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Karen A. Yarbrough
Cook County Recorder of Deeds
Date: 01/08/2015 10:08 AM Pg: 1 of 7

William B. Levy, Esq.
Rhoades Levy Law Group P.C.
3400 Dundee Road, Suite 340
Northbrook, Illinois 60062

Property of Cook County Clerk's Office

RECORDER'S STAMP

MEMORANDUM OF SECOND AMENDMENT TO AMENDED AND RESTATED CO-OWNERSHIP AGREEMENT

This MEMORANDUM OF SECOND AMENDMENT TO AMENDED AND RESTATED CO-OWNERSHIP AGREEMENT is made as of January 2, 2015, by and between OLIVA 3400 HOLDING, LLC, a Delaware limited liability company ("Oliva Holding"), LEVIN 3400 HOLDING, LLC, a Delaware limited liability company ("Levin Holding") and LEVY 3400 HOLDING, LLC, a Delaware limited liability company ("Levy Holding" and together with Oliva Holding and Levin Holding, the "Co-Owners").

RECITALS:

The Co-Owners each own a tenancy-in-common interest in and to the property legally described on Exhibit A attached hereto and made a part hereof.

In connection therewith, the Co-Owners, along with RUDMAN FAMILY 3400 HOLDING, LLC, a Delaware limited liability company ("Rudman Holding"), were parties to that certain Amended and Restated Co-Ownership Agreement dated as of November 24, 2003.

At various times subsequent thereto, Rudman Holding conveyed its interest in the Property in varying percentages to each of Oliva Holding, Levin Holding, and Levy Holding.

EX 333-CT

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Subsequent to such conveyances, the Co-Owners first entered into that certain First Amendment to Amended and Restated Co-Ownership Agreement dated as of January 1, 2011 and then entered into that certain Second Amendment to Amended and Restated Co-Ownership Agreement dated as of January 2, 2015.

In connection therewith, the Co-Owners have entered into this Memorandum to confirm the existence of the Co-Ownership Agreement, as amended, and to provide notice to any interested party of such Co-Ownership Agreement, as amended, and of the terms and provisions thereof.

NOW, THEREFORE, the Co-Owners state and agree as follows:

1. The Co-Owners are parties to the Co-Ownership Agreement, as amended.
2. This Memorandum is subject to all of the terms, conditions and limitations set forth in the Co-Ownership Agreement, as amended, and the Co-Ownership Agreement, as amended, is hereby incorporated herein for all purposes with the same effect as though the terms and conditions of the Co-Ownership Agreement, as amended, were set forth herein in their entirety.
3. This Memorandum is for the benefit of and binding upon the Co-Owners and their respective successors and assigns.
4. This Memorandum may be executed in multiple counterparts, each of which shall constitute an original, and all of which when taken together shall constitute one and the same instrument.


[signatures to follow]

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IN WITNESS WHEREOF, the Co-Owners have caused this instrument to be executed as of the date first above written.


OLIVA 3400 HOLDING, LLC, a Delaware limited liability company

By: OLIVA 3400 LLC, an Illinois limited liability company, its sole member

By: 
Name: Samuel Oliva
Its: Manager

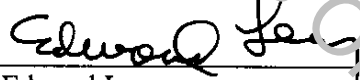
LEVIN 3400 HOLDING, LLC, a Delaware limited liability company

By: LEVIN 3400 LLC, an Illinois limited liability company, its sole member

By: 
Name: Stuart Levin
Its: Manager

LEVY 3400 HOLDING, LLC, a Delaware limited liability company

By: LEVY 3400 LLC, an Illinois limited liability company, its sole member

By: 
Name: Edward Levy
Its: Manager

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STATE OF ILLINOIS)
)
) SS.
COUNTY OF COOK)

I, Lori Kerrick, a Notary Public in and for County and State aforesaid, do hereby certify that Samuel Oliva, the manager of Oliva 3400 LLC, an Illinois limited liability company, the manager of Oliva 3400 Holding, LLC, a Delaware limited liability company, personally known to me to be the same person whose name is subscribed to the foregoing instrument as such manager, appeared before me this day in person and acknowledged that he signed and delivered the said instrument as his own free and voluntary act, and as the free and voluntary act of said limited liability companies, for the uses and purposes therein set forth.

Given under my hand and Notarial Seal this 2nd day of January, 2015.

Notary Public *L*

My Commission Expires: 3/14/16




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STATE OF ILLINOIS)
) SS.
COUNTY OF COOK)

I, Lori Kerrick, a Notary Public in and for County and State aforesaid, do hereby certify that Stuart Levin, the manager of Levin 3400 LLC, an Illinois limited liability company, the manager of Levin 3400 Holding, LLC, a Delaware limited liability company, personally known to me to be the same person whose name is subscribed to the foregoing instrument as such manager, appeared before me this day in person and acknowledged that he signed and delivered the said instrument as his own free and voluntary act, and as the free and voluntary act of said limited liability companies, for the uses and purposes therein set forth.

Given under my hand and Notarial Seal this 2nd day of January, 2015.

Notary Public 

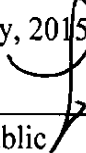
My Commission Expires: 3/13/16



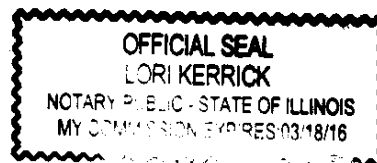
STATE OF ILLINOIS)
) SS.
COUNTY OF COOK)

I, Lori Kerrick, a Notary Public in and for County and State aforesaid, do hereby certify that Edward Levy, the manager of Levy 3400 LLC, an Illinois limited liability company, the manager of Levy 3400 Holding, LLC, a Delaware limited liability company, personally known to me to be the same person whose name is subscribed to the foregoing instrument as such manager, appeared before me this day in person and acknowledged that he signed and delivered the said instrument as his own free and voluntary act, and as the free and voluntary act of said limited liability companies, for the uses and purposes therein set forth.

Given under my hand and Notarial Seal this 2nd day of January, 2015.

Notary Public 

My Commission Expires: 3/18/16



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EXHIBIT A

LEGAL DESCRIPTION OF REAL ESTATE

PARCEL 1:

THE NORTH 1 ACRE OF THE WEST 2 ACRES OF THE SOUTH 1/2 OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 5, TOWNSHIP 42 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

PARCEL 2:

THE WEST 16 FEET OF THE SOUTH 1 ACRE OF THE WEST 2 ACRES (EXCEPT THE SOUTH 50 FEET OF THE WEST 16 FEET) OF THE SOUTH 1/2 OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 5, TOWNSHIP 42 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

PARCEL 3:

THE WEST 4 ACRES (EXCEPT THEREFROM THE FOLLOWING: THE NORTH 1 ACRE OF THE WEST 2 ACRES THEREOF, THE WEST 16 FEET OF THE SOUTH 1 ACRE OF THE WEST 2 ACRES THEREOF, AND THE SOUTH 50 FEET THEREOF) OF THE SOUTH 1/2 OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 5, TOWNSHIP 42 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

PARCEL 4:

EASEMENT FOR THE BENEFIT OF PARCELS 1, 2, AND 3, AS CREATED BY NON-EXCLUSIVE EASEMENT AGREEMENT BETWEEN THE VILLAGE OF NORTHBROOK, LA SALLE NATIONAL BANK, AS TRUSTEE UNDER TRUST AGREEMENT DATED FEBRUARY 16, 1978 AND KNOWN AS TRUST NUMBER 10-33602-09 AND AMERICAN NATIONAL BANK AND TRUST COMPANY OF CHICAGO, AS TRUSTEE UNDER TRUST AGREEMENT DATED NOVEMBER 8, 1983 AND KNOWN AS TRUST NUMBER 60300, DATED JULY 9, 1984 AND RECORDED JULY 13, 1984 AS DOCUMENT 27171232, AND BY NON-EXCLUSIVE EASEMENT AGREEMENT BETWEEN THE ABOVEMENTIONED PARTIES, DATED SEPTEMBER 11, 1985 AND RECORDED DECEMBER 12, 1985 AS DOCUMENT 85320712 FOR INGRESS, EGRESS, DRIVEWAY AND OFF-STREET PARKING OVER PORTIONS OF THE FOLLOWING LEGAL DESCRIPTIONS:

PARCEL "A":

THE WEST 2 ACRES (EXCEPT THE SOUTH 50 FEET THEREOF) OF THE EAST 4 ACRES OF THE WEST 10 ACRES OF THE SOUTH 1/2 OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 5, TOWNSHIP 42 NORTH, RANGE 12, EAST

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OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

AND

PARCEL "B":

THE EAST 2 ACRES OF THE WEST 6 ACRES OF THE SOUTH 1/2 OF THE
SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 5, TOWNSHIP 42 NORTH,
RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN (EXCEPT THE SOUTH 50
FEET THEREOF TAKEN IN CASE NO. 70L1934, BY THE COUNTY OF COOK), IN
COOK COUNTY, ILLINOIS.

PINs: 04-05-304-014-0000
04-05-304-019-0000
04-05-304-020-0000

Address: 3400 Dundee Road, Northbrook, Illinois 60062