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1800534086

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KAREN A. YARBROUGH

COOK COUNTY RECORDER OF DEEDS

DATE: 01/05/2018 03:31 PM PG: 1 OF 8

This instrument prepared by and
when recorded return to:
Michelle A. Laiss
LAW OFFICES OF
MICHELLE A. LAISS
1530 WEST FULLERTON
CHICAGO, ILLINOIS 60614

**AMENDMENT TO
DECLARATION OF CONDOMINIUM
PURSUANT TO THE CONDOMINIUM PROPERTY ACT
FOR
1734 WEST LEMOYNE CONDOMINIUM ASSOCIATION**

This First Amendment to the Declaration of Condominium ("**Amendment**") is made and entered into as of this 27th day of September, 2017 by the 1734 West LeMoyne Condominium Association (the "**Declarant**"):

WHEREAS the Declarant is an Illinois not-for-profit corporation charged with managing the 1734 West LeMoyne Condominium Property (the "**Property**");

WHEREAS Declarant intends to modify the original Condominium Declaration (the "**Declaration**") recorded as document number 0428144056, recorded on October 7, 2004. The purpose of this First Amendment is to clarify and correct a Scrivener's error on the size of the roof deck assigned to Unit 2, as a Limited Common Element, as set forth in the Declaration and Plat of Survey;

NOW THEREFORE, Declarant hereby declares as follows:

1. In accordance with the authority granted in the Declaration and Bylaws of the 1734 West LeMoyne Condominium Association, the parties hereby agree to

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DATE 1-5-18 COPIES 6
OK BY B. W. W.

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amend the Declaration of Condominium. Said legal description is attached hereto and market as Exhibit "A" to this First Amendment.

Limited Common Elements. Except as otherwise provided in the Declaration or in this Amendment, the Limited Common Elements shall consist of all portions of the Common Elements set aside and allocated for the restricted use of particular Units, or which, by the terms of this Declaration or by its nature or location are clearly intended to serve exclusively a certain Unit or Units (but less than all of the Units) or the Unit Owner(s) thereof. Without limiting the generality of the foregoing, the Limited Common Elements shall include, without limitation, the following: (a) the interior surfaces of the perimeter walls, floors and ceilings which define the boundary planes of a Unit; (b) perimeter doors and windows, including plate glass and skylights, if any, which serve exclusively a single Unit; (c) any system or component part thereof (including, without limitation and to the extent applicable, fireplace flues and chimneys, furnaces, fittings, pipes, ducts, flues, shafts, electrical wiring and conduits) which serve a Unit exclusively to the extent such system or component is located outside the boundaries of a Unit; (d) ceilings and floors separating different levels in a multi-level Unit; (e) Parking Units, as defined in the Declaration; and (f) portions of the Common Elements which have been designated by this Declaration or the Plat as Limited Common Elements including, but not limited to, balconies, porches, decks, storage lockers and a Roof Deck, as defined in the Declaration.

The following section shall be added to the Declaration:

Article IV (c): The size of the building roof deck was incorrectly noted as being 400 square feet and should have been noted as being 48' by 18'.

Roof Deck. The survey recorded with the Declaration is being amended to reflect the actual size of the roof deck assigned to Unit 2. The current survey does not show the actual roof deck size, which is approximately 48' by 18'. A copy of the revised survey is attached to this Amendment as Exhibit "B".

- (i) by State law or City of Chicago Ordinance, or, in the absence of any such State law or City of Chicago Ordinance, in an amount sufficient to cover any accidents encountered during the enjoyment of the Roof Deck, to include, but not limited to, death or injury from falling from the Roof Deck.
- (a) Any Unit Owner, including the Commercial Unit Owner, or the Association may demand proof of insurance as set forth in this Amendment at any time, within 48 hours notice.

Exhibit B. Exhibit C to this Amendment shall hereby replace Exhibit B to the Declaration.

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This Amendment to the Declaration does not change the percentage of Ownership interest.

IN WITNESS WHEREOF, Declarant has caused its name to be signed to these presents on the day and year first above written.


1734 West LeMoyne Condominium Association, an Illinois corporation

By: Matthew Mell, 

Its: President

IN WITNESS HEREOF, each Unit Owner has caused its name to be signed to these presents on the day and year first above written.

Unit 1


By: David Langest 

Its Owner

By: 

Its Owner

Unit 2:

By: Matthew Mell, 

Its Owner

By: _____

Its: Owner

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Exhibit A

Legal Description

Unit 1:

Parcel 1:

Unit 1 in the 1734 West LeMoyne Condominium as delineated on the Plat of Survey of the following described property: Lot 39 in Block 3 in the Reynold's Subdivision of part of the East $\frac{1}{2}$ of the Northeast $\frac{1}{4}$ of Section 6, Township 39 North, Range 14, East of the Third Principal Meridian, in Cook County, Illinois, which survey is attached as "Exhibit A" to the Declaration of Condominium Recorded as document number 0428144056, together with its undivided percentage interest in the common elements.

Parcel 2:

The exclusive right to use parking space 1 and the garage roof deck, a limited common element as delineated in the Declaration of Condominium and Plat attached thereto recorded as document number 0428144056

PIN: 17-06-205-054-1001

Unit 2:

Parcel 1:

Unit 2 in the 1734 West LeMoyne Condominium as delineated on the Plat of Survey of the following described property: Lot 39 in Block 3 in the Reynold's Subdivision of part of the East $\frac{1}{2}$ of the Northeast $\frac{1}{4}$ of Section 6, Township 39 North, Range 14, East of the Third Principal Meridian, in Cook County, Illinois, which survey is attached as "Exhibit A" to the Declaration of Condominium Recorded as document number 0428144056, together with its undivided percentage interest in the common elements.

Parcel 2:

The exclusive right to use parking space 2 and the building roof deck, a limited common element as delineated in the Declaration of Condominium and Plat attached thereto recorded as document number 0428144056

PIN: 17-06-205-054-1002

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EXHIBIT B

PERCENTAGE OF OWNERSHIP IN THE COMMON ELEMENTS

<u>UNIT</u>	<u>PERCENTAGE DISTRIBUTION</u>
1	50%
2	50%
	100.0%

LIMITED COMMON ELEMENTS

<u>UNIT</u>	<u>PARKING</u>	<u>ROOF DECK</u>
1	P-1	Garage roof deck
2	P-2	Building Roof Deck

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1 Double page

8 pages

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KAREN A. YARBROUGH

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EXHIBIT
ATTACHED TO DOCUMENT

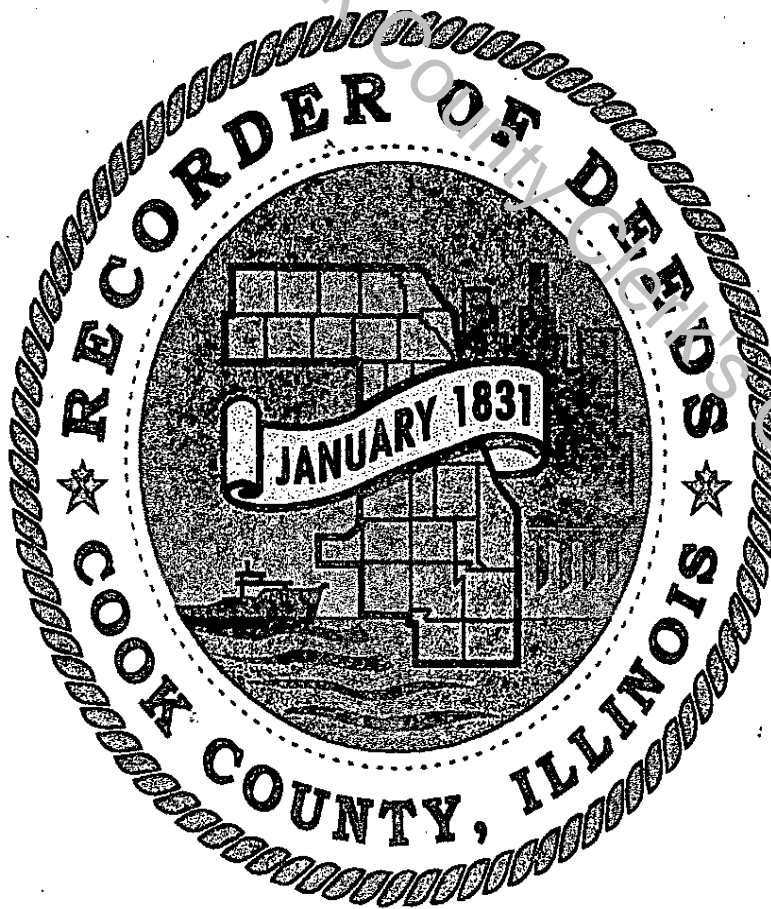


IMAGE STORED IN PLAT INDEX DATABASE

52.00