

# UNOFFICIAL COPY

AMENDMENT TO DECLARATION  
OF CONDOMINIUM OWNERSHIP  
AND OF EASEMENTS,  
RESTRICTIONS, COVENANTS  
AND BY-LAWS FOR THE  
HERITAGE AT MILLENNIUM  
PARK, A CONDOMINIUM

(TRANSFER OF LIMITED  
COMMON ELEMENT STORAGE  
SPACES BETWEEN UNITS 4303  
AND 3203)



\*1917145047\*

Doc# 1917145047 Fee \$88.00

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

EDWARD M. HOODY

COOK COUNTY RECORDER OF DEEDS

DATE: 06/20/2019 02:14 PM PG: 1 OF 4

FOR USE BY RECORDER'S OFFICE ONLY

This Amendment to the Declaration of Condominium Ownership and of Easements, Restrictions, Covenants and By-laws for The Heritage At Millennium Park, A Condominium:

## WITNESSETH

WHEREAS, the real estate described on Exhibit A hereto and commonly known as 130 N. Garland Ct., Chicago, Illinois 60602, was submitted to the Condominium Property Act of the State of Illinois (the "Act") pursuant to a "Declaration of Condominium Ownership and of Easements, Restrictions, Covenants and By-laws for The Heritage at Millennium Park, a Condominium" recorded in the office of the Recorder of Deeds of Cook County, Illinois on December 16, 2004 as Document Number 0435103109 (as amended from time to time) (the "Declaration").

WHEREAS, Qin Chen, married to Timothy C. Hain, is the owner of record (hereinafter, the "Unit 3203 Owner") of Unit 3203 (hereinafter, "Unit 3203") in the condominium association known as The Heritage at Millennium Park.

WHEREAS, The Heritage at Millennium Park shall hereinafter be referred to as the "Association".

WHEREAS, Storage Space S807-57 is currently a limited common element appurtenant to Unit 3203.

WHEREAS, Qin Chen and Timothy C. Hain are the owners of record (hereinafter, the "Unit 4303 Owner") of Unit 4303 (hereinafter, "Unit 4303") in the Association.

WHEREAS, Storage Space S808-57 is currently a limited common element appurtenant to Unit 4303.

WHEREAS, the Unit 3203 Owner and the Unit 4303 Owner are desirous of (a) transferring Storage Space S807-57 from Unit 3203 to Unit 4303; and (b) transferring Storage Space S808-57 from Unit 4303 to Unit 3203.

WHEREAS, neither Unit 3203 nor Unit 4303 are encumbered by any mortgage.

WHEREAS, the transfer of storage spaces between Unit 3203 and Unit 4303 will not affect the parties' proportionate share in the common elements of the Association or the applicable building.

WHEREAS, Section 3.04 of the Declaration provides as follows: "The use of Limited Common Elements may be transferred between Unit Owners at their expense in accordance with the Act or as expressly provided in this Declaration."

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WHEREAS, Section 26 of the Act (765 ILCS 605/26) provides:

Sec. 26. Transfer of Limited Common Elements. The use of limited common elements may be transferred between unit owners at their expense, provided that the transfer may be made only in accordance with the condominium instruments and the provision of this Act. Each transfer shall be made by an amendment to the declaration executed by all unit owners who are parties to the transfer and consented to by all other unit owners who have any right to use the limited common elements affected. The amendment shall contain a certificate showing that a copy of the amendment has been delivered to the board of managers. The amendment shall contain a statement from the parties involved in the transfer which sets forth any changes in the parties' proportionate shares.

NOW, THEREFORE, the Unit 3203 Owner hereby (1) assigns and transfers Storage Space S807-57 to Unit 4303, (2) amends the Declaration to reflect the assignment and transfer of Storage Space S807-57 to Unit 4303, (3) agrees that the percentage ownership interests assigned to Unit 3203 and to Unit 4303, respectively, shall not be modified as a result of the foregoing transfer of Storage Space S807-57, and (4) agrees this Amendment shall not transfer or in any way affect any other rights now or hereafter assigned or belonging to Unit 3203, except as expressly set forth herein.

NOW, THEREFORE, the Unit 4303 Owner hereby (1) assigns and transfers Storage Space S808-57 to Unit 3203, (2) amends the Declaration to reflect the assignment and transfer of Storage Space S808-57 to Unit 3203, (3) agrees that the percentage ownership interests assigned to Unit 3203 and to Unit 4303, respectively, shall not be modified as a result of the foregoing transfer of Storage Space S808-57, and (4) agrees this Amendment shall not transfer or in any way affect any other rights now or hereafter assigned or belonging to Unit 4303, except as expressly set forth herein.

IN WITNESS WHEREOF, the undersigned has executed this instrument this 20 day of June, 2019.

ACCEPTED AND AGREED BY UNIT  
3203 OWNER:

X [Signature]  
Qin Chen

X [Signature]  
Timothy C. Hain

ACCEPTED AND AGREED BY UNIT  
4303 OWNER:

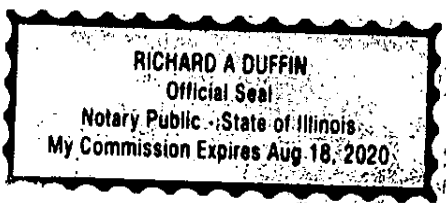
X [Signature]  
Qin Chen

X [Signature]  
Timothy C. Hain

STATE OF ILLINOIS, COUNTY OF COOK ss.

I, the undersigned, a Notary Public in and for said County, in the State aforesaid, CERTIFY THAT **Qin Chen and Timothy C. Hain**, personally known to me to be the same person(s) whose name(s) are subscribed to the foregoing instrument, appeared before me this day in person, and acknowledged that they signed, sealed and delivered the said instrument as their free and voluntary act, for the uses and purposes therein set forth, including the release and waiver of the right of homestead.

Given under my hand and official seal, this 20 day of June, 2019.



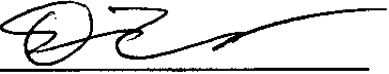
[Signature] (Notary Public)

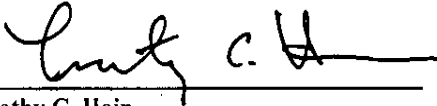
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## CERTIFICATE

The undersigned hereby certifies that a copy of the above and foregoing Amendment has been sent to the Board of Directors of The Heritage at Millennium Park at 130 N. Garland Ct., Chicago, Illinois 60602, by certified mail.

Date: June 20, 2019

X   
\_\_\_\_\_  
Qin Chen

X   
\_\_\_\_\_  
Timothy C. Hain

Property of Cook County Clerk's Office

**COOK COUNTY  
RECORDER OF DEEDS**

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## LEGAL DESCRIPTION

UNITS 3203 AND 4303 IN THE HERITAGE AT MILLENNIUM PARK CONDOMINIUM AS DELINEATED AND DEFINED ON THE PLAT OF SURVEY OF THE FOLLOWING DESCRIBED PARCELS OF REAL ESTATE:

PART OF LOTS 1 TO 6 INCLUSIVE, IN BLOCK 12 IN FORT DEARBORN ADDITION TO CHICAGO IN THE SOUTHWEST FRACTIONAL QUARTER OF SECTION 10 TOWNSHIP 39 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS

WHICH SURVEY IS ATTACHED AS EXHIBIT "C" TO THE DECLARATION OF CONDOMINIUM RECORDED DECEMBER 16, 2004 AS DOCUMENT NUMBER 0435103109, AS AMENDED FROM TIME TO TIME. TOGETHER WITH THEIR UNDIVIDED PERCENTAGE INTEREST IN THE COMMON ELEMENTS

PARCEL 2:

EASEMENT APPURTENANT FOR THE BENEFIT OF PARCEL 1 AS CREATED BY THE DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS RECORDED DECEMBER 16, 2004 AS DOCUMENT NUMBER 0435103109 FOR INGRESS AND EGRESS FOR MAINTENANCE, STRUCTURAL SUPPORT, USE OF FACILITIES, ENCROACHMENTS, COMMON WALLS, UTILITIES AND PERMANENT CANOPY OVER THE LAND DESCRIBED HEREIN. (SAID LAND COMMONLY REFERRED TO AS THE RETAIL PARCEL.)

**Common Address:** 130 N. Garland Ct., Chicago, Illinois 60602

**PIN's:** 17-10-309-015-1891 (Unit 4303)  
17-10-309-015-1836 (Unit 3203)

**THIS INSTRUMENT WAS PREPARED BY AND  
AFTER RECORDING RETURN TO:**

DUFFIN & DORE LLC  
1900 RAVINIA PLACE  
ORLAND PARK, IL 60462