocation set forth in Attachment 3 attached hereto and by this reference made a part hereof. Attachment 3 is hereby substituted for Exhibit C to the Declaration, such that all referenced in the Declaration to Exhibit C shall be deemed to refer to Attachment 3.
7. All references in the Declaration to the Declaration shall mean the Declaration as amended hereby. Except as otherwise expressly amended by this Second Amendment, the Declaration shall remain in full force and effect.
8. Attached hereto as Attachment 5 is the Acceptance of this Second Amendment by Xilin Association, contract purchaser of Unit 1A.

IN WITNESS WHEREOF, the Building Owner has caused this Second Amendment to be executed as of the date first above written.

National Realty Holdings, LLC

By: Peter M. How
 Name: Peter M. How
 Title: manager

STATE OF ILLINOIS)
)
 COUNTY OF COOK) SS.

I, MARY M. GLASSIE, a Notary Public in and for County and State aforesaid, do hereby certify that Peter M. How, the managing member of National Realty Holdings, LLC, an Illinois company, personally known to me to be the same person whose name is subscribed to the foregoing instrument as such managing member, appeared before me this day in person and acknowledged that he signed and delivered the said instrument as

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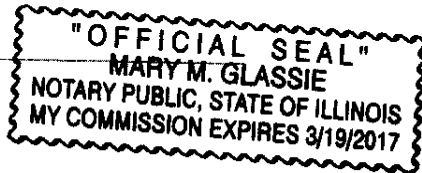
his own free and voluntary act, and as the free and voluntary act of said liability company, for the uses and purposes therein set forth.

Given under my hand and Notarial Seal this 15th day of Oct., 2013.

Mary M. Glassie

Notary Public

My Commission Expires:



Prepared by & mail to:

Peter How
American Midwest Bank
321 West Golf Road
Schaumburg, IL 60196

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File Number: 12-1209

ATTACHMENT 1

**TO
SECOND AMENDMENT TO DECLARATION OF CONDOMINIUM OWNERSHIP
FOR
LINCOLN ATRIUM CONDOMINIUM**

LEGAL DESCRIPTION

UNIT 1 IN THE LINCOLN ATRIUM CONDOMINIUM, AS DELINEATED ON A SURVEY OF THE FOLLOWING DESCRIBED REAL ESTATE:

PARCEL A:

THAT PART OF LOT 2 IN LINCOLN EXECUTIVE PLAZA RESUBDIVISION, BEING A RESUBDIVISION OF PART OF LOT 2 IN AUGUST BUSSE'S DIVISION OF PART OF THE EAST 1/2 OF SECTION 16, TOWNSHIP 41 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED NOVEMBER 12, 1981 AS DOCUMENT 26056020, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT IN THE EAST LINE OF LOT 2, SAID POINT BEING 505.81 FEET, AS MEASURED ALONG SAID EAST LINE, NORTH OF THE SOUTHEAST CORNER OF SAID LOT 2; THENCE SOUTH 00 DEGREE, 01 MINUTE, 27 SECONDS WEST ALONG THE EAST LINE OF SAID LOT 2, A DISTANCE OF 505.81 FEET TO THE SOUTHEAST CORNER THEREOF; THENCE NORTH 89 DEGREES, 58 MINUTES, 33 SECONDS WEST ALONG THE SOUTH LINE OF SAID LOT 2, A DISTANCE OF 39.76 FEET (RECORDED 39.75 FEET) TO THE MOST SOUTHERLY SOUTHWEST CORNER OF SAID LOT 2; THE FOLLOWING 3 COURSES ARE ALONG THE WESTERLY LINE OF SAID LOT 2; THENCE NORTH 08 DEGREES, 28 MINUTES, 33 SECONDS WEST, A DISTANCE OF 70.94 FEET (RECORDED 70.88 FEET) TO AN ANGLE POINT IN SAID LINE; THENCE NORTH 33 DEGREES, 58 MINUTES, 33 SECONDS WEST, A DISTANCE OF 182.00 FEET TO AN ANGLE POINT IN SAID LINE; THENCE NORTH 00 DEGREE, 01 MINUTE, 27 SECONDS EAST, A DISTANCE OF 284.77 FEET TO A CORNER OF SAID LOT 2; THENCE SOUTH 89 DEGREES, 58 MINUTES, 33 SECONDS EAST, A DISTANCE OF 152.02 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS.

PARCEL B:

LOT 1 IN LINCOLN EXECUTIVE PLAZA RESUBDIVISION, BEING A RESUBDIVISION OF PART OF LOT 2 IN AUGUST BUSSE'S DIVISION OF PART OF THE EAST 1/2 OF SECTION 16, TOWNSHIP 41 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED NOVEMBER 12, 1981 AS DOCUMENT 26056020 (EXCEPT THAT PORTION OF LOT 1 TAKEN BY CONDEMNATION IN CASE 94 L 50202 AND EXCEPT THAT PART OF LOT 1 IN LINCOLN EXECUTIVE PLAZA RESUBDIVISION, BEING A RESUBDIVISION OF PART OF LOT 2 IN AUGUST BUSSE'S DIVISION PART OF

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THE EAST 1/2 OF SECTION 16, TOWNSHIP 41 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED NOVEMBER 12, 1981 AS DOCUMENT 26056020, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID LOT 1; THENCE SOUTH 27 DEGREES, 05 MINUTES, 35 SECONDS WEST ALONG THE WESTERLY LINE OF SAID LOT 1, A DISTANCE OF 11.27 FEET TO THE POINT OF BEGINNING AT THE SOUTHWESTERLY LINE OF ALGONQUIN ROAD AS WIDENED; THENCE SOUTH 63 DEGREES, 11 MINUTES, 02 SECONDS EAST ALONG SAID SOUTHWESTERLY LINE OF ALGONQUIN ROAD AS WIDENED, A DISTANCE OF 15.70 FEET (SAID SOUTHWESTERLY LINE OF ALGONQUIN ROAD AS WIDENED, BEING A STRAIGHT LINE DRAWN FROM A POINT ON THE WESTERLY LINE OF SAID LOT 1, A DISTANCE OF 11.27 FEET AS MEASURED ALONG SAID WESTERLY LINE, SOUTHERLY OF THE NORTHWEST CORNER OF SAID LOT 1 TO A POINT ON THE EAST LINE OF SAID LOT 1, A DISTANCE OF 11.18 FEET, AS MEASURED ALONG SAID EAST LINE, SOUTH OF THE NORTHEAST CORNER OF SAID LOT 1); THENCE SOUTH 26 DEGREES, 48 MINUTES, 58 SECONDS WEST, A DISTANCE OF 21.29 FEET; THENCE SOUTH 06 DEGREES, 56 MINUTES, 53 SECONDS EAST, A DISTANCE OF 22.07 FEET; THENCE SOUTH 49 DEGREES, 43 MINUTES, 46 SECONDS EAST, A DISTANCE OF 33.35 FEET; THENCE SOUTH 40 DEGREES, 16 MINUTES, 14 SECONDS WEST, A DISTANCE OF 104.60 FEET TO A POINT OF CURVATURE; THENCE SOUTHWESTERLY ALONG A CURVED LINE CONVEX NORTHWESTERLY, HAVING A RADIUS OF 225.00 FEET AND BEING TANGENT TO SAID LAST DESCRIBED LINE AT THE SAID LAST DESCRIBED POINT, AN ARC DISTANCE OF 5.12 FEET TO THE WEST LINE OF SAID LOT 1 (THE CHORD OF SAID ARC BEARS SOUTH 39 DEGREES, 37 MINUTES, 07 SECONDS WEST, A DISTANCE OF 5.12 FEET); THENCE NORTH 00 DEGREE, 01 MINUTE, 27 SECONDS EAST ALONG THE WEST LINE OF SAID LOT 1, A DISTANCE OF 78.40 FEET TO AN ANGLE POINT IN SAID LINE; THENCE NORTH 27 DEGREES, 05 MINUTES, 35 SECONDS EAST ALONG THE WESTERLY LINE OF SAID LOT 1, A DISTANCE OF 84.15 FEET TO THE POINT OF BEGINNING), WHICH SURVEY IS ATTACHED AS EXHIBIT "D" TO THE DECLARATION OF CONDOMINIUM RECORDED JANUARY 22, 2004 AS DOCUMENT 0402232122, AS AMENDED FROM TIME TO TIME TOGETHER WITH ITS UNDIVIDED PERCENTAGE INTEREST IN THE COMMON ELEMENTS, IN COOK COUNTY, ILLINOIS.

08-16-401-042-1001

UNOFFICIAL COPY**ATTACHMENT 2****TO
SECOND AMENDMENT TO DECLARATION OF CONDOMINIUM FOR
LINCOLN ATRIUM CONDOMINIUM****UNDIVIDED INTERESTS**

<u>Unit No.</u>	<u>Rental Square Feet of Building</u>	<u>Undivided Interests</u>
1	3,282	4.601%
1A	13,113	18.385%
1B	12,832	17.991%
2A	3,480	4.879%
2B	2,786	3.906%
3	7,586	10.636%
4	2,020	2.832%
5	26,226	<u>36.770%</u> 100%

UNOFFICIAL COPY**ATTACHMENT 3****TO
SECOND AMENDMENT TO DECLARATION OF CONDOMINIUM FOR
LINCOLN ATRIUM CONDOMINIUM****LIMITED COMMON ELEMENT
EXPENSE ALLOCATION****125 ALGONQUIN ROAD BUILDING**

Unit	Square Feet of Building	Limited Common Element Expense Allocation
No. 5	<u>26,226</u>	100%

135 ALGONQUIN ROAD BUILDING

Unit	Square Feet of Building	Limited Common Element Expense Allocation
No. 1	3,282	17.135%
No. 2A	3,480	18.169%
No. 2B	2,786	14.545%
No. 3	7,586	39.605%
No. 4	<u>2,020</u>	<u>10.546%</u>
	<u>19,154</u>	100%

145 ALGONQUIN ROAD BUILDING

Unit	Square Feet of Building	Limited Common Element Expense Allocation
No. 1A	13,113	50.541%
No. 1B	<u>12,832</u>	<u>49.459%</u>
	<u>25,945</u>	100%

Total Building Area	<u>71,325</u>
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ATTACHMENT 5

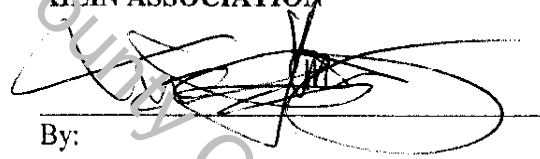
ACCEPTANCE OF SECOND AMENDMENT TO DECLARATION OF CONDOMINIUM FOR LINCOLN ATRIUM CONDOMINIUM

Xilin Association, being an Illinois not-for-profit corporation, with its principal office at 1163 E. Ogden Avenue, Suite 301, Naperville, Illinois, 60563, and the prospective purchaser of Unit 1A shown on the Unit 1/Unit 1A/Unit 1B Plat, attached hereto as Attachment 4, hereby states and agrees as follows:

1. Xilin Association acquiesces in and accepts the Second Amendment to Declaration of Condominium for Lincoln Atrium Condominium, said Declaration being made by National Realty Holdings, LLC, an Illinois Limited Liability Company, and owner of said Unit

2. To the extent that said Declaration amends the description of the property being purchased by Xilin Association pursuant to the Commercial Real Estate Purchase and Sale Agreement entered into between Xilin Association and National Realty Holdings, LLC on September 19, 2012, Xilin Association agrees with and accepts said Amendment.

XILIN ASSOCIATION


By: _____

Cook County Clerk's Office

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ATTACHMENT 6

LINCOLN ATRIUM CONDOMINIUM ASSOCIATION

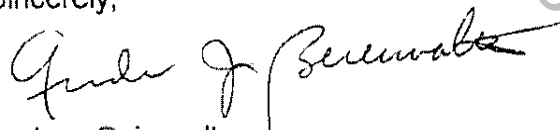
August 28, 2013

Mr. Howard Samson
Greater Metropolitan Title, LLC
175 E. Hawthorn Parkway
Vernon Hills, IL 60061

Dear Mr. Samson,

This letter is to hereby notify you that a Special Owners' Meeting of the Lincoln Atrium Condominium Association was held by telephone conference on August 23, 2013 and it was voted to approve the Second Amendment to the Declaration of Condominium for Lincoln Atrium Condominium and related survey showing Unit 1 of the 135 Building and the division of the 145 Building into Units 1A and 1B.

Sincerely,



Andrew Beierwaltes
Secretary

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EXHIBIT

ATTACHED TO

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DOCUMENT

SEE PLAT INDEX

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