



\*1708644073\*

**SECOND AMENDMENT TO DECLARATION OF EASEMENTS FOR  
INGRESS, EGRESS AND ACCESS**

THIS AMENDMENT TO DECLARATION OF EASEMENTS FOR INGRESS, EGRESS AND ACCESS (this "Second Amendment") is made as of this 29<sup>th</sup> day of February 2017, by and between NEA Chicago Marketplace, LLC, a Delaware limited liability company ("NEA"), Mexico Marketplace, LLC, an Illinois limited liability company ("MM") and 26<sup>th</sup> & Damen, Inc., an Illinois corporation ("Damen")

WHEREAS, on or about June 30, 2010, Damen and Marketplace of Chicago, LLC ("Marketplace") executed that certain Declaration of Easements for Ingress, Egress and Access, filed as Instrument No. 1022256015 in the Real Property Records of Cook County, Chicago on August 10, 2012 (the "Original Declaration");

WHEREAS, on or about August 24, 2012, Damen, Marketplace and Mexico Marketplace, LLC ("MM") entered into an Amendment to Declaration of Easements for Ingress, Egress and Access (the "First Amendment"), filed as Instrument No. 10225039096 in the Real Property Records of Cook County, Chicago on September 6, 2012 (the Original Declaration and this First Amendment are together referred to herein as the "Declaration");

WHEREAS, NEA is the successor in interest to Marketplace with respect to the real property made subject by Marketplace to the Declaration;

WHEREAS, the parties hereto wish to amend certain terms of the Declaration, all as more fully set forth below.

NOW, THEREFORE, for One Dollar and other consideration, the receipt and sufficiency of which are hereby acknowledged, the parties hereto, intending to be bound hereby, agree as follows:

**1. MODIFICATION OF RECITAL IN DECLARATION**

The first recital in the Amendment is deleted in its entirety and the following inserted in its place:

"WHEREAS, MC and Damen on June 30, 2010 executed a Declaration of Easements for Ingress, Egress and Access recorded in the office of the Cook County Recorder of Deeds on August 10, 2010 as Document No. 1022256015"

**2. EFFECTIVENESS OF REMAINDER OF DECLARATION**

Except as specifically amended by this Second Amendment, the provisions of the Declaration are incorporated herein by reference and made a part hereof, and shall, except as provided herein, remain in full force and effect.

IN WITNESS WHEREOF, the undersigned have caused this Amended Declaration of Easements for Ingress, Egress and Access to be executed as of the day and year first above written.

Doc# 1708644073 Fee \$76.00

RHSP FEE:\$9.00 RPRF FEE: \$1.00

KAREN A. YARBROUGH

COOK COUNTY RECORDER OF DEEDS

DATE: 03/27/2017 02:50 PM PG: 1 OF 6

# UNOFFICIAL COPY

**NEA CHICAGO MARKETPLACE, LLC, a Delaware limited liability company**

**By: Chicago Marketplace Holdings, LLC, an Illinois limited liability company, its sole member**

**By: RE Family Holdings, LLC, an Illinois limited liability company, its managing member**

ATTEST:

By: David Borinsky  
DAVID BORINSKY

By: [Signature]  
Ruben Espinoza, President

**Mexico Marketplace, LLC, an Illinois limited liability company**

ATTEST:

By: David Borinsky  
DAVID BORINSKY

By: [Signature]  
Ruben Espinoza, authorized Person

**26<sup>th</sup> & Damen, Inc., an Illinois corporation**

ATTEST:

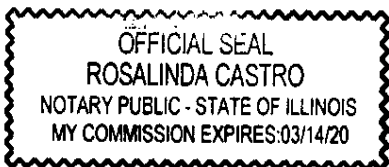
By: David Borinsky  
DAVID BORINSKY

By: [Signature]  
Ruben Espinoza, President

STATE ILLINOIS COUNTY COOK

SIGNED BEFORE ME 21 DAY FEBRUARY 20 17

NOTARY PUBLIC Rosalinda Castro



# UNOFFICIAL COPY

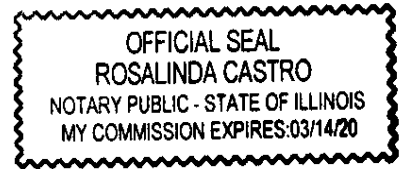
STATE OF ILLINOIS )  
 )  
COUNTY OF COOK )

I, ROSALINDA CASTRO, a Notary Public in and for said County, in the State aforesaid, DO HEREBY CERTIFY that Ruben Espinoza, on behalf of 26<sup>th</sup> & Damen, Inc., personally known to me to be the same persons whose names are subscribed to the foregoing instrument as president, appeared before me this day in person and acknowledged that he signed and delivered said instrument as his own free and voluntary act and as the free and voluntary act of said Trustee for the uses and purposes therein set forth.

GIVEN under my hand and Notarial Seal, this 21 day of February 2017.

Rosalinda Castro  
Notary Public

My Commission Expires: 03/14/2020.



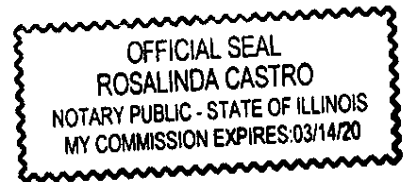
STATE OF ILLINOIS )  
 )  
COUNTY OF COOK )

I, ROSALINDA CASTRO, a Notary Public in and for said County, in the State aforesaid, DO HEREBY CERTIFY that Ruben Espinoza, authorized person of NEA Chicago Marketplace, LLC, personally known to me to be the same person whose name is subscribed to the foregoing instrument as such authorized person, appeared before me this day in person and acknowledged that they signed and delivered said instrument as their own free and voluntary act and as the free and voluntary act of said NEA Chicago Marketplace, LLC, for the uses and purposes therein set forth.

GIVEN under my hand and Notarial Seal, this 21 day of FEBRUARY, 2017.

Rosalinda Castro  
Notary Public

My Commission Expires: 03/14/2020.



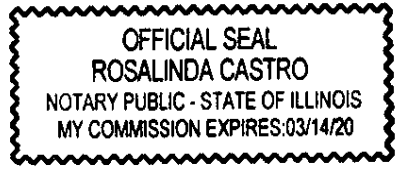
# UNOFFICIAL COPY

STATE OF ILLINOIS     )  
  )  
COUNTY OF COOK     )

I, ROSALINDA CASTRO, a Notary Public in and for said County, in the State aforesaid, DO HEREBY CERTIFY that Ruben Espinoza, on behalf of Mexico Marketplace, LLC, personally known to me to be the same persons whose names are subscribed to the foregoing instrument as president, appeared before me this day in person and acknowledged that he signed and delivered said instrument as his own free and voluntary act and as the free and voluntary act of said 26<sup>th</sup> & Damen, Inc. for the uses and purposes therein set forth.

GIVEN under my hand and Notarial Seal, this 21 day of February 2017.

Rosalinda Castro  
Notary Public



**COOK COUNTY  
RECORDER OF DEEDS**

**COOK COUNTY  
RECORDER OF DEEDS**

Property of Cook County Clerk's Office

# UNOFFICIAL COPY

## SCHEDULE A DESCRIPTION

Title Number: 831968(S-IL-CR-KV)A

Policy Number M-9302-003053819

As to Parcel:

17-30-208-018-0000 (Vol 601)

16-36-201-035-0000 (Vol. 508), 16-36-201-032-0000 (Vol. 508), 16-36-201-034-0000 (Vol. 508),

16-36-200-033-0000 (Vol. 508), 16-36-200-048-0000 (Vol. 508) and 16-36-200-031-0000 (Vol. 508)

The following tract of land situate in the City of Chicago, the County of Cook, and the State of Illinois, being more particularly described as follows:

Parcel 1:

Those lots and parts of Lots 32 through 36, both inclusive, together with a portion of that part of Canal D (now filled) in Block 13 in S.J. Walker's Dock Addition to Chicago, being a subdivision of the East half, North of the river, of Section 30, Township 39 North, Range 14 East of the Third Principal Meridian, all taken as a tract described as follows:

BEGINNING at a point on the West line of said Lot 32, said point being 25.00 feet North of the southwest corner thereof,

THENCE North 00 degrees 01 minute 08 seconds West, along the West line of said Lots 32 through 36, (being also the easterly line of South Damen Avenue), a distance of 440.00 feet to a line 35.00 feet South from and parallel with the North line of said Lot 36,

THENCE South 89 degrees 55 minutes 44 seconds East along said parallel line and the easterly extension thereof, a distance of 268.11 feet, to a line 268.11 feet East from and parallel with said West line of Lots 32 through 36,

THENCE South 00 degrees 01 minute 08 seconds East along said parallel line, a distance of 440.21 feet to a line drawn from a point on the West line of said Lot 32, said point being 25.00 feet North of the southwest corner thereof, easterly to a point on the East line of the West 15.00 feet of Lot 7 in said Block 13, said point being 24.72 feet North of the South line of said Lot 7,

THENCE North 89 degrees 53 minutes 04 seconds West, along the last described line, a distance of 268.11 feet to the point of BEGINNING, in Cook County, Illinois.

Parcel 2:

Those parts of Lots 3 through 7, both inclusive, together with a portion of that part of Canal D (now filled) in Block 13 in S.J. Walker's Dock Addition to Chicago, being a subdivision of the East half, North of the River, of Section 30, Township 39 North, Range 14 East of the Third Principal Meridian, all taken as a tract, described as follows:

BEGINNING at the intersection of the South line of the North 35.00 feet of said Lot 3 with the East line of the West 15.00 feet of Lots 3 through 7,

THENCE South 00 degrees 00 minutes 00 seconds East along said East line of the West 15.00 feet of Lots 3 through 7, a distance of 440.28 feet to a line drawn from a point on the West line of Lot 32 in Block 13, said point being 25.00 feet North of the southwest corner thereof, easterly to a point on the East line of the West,

# UNOFFICIAL COPY

## SCHEDULE A DESCRIPTION - continued

Title Number: 831968(S-IL-CR-KV)A

Policy Number M-9302-003053819

15.00 feet of said Lot 7, said point being 24.72 feet North of the South line of said Lot 7,

THENCE North 89 degrees 53 minutes 04 seconds West along the last described line, a distance of 90.53 feet to a line 268.11 feet East from and parallel with the West line of Lots 32 through 36 in said Block 13,

THENCE North 00 degrees 01 minute 08 seconds West along said parallel line, a distance of 440.21 feet to the westerly extension of the South line of the North 35.00 feet of said Lot 3,

THENCE South 89 degrees 55 minutes 44 seconds East along the last described line, a distance of 90.67 feet to the point of BEGINNING, in Cook County, Illinois.

Parcel 3:

Together with terms and provisions of that Declaration of Easements for Ingress, Egress, and Access dated June 30, 2010 and recorded August 10, 2010 as Document No. 1022256015, as amended by Amendment to Declaration of Easements for Ingress, Egress and Access dated August 24, 2012 and recorded September 6, 2012 as Document No. 1225039096 with Cook County Recorder of Deeds, Illinois.

Parcel 4:

Together with terms and provisions of that Declaration of Easement for Ingress, Egress and Access and for Maintenance of Stormwater Facilities dated August 24, 2012 and recorded September 6, 2012 as Document No. 1225039097 with Cook County Recorder of Deeds, Illinois.

Parcel 5:

Together with terms and conditions of a Lease Agreement by and between Damen, Inc., as Landlord, and Marketplace of Chicago, LLC, as Tenant, as evidenced by a Memorandum of Parking Lot Lease, dated June 30, 2010 and recorded August 10, 2010 as Document No. 1022256014. Said lease was assigned and amended by Assignment and Amendment of Lease by and between 26th & Damen, Inc., an Illinois corporation, Marketplace of Chicago, LLC and Illinois limited liability company and Chicago Marketplace, LLC, an Illinois limited liability company dated August 28, 2012, unrecorded agreement.

Note: For informational purposes only, the land is known as: 2455 South Damen Avenue, Chicago, IL