

UNOFFICIAL COPY

This instrument was prepared by,
and after recording return to:

Drinker Biddle & Reath LLP
191 North Wacker Drive
Suite 3700
Chicago, Illinois 60606
Attn: Michael F. Csar



1830444079

Doc# 1830444079 Fee \$54.00

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

KAREN A. YARBROUGH

COOK COUNTY RECORDER OF DEEDS

DATE: 10/31/2018 03:14 PM PG: 1 OF 9

DECCR CERTIFICATION - NORTH

THIS CERTIFICATION OF CERTAIN DECCR PROVISIONS (this "Certification") is made as of the 28th day of September, 2018 by WPO NORTH, LLC, an Illinois limited liability company ("WPO North").

RECITALS

A. Reference is made to that certain Amended and Restated Declaration of Easements, Covenants, Conditions and Restrictions made by and among WPO North, WPO East, LLC, an Illinois limited liability company, WPO South, LLC, an Illinois limited liability company, and BIT Wolf Point West Investors LLC, a Delaware limited liability company, dated as of January 1, 2017 and recorded March 7, 2017 as Document No. 1706645089, amended by First Amendment dated as of June 15, 2017 and recorded on June 27, 2017 as Document No. 1717845023 (as so amended, the "DECCR"). The DECCR affects the real estate described in Exhibit A attached hereto and made a part hereof. Unless otherwise defined herein, capitalized terms as used in this Certification shall have the same meaning as set forth in the DECCR. WPO North is the North Parcel Owner.

B. Among other things, the DECCR requires compliance with the allocation of certain development rights and restrictions made applicable to the Wolf Point Property and the 350 Property set forth in the DRA and allocated among the Parcels pursuant to the DECCR. Section 2 of the DECCR provides, among other things, that following completion of construction on the respective Parcel, the respective Parcel Owner shall deliver to Declarant Designated Successor, with copies provided to the other Parcel Owners, a certification confirming compliance with certain provisions of the DRA and the DECCR applicable to the Parcel.

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C. WPO North, as the North Parcel Owner, has submitted to the other Parcel Owners the attached certification executed by North Parcel Owner as required under Section 2.5(e) of the DECCR.

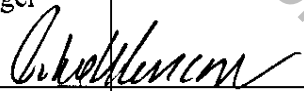
NOW, THEREFORE, pursuant to the DECCR, WPO North in its capacity as Declarant Designated Successor hereby confirms:

1. Confirmation of Certification. WPO North hereby confirms the attached items were provided by North Parcel Owner.
2. Recording. WPO North hereby causes this Certification to be recorded with the Recorder as a supplement to the DECCR.

IN WITNESS WHEREOF, WPO North has executed this Certification as of the date first above written.

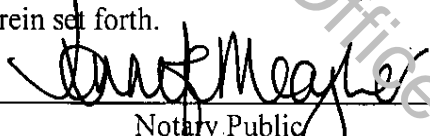
WPO NORTH as Declarant Designated Successor:

WPO NORTH, LLC,
 an Illinois limited liability company
 By: Park Agency, Inc., a Delaware corporation
 Its Manager

By: 
 Robert W. Corcoran, Vice President

STATE OF NEW YORK)
) SS
 COUNTY OF NEW YORK)

The foregoing instrument was acknowledged before me, a Notary Public, this 25th day of October, 2018, by Robert W. Corcoran, Vice President of Park Agency, Inc., a Delaware corporation, Manager of WPO NORTH, LLC, an Illinois limited liability company, on behalf of said company for the uses and purposes therein set forth.



 Notary Public

JENNIFER MEAGHER
 NOTARY PUBLIC-STATE OF NEW YORK
 No. 01ME6178383
 Qualified in Richmond County
 Certificate Filed in New York County
 My Commission Expires 12-03-2019

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EXHIBIT A

Legal Descriptions of North Parcel, East Parcel, South Parcel and West Parcel (Pursuant to Subdivision Plat for Wolf Point II Subdivision)

North Parcel

LOTS 1 AND 5 IN WOLF POINT II SUBDIVISION, A SUBDIVISION OF LOT 16 IN WOLF POINT SUBDIVISION OF PARTS OF SECTION 9, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED DECEMBER 16, 2015 AS DOCUMENT 1535029002, IN COOK COUNTY, ILLINOIS.

Street Address: 325 W. Wolf Point Plaza Drive
Chicago, Illinois 60654
Permanent Index Number: 17-09-400-034 and 17-09-400-038

East Parcel

LOT 2 IN WOLF POINT II SUBDIVISION, A SUBDIVISION OF LOT 16 IN WOLF POINT SUBDIVISION OF PARTS OF SECTION 9, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED DECEMBER 16, 2015 AS DOCUMENT 1535029002, IN COOK COUNTY, ILLINOIS.

Street Address: 313 W. Wolf Point Plaza Drive
Chicago, Illinois 60654
Permanent Index Number: 17-09-400-035

South Parcel

LOT 3 IN WOLF POINT II SUBDIVISION, A SUBDIVISION OF LOT 16 IN WOLF POINT SUBDIVISION OF PARTS OF SECTION 9, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED DECEMBER 16, 2015 AS DOCUMENT 1535029002, IN COOK COUNTY, ILLINOIS.

Street Address: 333 W. Wolf Point Plaza Drive
Chicago, Illinois 60654
Permanent Index Number: 17-09-400-036

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West Parcel

LOT 4 IN WOLF POINT II SUBDIVISION, A SUBDIVISION OF LOT 16 IN WOLF POINT SUBDIVISION OF PARTS OF SECTION 9, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED DECEMBER 16, 2015 AS DOCUMENT 1535029002, IN COOK COUNTY, ILLINOIS.

Street Address: 343 W. Wolf Point Plaza Drive
Chicago, Illinois 60654
Permanent Index Number: 17-09-400-037

Property of Cook County Clerk's Office

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WPO NORTH, LLC

September 28, 2018

BIT Wolf Point West Investors LLC
c/o Hines Interests Limited Partnership
444 W. Lake Street, Suite 2400
Chicago Illinois 60606

BIT Wolf Point East Investors LLC
c/o Hines Interests Limited Partnership
444 W. Lake Street, Suite 2400
Chicago Illinois 60606

WPO South, LLC
c/o Park Agency, Inc.
330 Madison Ave., Suite 2303
New York, NY 10017

Re: DECCR Certification – North Parcel

Reference is made to that certain Amended and Restated Declaration of Easements, Covenants, Conditions and Restrictions made by and among WPO North, LLC, an Illinois limited liability company (“North Parcel Owner”), WPO East, LLC, an Illinois limited liability company, WPO South, LLC, an Illinois limited liability company, and BIT Wolf Point West Investors LLC, a Delaware limited liability company, dated as of January 1, 2017 and recorded March 7, 2017 as Document No. 1706645089, amended by First Amendment dated as of June 15, 2017 and recorded on June 27, 2017 as Document No. 1717845023 (as so amended, the “DECCR”). Unless otherwise defined herein, capitalized terms as used in this certification shall have the same meaning as set forth in the DECCR.

As set forth in Section 2.5(e) of the DECCR, North Parcel Owner agreed to provide a certification confirming compliance with the provisions of Section 2.5 of the DECCR. North Parcel Owner HEREBY CERTIFIES AND CONFIRMS that the improvements on the North Parcel conform to the requirements set forth in Section 2.5 of the DECCR. Plans and drawings detailing the improvements have previously been provided and are available upon request. Attached are the as-built survey confirming that the plane of the north elevation of the North Parcel Garage Elevator/Stairwell and the height of the North Parcel Garage Elevator/Stairwell do not exceed the measurements for the sight line façade coverage described in Section 2.5(b) of the DECCR and an architect’s certification letter confirming that the maximum number of parking spaces set forth in Section 2.5(c) of the DECCR is not exceeded.


North Parcel Owner in its capacity as Declarant Designated Successor shall cause this certification to be recorded with the Recorder as a supplement to the DECCR.

[Signature Page Follows]

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WPO NORTH, LLC

By: Park Agency, Inc., its Manager

By: 
Robert W. Corcoran
Vice President

STATE OF NEW YORK)
) SS
COUNTY OF NEW YORK)

The foregoing instrument was acknowledged before me, a Notary Public, this 25th day of October, 2018, by Robert W. Corcoran, Vice President of Park Agency, Inc., a Delaware corporation, Manager of WPO NORTH, LLC, an Illinois limited liability company, on behalf of said company for the uses and purposes therein set forth.


Notary Public

JENNIFER MEAGHER
NOTARY PUBLIC-STATE OF NEW YORK
No. 01ME6178383
Qualified in Richmond County
Certificate Filed in New York County
My Commission Expires 12-03-2019

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b KL

September 30, 2018

Mr. Chuck McNabney
Hines
444 W Lake Street
Suite 2400
Chicago, IL 60606

Dear Chuck,

bKL Architecture LLC is the Architect of Record of the North Garage building at 324 Wolf Point Plaza in Chicago, Illinois. We are writing to certify the following data, which is based on our Design Documents and having reviewed the as-built survey.

- The sight line facade coverage for the north elevation of the North Parcel Garage Elevator/Stairwell does not exceed 19' 3".
- The height of the North Parcel Garage Elevator/Stairwell does not exceed 19' above adjacent plaza level.

Please contact us with any questions

Sincerely,

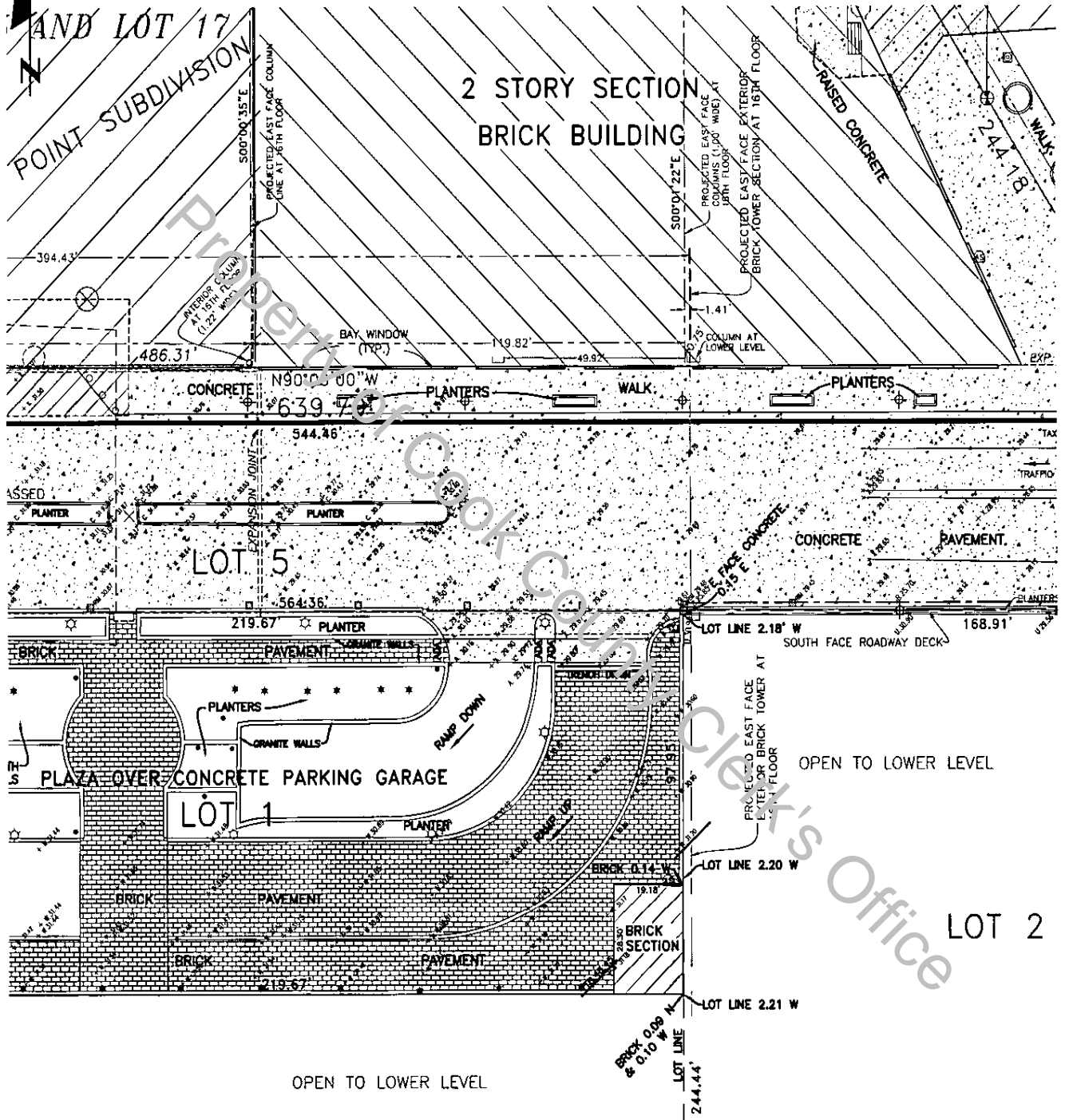


Carl Moskus AIA, LEED AP
Director

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EXHIBIT

SHOWING CERTAIN MEASUREMENTS IN RELATION TO THE SOUTHERLY PROJECTION OF EAST EXTERIOR FACE OF THE 13 STORY BRICK TOWER SECTION OF THE MERCHANDISE MART APPAREL CENTER LYING NORTH OF LOT 4 IN WOLF POINT II SUBDIVISION, CHICAGO, IL



ORDERED BY: HINES	CHECKED: BSS	DRAWN: BSS
ADDRESS: WOLF POINT		
CHICAGO GUARANTEE SURVEY COMPANY		
A DIVISION OF PLCS, CORPORATION LICENSE No. 184-005332 PROFESSIONAL LAND SURVEYORS 4505 NORTH ELSTON AVENUE, CHICAGO, IL 60630 TELEPHONE (312) 986-5445 FAX: (312) 986-9679 EMAIL: INFO@PLCS-SURVEY.COM		
ORDER NO. 2017-23579-002	DATE MARCH 20, 2017 SCALE 1/4" = 40 FEET	PAGE NO. 1 OF 1

NOTES:
 Field measurements completed on JUNE 10, 2013
 Distances are marked in feet and decimal parts thereof.
 NO dimensions shall be assumed by scale measurement upon this plat.
 Unless otherwise noted hereon the Bearing Basis, Elevation Datum and Coordinate Datum if used is ASSUMED.
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ARCHITECTS • ENGINEERS • PLANNERS • PARKING CONSULTANTS • RESTORATION ENGINEERS

September 27, 2018

WPO North, LLC

Att: Mr. Lloyd E. Davidson

222 Merchandise Mart Plaza, Suite 1530

Chicago, IL 60654

Re: Wolf Point North Garage

Dear Mr. Davidson:

This letter is to Certify that there are less than 505 parking spaces within the Wolf Point North Garage.

Sincerely,
DESMAN, Inc.

A handwritten signature in black ink, appearing to read "PP" or similar initials.

Pier Panicali
Senior Vice President

Copy to Phil Hutchison