THIS INSTRUMENT PREPARED BY AND AFTER RECORDING MAIL TO:

GRIFFIN & GALLAGHER, LLC 10001 S. Roberts Road Palos Hills, Illinois 60465 (708) 598-6800



1429534080 Fee: \$62.00 RHSP Fee:\$9.00 RPRF Fee: \$1.00

Karen A.Yarbrough

Cook County Recorder of Deeds Date: 10/22/2014 01:52 PM Pg: 1 of 13

FIRST SPECIAL AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS

FOR

1349-1351 WEST BELMONT

THIS FIRST SPECIAL AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS FOR 1349-1351 WEST BELMONT is made and entered into this 20th day of October, 2014 by Barrett Properties, LLC ("The Declarant").

WITNESSETH:

WHEREAS, by the Declaration of Covenants, Conditions, Restrictions and Easements for 1349-1351 West Belmont ("Declaration") recorded in the Office of the Recorder of Deeds of County, Illinois, as Document No. 1425429124, Barrett Properties, LLC submitted actiain real estate (the "Property") to the provisions of the Declaration, and

WHEREAS, BY SECTION 23.6 of the Declaration the right is reserved in the Developer, Barrett Properties, LLC to correct clerical errors in the recorded Documents being the Declaration or Plat of Survey; and

WHEREAS, the Surveyor used elevation measurements "NAVD" and elevations "CCD" or City Chicago Datum are required by the Cook County Divisions Department; and

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WHEREAS, Barrett Properties, LLC was the legal title holder of the following described real estate which was submitted to the terms of the Declaration, recorded as document number 1425429124 to wit:

LOTS 155 AND LOT 156 IN JOHN P. ALTGELD'S SUBDIVISION OF BLOCKS 1, 2, 3, 4, 7 AND THE NORTH 1/2 OF BLOCK 6 IN THE SUBDIVISION OF THAT PART LYING NORTHEASTERLY OF THE CENTER LINE OF LINCOLN AVENUE OF THE NORTHWEST 1/4 OF SECTION 29, TOWNSHIP 40 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

PROPERTY ADDRESS: 1349-1351 West Belmont, Chicago, Illinois 60657 PIN: 14-29-102-011-0000 & 14-29-102-012-0000 (PIQ & OP).

NOW, THEREFOLE, Barrett Properties, LLC as the declarant holder and as the developer, and for the purpose above set forth, hereby declares that the Declaration be and hereby is amended as follows.

- 1. Exhibit A is hereby deleted and the revised Exhibit A attached hereto is hereby incorporated into the De la ation.
- 2. Exhibit B is hereby deleted and the revised Exhibit B attached hereto is hereby incorporated into the Declaration.
- 3. Exhibit C is hereby deleted and the revised Exhibit C attached hereto is hereby incorporated into the Declaration.
- 4. Exhibit D is hereby deleted and the revised Exhibit D attached hereto is hereby incorporated into the Declaration.

Except as expressly set forth herein, the Declaration shall remain in full force and effect in accordance with its terms

1429534080 Page: 3 of 9

Barrett Properties, LLC

UNOFFICIAL COPY

Signed by the Declarant and Developer as of the day and year first above written.

An Illinois Company STATE OF ILLINOIS)) SS. COUNTY OF COOK) I, Notary Public in and for said County, in the State of foresaid, DO HEREBY CERTIFY that John Barrett personally known to me to be the same person whose name is subscribed to the foregoing instrument as said member/manager, appeared before me this day in person, and acknowledged that he signed, sealed and delivered the said instrument as his free and voluntary act, and as the free and voluntary act of the company for the uses and purposes therein set forth, including the release and waiver of the right of homes end. GIVEN under my hand and Notarial Seal this _20 day of _0 c tobev_, 2014. MY COMMISSION EXPIRES: 1-12-2018

1429534080 Page: 4 of 9

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CONSENT OF MORTGAGEE

State Bank of Countryside. holder of mortgages on the property recorded March 1, 2013 and August 10, 2013 as Document Numbers 130603308 and 132910102 hereby consents to the *Amendment to execution and recording of the within Declaration of Covenants, Conditions, Restrictions and Easements for 1349-1351 and agrees that said mortgages are subject to the provisions of said Declaration.

IN WITNESS WHEREOF, the said <u>State Bank of Countryside</u> has caused this instrument to be signed by its duly authorized officers on its behalf, all done at Countryside, Illinois on this day of October , 2014.

STATE OF ILLINOIS)
) S
COUNTY OF COOK)

I, the undersigned, a Notary Public in and for the County and State aforesaid Do Hereby Certify that Mary McNally, Senior Vice President, of <u>State Bank of Countryside</u>, personally known to me to be the same person whose name is subscribed to the foregoing instrument as such officer appeared before me this day in person and acknowledged that site signed, sealed and delivered said instrument as her 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 20h day of OcroBER, 2014

NOTARY PUBLIC

MY COMMISSION EXPIRES: $\frac{10/26/16}{}$

Official Seal
Barbara tovinelli
Notary Public State of Illinois
My Commission Expires 10/26/2015

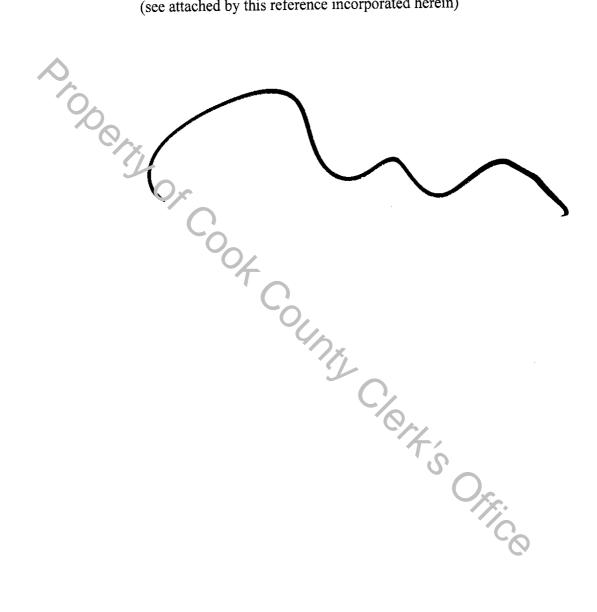
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1429534080 Page: 5 of 9

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REVISED EXHIBIT A SURVEY OF DEVELOPMENT AREA

(see attached by this reference incorporated herein)



REVISED EXHIBIT B LEGAL DESCRIPTION OF RESIDENTIAL NON-CONDOMINIUM PARCEL

LOTS 155 AND 156 IN JOHN P. ALTGELD'S SUBDIVISION OF BLOCKS 1, 2, 3, 4, 7 AND THE NORTH HALF OF BLOCK 6 IN THE SUBDIVISION OF THAT PART LYING NORTHEASTERLY OF THE CENTER LINE OF LINCOLN AVENUE OF THE NORTHWEST QUARTER OF SECTION 29, TOWNSHIP 40 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, EXCEPTING THEREFROM THAT PART DESCRIBED AS FOLLOWS:

COMMERCIAL UNIT C-1E:

THE FOLLOWING PARCEL OF LAND LYING ABOVE A HORIZONTAL PLANE AT ELEVATION 17.45 FEET (CCD) AND LYING BELOW A HORIZONTAL PLANE AT ELEVATION 29.25 FEET (CCD) DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT THAT IS 1.00 FEET SOUTH AND 1.00 FEET WEST OF THE NORTHEAST CORNER OF SAID LOTS 155 AND 156; THENCE SOUTH A DISTANCE OF 44.29 FEET; THENCE WEST A DISTANCE OF 3.50 FEET; THENCE SOUTH A DISTANCE OF 9.33 FEET; THENCE EAST A DISTANCE OF 2.36 FEET; THENCE SOUTH A DISTANCE OF 5.94 FEET; THENCE WEST A DISTANCE OF 17.19 FEET; THENCE NORTH A DISTANCE OF 20.86 FEET; THENCE EAST A DISTANCE OF 2.53 FEET; THENCE NORTH A DISTANCE OF 6.75 FEET; THENCE WEST A DISTANCE OF 2.53 FEET; THENCE NORTH A DISTANCE OF 23.93 FEET; THENCE EAST A DISTANCE OF 4.75 FEET; THENCE NORTH A DISTANCE OF 9.64 FEET; THENCE EAST A DISTANCE OF 14.57 FEET; THENCE NORTH A DISTANCE OF 9.64

AND. EXCEPTING THEREFROM THAT PART DESCRIBED AS FOLLOWS:

COMMERCIAL UNIT C-1W:

THE FOLLOWING PARCEL OF LAND LYING ABOVE A HORIZONTAL PLANE AT ELEVATION 17.45 FEET (CCD) AND LYING BELOW A HORIZONTAL PLANE AT ELEVATION 29.25 FEET (CCD) DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT THAT IS 1.00 FEET SOUTH AND 1.40 FEET EAST OF THE NORTHWEST CORNER OF SAID LOTS 155 AND 156; THENCE EAST A DISTANCE OF 16.28 FEET; THENCE SOUTH A DISTANCE OF 9.15 FEET; THENCE EAST A DISTANCE OF 2.92 FEET; THENCE SOUTH A DISTANCE OF 24.36 FEET; THENCE WEST A DISTANCE OF 3.61 FEET; THENCE SOUTH A DISTANCE OF 18.85 FEET; THENCE WEST A DISTANCE OF 12.23 FEET; THENCE NORTH A DISTANCE OF 8.35 FEET; THENCE WEST A DISTANCE OF 2.95 FEET; THENCE NORTH A DISTANCE OF 43.83 FEET TO THE POINT OF BEGINNING, ALL IN COOK COUNTY, ILLINOIS.

PIN: 14-29-102-011-0000 & 14-29-102-012-0000 (PIQ & OP)

PROPERTY ADDRESS: 1349-1351 West Belmont Apartment 2E, 2W, 3E, 3W, 4E and 4W, Chicago, IL 60657

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REVISED EXHIBIT C LEGAL DESCRIPTION OF COMMERCIAL CONDOMINIUM PARCEL

COMMERCIAL UNIT C-1E:

THAT PART OF LOTS 155 AND LOT 156 IN JOHN P. ALTGELD'S SUBDIVISION OF BLOCKS 1, 2, 3, 4 AND 7 AND THE NORTH 1/2 OF BLOCK 6 IN THE SUBDIVISION OF THAT PART LYING NORTHEASTERLY OF THE CENTER LINE OF LINCOLN AVENUE OF THE NORTHWEST 1/4 OF SECTION 29, TOWNSHIP 40 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

THE FOLLOWING PARCEL OF LAND LYING ABOVE A HORIZONTAL PLANE AT ELEVATION 17.45 FEET (CCD) AND LYING BELOW A HORIZONTAL PLANE AT ELEVATION 29.25 FEET (CCD) DESCRIBED AS POLLOWS:

BEGINNING AT A PORT THAT IS 1.00 FEET SOUTH AND 1.00 FEET WEST OF THE NORTHEAST CORNER OF SAID LOTS 155 AND 156:

THENCE SOUTH A DISTANCE OF 44.29 FEET; THENCE WEST A DISTANCE OF 3.50 FEET; THENCE SOUTH A DISTANCE OF 5.33 FEET; THENCE EAST A DISTANCE OF 2.36 FEET; THENCE SOUTH A DISTANCE OF 5.94 FEET: THENCE WEST A DISTANCE OF 17.19 FEET; THENCE NORTH A DISTANCE OF 20.86 FEET; THENCE EAST A DISTANCE OF 2.57 FEET; THENCE NORTH A DISTANCE OF 6.75 FEET; THENCE WIS? A DISTANCE OF 2.58 FEET; THENCE NORTH A DISTANCE OF 23.93 FEET; THENCE EAST A DISTANCE OF 4.78 FEET; THENCE NORTH A DISTANCE OF 9.64 FEET; THENCE EAST A DISTANCE OF 14.57 FEET TO THE POINT OF BEGINNING;

COMMERCIAL UNIT C-1W:

THAT PART OF LOTS 155 AND LOT 156 IN JOHN P. ALTGELD'S SUBDIVISION OF BLOCKS 1, 2, 3, 4 AND 7 AND THE NORTH 1/2 OF BLOCK 6 IN THE SUBDIVISION OF THAT PART LYING NORTHEASTERLY OF THE CENTER LINE OF LINCOLN AY ENUF OF THE NORTHWEST 1/4 OF SECTION 29, TOWNSHIP 40 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

THE FOLLOWING PARCEL OF LAND LYING ABOVE A HORIZONTAL! CANE AT ELEVATION 17.45 FEET (CCD) AND LYING BELOW A HORIZONTAL PLANE AT ELEVATION 29.25 FEET (CCD) DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT THAT IS 1.00 FEET SOUTH AND 1.40 FEET EAST OF THE NORTHWEST CORNER OF SAID LOTS 155 AND 156;

THENCE EAST A DISTANCE OF 16.28 FEET; THENCE SOUTH A DISTANCE OF 9.15 FEET; THENCE EAST A DISTANCE OF 2.92 FEET; THENCE SOUTH A DISTANCE OF 24.36 FEET; THENCE WEST A DISTANCE OF 3.61 FEET; THENCE SOUTH A DISTANCE OF 18.85 FEET; THENCE WEST A DISTANCE OF 12.23 FEET; THENCE NORTH A DISTANCE OF 8.35 FEET; THENCE WEST A DISTANCE OF 2.95 FEET; THENCE NORTH A DISTANCE OF 43.83 FEET TO THE POINT OF BEGINNING, ALL IN COOK COUNTY, ILLINOIS.

PIN: 14-29-102-011-0000 & 14-29-102-012-0000 (PIQ & OP)
PROPERTY ADDRESS: 1349-1351 West Belmont, Commercial Units C-1E and C-1W, Chicago, IL 60657

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REVISED EXHIBIT D LEGAL DESCRIPTION OF ACCESS EASEMENTS

ACCESS EASEMENT (NORTH).

THAT PART OF LOTS 155 AND 156 IN JOHN P. ALTGELD'S SUBDIVISION OF BLOCKS 1, 2, 3, 4, 7 AND THE NORTH HALF OF BLOCK 6 IN THE SUBDIVISION OF THAT PART LYING NORTHEASTERLY OF THE CENTER LINE OF LINCOLN AVENUE OF THE NORTHWEST QUARTER OF SECTION 29, TOWNSHIP 40 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

THE FOLLOWING PARCEL OF LAND LYING ABOVE A HORIZONTAL PLANE AT ELEVATION 17.45 FEET (CCD) AND LYING BELOW A HORIZONTAL PLANE AT ELEVATION 29.25 FEET (CCD) DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT THAT IS 18.68 FEET EAST OF THE NORTHWEST CORNER OF SAID LOTS 155 AND 156:

THENCE SOUTH A DISTANCE OF 9.20 FEET; THENCE EAST A DISTANCE OF 15.25 FEET; THENCE NORTH A DISTANCE OF 3.95 FEET; THENCE WEST A DISTANCE OF 1.98 FEET; THENCE NORTH A DISTANCE OF 5.32 FEET; THENCE WEST A DISTANCE OF 13.27 FEET, TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS.

ACCESS EASEMENT (SOUTH - ALCOVE)

THAT PART OF LOTS 155 AND 156 IN JOHN P. AT TGELD'S SUBDIVISION OF BLOCKS 1, 2, 3, 4, 7 AND THE NORTH HALF OF BLOCK 6 IN THE SUBDIVISION OF THAT PART LYING NORTHEASTERLY OF THE CENTER LINE OF LINCOLN AVENUE OF THE NORTHWEST QUARTER OF SECTION 29, TOWNS' IIP 40 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

THE FOLLOWING PARCEL OF LAND LYING ABOVE A HORIZONTAL PLANE AT ELEVATION 17.45 FEET (CCD) AND LYING BELOW A HORIZONTAL PLANE AT ELEVATION 29.25 FEET (CCD) DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT THAT IS 82.88 SOUTH AND 22.94 FEET EAST OF THE NORTHWEST CORNER OF SAID LOTS 155 AND 156;

THENCE NORTH A DISTANCE OF 7.74 FEET; THENCE EAST A DISTANCE OF 5.86 FEET; THENCE SOUTH A DISTANCE OF 7.74 FEET; THENCE WEST A DISTANCE OF 5.86 FEET, TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS.

ACCESS EASEMENT (SOUTH - PARKING LOT).

THE SOUTH 42.2 FEET OF LOTS 155 AND 156 IN JOHN P. ALTGELD'S SUBDIVISION OF BLOCKS 1, 2, 3, 4, 7 AND THE NORTH HALF OF BLOCK 6 IN THE SUBDIVISION OF THAT PART LYING NORTHEASTERLY OF THE CENTER LINE OF LINCOLN AVENUE OF THE NORTHWEST QUARTER OF SECTION 29, TOWNSHIP 40 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

ACCESS EASEMENT (WEST).

THAT PART OF LOTS 155 AND 156 IN JOHN P. ALTGELD'S SUBDIVISION OF BLOCKS 1, 2, 3, 4, 7 AND THE NORTH HALF OF BLOCK 6 IN THE SUBDIVISION OF THAT PART LYING NORTHEASTERLY OF THE CENTER LINE OF LINCOLN AVENUE OF THE NORTHWEST OUARTER OF SECTION 29, TOWNSHIP 40 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

BEGINNING AT A POP T THAT IS 0.40 FEET EAST AND 45.7 FEET SOUTH OF THE NORTHWEST CORNER OF SAID LOTS 155 AND 156;

THENCE EAST A DISTANCE OF 2.90 FEET; THENCE SOUTH A DISTANCE OF 7.24 FEET; THENCE WEST A DISTANCE OF 3.30 FEET; THENCE NORTH A DISTANCE OF 7.24 FEET; THENCE EAST A DISTANCE OF 0.40 FEET, TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS.

ACCESS EASEMENT (GARAGE).

THAT PART OF LOTS 155 AND 156 IN JOHN P. ALTGELD'S SUBDIVISION OF BLOCKS 1, 2, 3, 4, 7 AND THE NORTH HALF OF BLOCK 6 IN THE SUBDIVISION OF THAT PART LYING NORTHEASTERLY OF THE CENTER LINE OF LINCOLN AVENUE OF THE NORTHWEST QUARTER OF SECTION 29, TOWNSHIP 4) NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

THE FOLLOWING PARCEL OF LAND LYING ABOVE A HORIZONTAL PLANE AT ELEVATION 17.45 FEET (CCD) AND LYING BELOW A HORIZONTAL PLANE AT ELEVATION 29.25 FEET (CCD) DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT THAT IS 81.91 SOUTH AND 2.40 FEET WEST OF THE NORTHEAST CORNER OF SAID LOTS 155 AND 156;

THENCE WEST A DISTANCE OF 18.12 FEET; THENCE NORTH A DISTANCE OF 16.15 FEET; THENCE EAST A DISTANCE OF 0.45 FEET; THENCE NORTH A DISTANCE OF 3.91 FEET; THENCE EAST A DISTANCE OF 17.19 FEET; THENCE SOUTH A DISTANCE OF 20.06 FEET, TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS.